



PUBLIC HEARING (CONTEXTUAL)
29 October – November 2019

An inquiry into the overarching contextual circumstances of abuse in care in Aotearoa New Zealand.

Scope of the investigation:

Introduction

1. The Inquiry will examine two important elements of the establishment of the Royal Commission and its operation:
 - 1.1. The road to the Royal Commission, including the Confidential Listening and Assistance Service, the Confidential Forum for former In-Patients of Psychiatric Hospitals, as well as calls by survivors, human rights leaders and other bodies for a Commission of Inquiry to be established into state and faith-based institutions.
 - 1.2. How Te Tiriti o Waitangi and its principles underpin the investigation as a whole and the issues that will be examined, including the disproportionate extent of abuse in care for whānau Māori.

Consideration of the pou

2. The Inquiry will also consider the experiences of victims and survivors of abuse in state and faith-based care, and investigate:
 - 2.1. The circumstances of going into care, including:
 - 2.1.1. Key legislative and policy phases during the history of care in New Zealand;
 - 2.1.2. Socio, economic, and cultural landscape;
 - 2.1.3. A summary of why people were taken into care;
 - 2.1.4. Targeting of Māori;
 - 2.1.5. The attitudes of decision makers towards disabled people and those with mental distress; and



- 2.1.6. Whether, and to what extent, there was bias, discrimination or bad decision-making by agencies and faith-based institutions.
- 2.2. What is known about the nature and extent of abuse and neglect that occurred and what is known about the impacts of such abuse on the person abused as well as their family, whanau, and community, including:
 - 2.2.1. What types of conduct amount to abuse and neglect;
 - 2.2.2. What took place and to what extent;
 - 2.2.3. Different treatment of women and girls and men and boys;
 - 2.2.4. Long-term effects on future generations;
- 2.3. The personal, cultural, societal, economic and inter-generational impacts of abuse on particular groups including:
 - 2.3.1. Survivors of state-based, psychiatric, and faith-based care;
 - 2.3.2. Māori;
 - 2.3.3. Pasifika;
 - 2.3.4. Disabled people; and
 - 2.3.5. The LGBTQI community.
- 2.4. The systemic factors that led to environments that allowed abuse to occur and go unchallenged.
- 2.5. Changes that were made over the years in response to abuse and neglect, including laws, rules and efforts to monitor places where care is provided.
- 2.6. The systems (government departments, faith-based institutions, mechanisms, policies, legislation, processes, lack of funding) that have been put in place to respond to abuse in care and how well are the current systems for redress and rehabilitation working.
3. As part of the investigation, the Inquiry will consider:
 - 3.1. How care can be transformed so that abuse can never happen again.