



Abuse in Care

Royal Commission of Inquiry

UNDER

THE INQUIRIES ACT 2013

**IN THE MATTER OF The Royal
Commission of Inquiry into
Historical Abuse in State Care
and in the Care of Faith-based
Institutions**

PRACTICE NOTE 2 – CORE PARTICIPANTS

**Dated: 30 January 2020
Re-issued 2 September 2020**

SECTION 1 – INTRODUCTION

SECTION 2 – DESIGNATION AS A CORE PARTICIPANT

SECTION 3 – APPLICATIONS

SECTION 1 – INTRODUCTION

1. Under s 17 of the Inquiries Act 2013 (“the Act”) the Royal Commission of Inquiry (“the Inquiry”) can designate a person or group as a core participant in the Inquiry.
2. Core participant status gives general rights to a person or group to give evidence and make submissions to the Inquiry, subject to the Inquiry’s directions.
3. The Inquiry has launched a series of investigations into topics in its Terms of Reference. A person or group may apply to be designated as a core participant to a particular investigation. At any time the Inquiry may also designate core participant status to a person or group who meet its criteria, with or without an application.
4. In deciding whether to designate a person or group as a core participant, the Inquiry will consider the three criteria under s 17(2) of the Act, together with any other relevant matters:
 - (a) Whether the person or group has (or may have) played a direct and significant role in relation to the matters to which the Inquiry relates;
 - (b) Whether the person or group has a significant interest in a substantial aspect of the matters to which the Inquiry relates;
 - (c) Whether the person or group may be subject to explicit or serious criticism during the Inquiry or in a report.
5. The Inquiry is not obliged to designate every person or group who meets the criteria in s 17(2) as a core participant. The Inquiry has a discretion that will be exercised fairly, consistently and with an open mind.
6. It will not be necessary to designate every survivor of abuse as a core participant. Survivors are able to engage with the Inquiry in a large number of ways whether or not they have core participant status. In practical terms, it would not be possible to designate every survivor of abuse as a core participant, given the thousands of people affected.
7. Core participant status attaches to a person or legal entity. In some cases, the Inquiry may group together designated core participant survivors with a common interest and if it is appropriate to do so.

SECTION 2 – DESIGNATION AS A CORE PARTICIPANT

8. A person or group may be designated a core participant for one or more matter or investigation conducted by the Inquiry, or for the duration of the Inquiry.
9. Core participants cease to be core participants as directed by the Inquiry.
10. Those designated as core participants may participate in the Inquiry in accordance with its procedures, subject to any directions from the Inquiry.

11. Core participants may be represented by a lawyer. Funding for legal assistance at public expense may be available to all participants in the Inquiry, including core participants, under s 18 of the Act. See further [Practice Note 1](#) re-issued 2 September 2020.
12. Where a core participant is represented by a lawyer or lawyers, the core participant must advise the Inquiry of that representation and from that point the Inquiry will communicate directly with the lawyer on behalf of the core participant.

SECTION 3 – APPLICATIONS

13. Applications for core participant status can be made at any time. Applications must be in writing and must provide the following information:
 - (a) Full name and personal contact details of the applicant, if an individual;
 - (b) Name and contact details of the group or organisation, and names of proposed key individuals and their roles in the group;
 - (c) Information addressing the criteria in s 17(2) of the Act (as set out above in paragraph [4]);
 - (d) Information to support any other circumstances considered relevant to the application including, for example, information as to how the applicant would contribute to the aims of the Inquiry.
14. An application form is available on the Inquiry's [website](#). If an applicant wishes to receive it by post this can be arranged by phoning the Inquiry's contact centre on 0800 222 727.
15. If insufficient information is provided to enable the Inquiry to consider the merit of the application, further information may be requested or the application may be declined.
16. Applications should be made to the Solicitor Assisting by email: solicitorassisting@abuseincare.org.nz or by post to: Solicitor Assisting, Royal Commission of Inquiry into Abuse in Care, PO Box 10071, The Terrace, Wellington 6143.
17. Applications for core participant status for a particular investigation or matter should be made as early as possible on announcement of the investigation by the Inquiry, although such applications will be considered at any time. Applications for core participant status for the duration of the Inquiry will be considered at any time up until 30 June 2022.
18. Applications for core participant status will be determined by the Chair in consultation with the Solicitor Assisting. Decisions on core participant status may be deferred if, for example, the applicant meets the criteria for core participant status for a particular investigation but that investigation has not yet begun.
19. Notice of the outcome of applications for core participant status will be given in writing by or on behalf of the Chair.

Produced by:

**The Royal Commission of Inquiry into Historical Abuse in
State Care and in the Care of Faith-based Institutions**

PO Box 10071

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WELLINGTON 6143



Signed: Judge Coral Shaw
Chair

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