



# Abuse in Care

Royal Commission of Inquiry

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## MINUTE 14

### DIRECTIONS ON LAKE ALICE CHILD AND ADOLESCENT UNIT PUBLIC HEARING

DATED: 31 MAY 2021

RE-ISSUED: 9 JUNE 2021

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- 1 This Minute sets out directions on the Royal Commission of Inquiry's upcoming public hearing into Lake Alice Child and Adolescent Unit (**the Hearing**). It relates only to this hearing. [Practice Note 6 - Public Hearings](#) sets out further information on public hearings.

#### Timetabling

- 2 The Hearing will commence on Monday 14 June 2021. The Hearing will be located at the Commission's hearing room at Level 2, 414 Khyber Pass Road, Newmarket, Auckland.
- 3 The Hearing is scheduled to go for 12 days and will run from 10:00am to 5:00pm with a lunch break between 1:00pm and 2:15pm. On Wednesday 16 June, Thursday 17 June, and Friday 18 June the hearing is scheduled to begin at 9:30am. Further directions may alter the timetabling as required.
- 4 A draft hearing schedule is attached to this Minute at Appendix A. This hearing schedule may be subject to change.

## **Opening and closing statements**

- 5 Subject to any changes directed by the Inquiry:
  - a. Counsel for each core participant and counsel representing survivors are each permitted a maximum of 10 minutes at the commencement of their section of the hearing to make an opening statement.
  - b. Counsel for each core participant and counsel representing survivors are each permitted a maximum time of 45 minutes for oral closing submissions on Tuesday 29 June 2021.
  - c. Should counsel for core participants, and those granted leave to appear wish to file written closing submissions, they should be filed no later than Monday 28 June 2021.

## **Directions relating to questioning of witnesses**

- 6 Practice Note 6 - Public Hearings sets out the process for applications for leave to question witnesses. These applications must be made no later than Tuesday 8 June 2021 before the beginning of the public hearing. The Inquiry has received no applications for leave to question witnesses at this stage.
- 7 The following directions are made, subject to further directions at the hearing as required:
  - a. Where a survivor witness is scheduled to give evidence for 1 hour and 15 minutes questioning by their counsel should make up no more than 1 hour.
  - b. Where a non-survivor witness is scheduled to give evidence for 1 hour and 15 minutes, questioning by their counsel should make up no more than 30 minutes.
  - c. Where a witness is scheduled to give evidence for 2 hours and 30 minutes, questioning by their counsel should take no more than 1 hour.
  - d. Where a witness is scheduled to give evidence for a full day, questioning by their counsel should take no more than 2 hours.
  - e. Where a witness is scheduled to give evidence for a different amount of time, the Inquiry will notify their counsel of the amount of time they may use for questioning.
  - f. Following questioning by their counsel, Counsel Assisting will have the opportunity to question witnesses.

- g. The Commissioners will have the opportunity to question the witnesses.
- h. Any further questioning will be determined by the Chair.

### **Protocol for document management in hearing**

- 8 The Inquiry will be using hearing presentation technology to enhance access to documents referred to at the public hearing, making this more accessible to all participants, including the public via livestreaming.
- 9 If a participant wishes any words, paragraphs, sections or other parts of any document to be highlighted when displayed on the screen, they must clearly be identified to the Inquiry when providing the document. Communications relating to this should be addressed to Evidence Management: [evidence.management@abuseincare.org.nz](mailto:evidence.management@abuseincare.org.nz).
- 10 Should a matter arise during the course of the hearing resulting in a participant wishing to have any further document/s displayed electronically on the screen, the Inquiry will make all reasonable endeavours to facilitate that, but participants are requested to provide as much notice as possible, and a minimum of 24 hours' notice is requested.
- 11 Any document that is produced for use by the presentation technology will be taken to be provided on the basis the full document (i.e. not just the part displayed on the screen) can be made publicly available on the Inquiry's website at the conclusion of that witness's evidence, subject to a minimum 72-hour delay (but at the sole discretion of the Inquiry) to ensure compliance with any s 15 orders or agreed redactions.

### **Section 15 Inquiries Act Orders**

- 12 The Inquiry has issued a General Restriction Order and Practice Note – Section 15 Orders – Anonymity and Redactions, reissued on 2 September 2020. The provisions in those documents apply. They are publicly available on the Inquiry website.

## **Uniforms**

- 13 The Inquiry directs that uniforms, such as police officers' uniforms, are not worn by anyone attending the public hearing, including witnesses. Such attire may be triggering for survivors, and survivor well-being is integral to the work of the Inquiry.

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



Coral Shaw

**Chair**

9 June 2021

## Appendix A – Proposed Draft Hearing Schedule

WITNESS	START TIME
<b>Day 1 – Monday 14 June 2021</b>	
Opening statements by counsel	10.00am
Survivor witness	11.45am
Dr Oliver Sutherland	2.15pm
Presentation of infographic on a timeline of Craig Jackson's complaints.	3.45pm
Tony Sutherland	After presentation of infographic on a timeline of Craig Jackson's complaints.
<b>Day 2 – Tuesday 15 June 2021</b>	
Survivor witness	10:00am
Survivor witness	11.45am
John Watson	2.15pm
Michael Doolan	3.45pm
<b>Day 3 – Wednesday 16 June</b>	
Statement of Mr DD to be read aloud by his counsel	9:30am
Survivor witness	After Mr DD's statement has been read aloud
Survivor witness	11.30am
Dr Barry Parsonson	2.00pm
Victor Boyd, Mike Ferriss, and Bruce Gibson	3.30pm
<b>Day 4 – Thursday 17 June</b>	
Survivor witness	9:30am
Survivor witness	11.15am
Survivor witness	1.45pm
Ms CC	3.15pm
<b>Day 5 – Friday 18 June</b>	
Survivor witness and her daughter	9:30am
Mr FF	11.15am
Mr JJ	1.45pm
Survivor witness	3.15pm

<b>Day 6 – Monday 21 June</b>	
Brian Stabb	10:00am
Grant Cameron	11.45am
Gloria Barr	3.45pm
<b>Day 7 – Tuesday 22 June</b>	
Denis Hesseltine	10.00am
Dr Janice Wilson	11.45am
Dr David Baron	2.15pm
Statement of Ms LL (deceased) to be read aloud by her counsel	3.45pm
Ms Y (Ms LL's daughter)	After Ms LL's statement has been read aloud
<b>Day 8 – Wednesday 23 June</b>	
Mr AA	10:00am
Survivor witness	11.45am
Medical Council – representative to be confirmed	2.15pm
Victor Soeterik	3.45pm
<b>Day 9 – Thursday 24 June</b>	
Survivor witness	10:00am
Statement of survivor witness to be read aloud by his support person	11.45am
Lawrence Reid	2.15pm
Malcolm Burgess	3.45pm
<b>Day 10 – Friday 25 June</b>	
Malcolm Burgess	10:00am
Tom Fitzgerald	2.15pm
<b>Day 11 - Monday 28 June</b>	
Una Jagose	10:00am
<b>Day 12 – Tuesday 29 June</b>	
Closing addresses by counsel	10.00am