



MINUTE 25

DIRECTIONS ON FAITH-BASED INSTITUTIONAL RESPONSE HEARING

2 September 2022

1. This Minute sets out directions on the Royal Commission of Inquiry's upcoming public hearing into the institutional responses of Faith-Based institutions to abuse in Faith-based care (**the hearing**).
2. The hearing will be chaired by the Chair of the Royal Commission Coral Shaw and all Commissioners will attend.
3. Members of the public are welcome to attend the hearing and it will be livestreamed on the Inquiry's website. Practice Note 6 – Public Hearings sets out further general information on public hearings.

Timetabling

4. The hearing will commence at 9.30am on Thursday 13th October 2022 and will run for five days, finishing on Wednesday 19th October 2022. It will be held at the Royal Commission's hearing centre located at 414 Khyber Pass Road, Newmarket, Auckland.
5. The hearing will start at 9.30am or 10:00am each day and continue until approximately 5:00pm, with morning and afternoon breaks, and a lunchbreak usually between 1:00pm and 2:15pm.
6. On 13th October 2022 the hearing will begin with a mihimihi starting at 9:30am. For each following sitting day the hearing will begin with a karakia and waiata, and will close each day also with a karakia and waiata.
7. Further timetabling directions may be made by the Chair as required.

Hearing scope and witnesses

8. A hearing scope in respect of this hearing and the State institutional response hearing was published with Minute 22 on 28 July 2022.

9. The Royal Commission will hear evidence from witnesses addressing the topics set out in the hearing scope, with a focus on themes relevant to the abuse of children, young people and vulnerable adults in Faith-based care.
10. As this hearing will focus on the responses of Faith-based institutions to abuse in care, survivors of abuse will not be called to give oral evidence at this hearing.
11. Not all relevant issues or topics can be addressed publicly at this hearing. The fact that there may not be witnesses called at this hearing from a particular Faith-based institution within the inquiry's Terms of Reference does not mean that the Royal Commission is no longer investigating that institution, or that it does not intend to make related findings and/or recommendations. The Royal Commission continues to receive information on issues within its Terms of Reference from survivors, State agencies, faith-based institutions, organisations and individuals, including pursuant to notices to produce information under s 20 of the Inquiries Act 2013.
12. Witnesses will be called at the hearing from the following institutions:
 - a. The Dioceses and Congregations of the Catholic Church of Aotearoa New Zealand
 - b. Anglican Church in Aotearoa New Zealand
 - c. Gloriavale Christian Community
 - d. Presbyterian Church of Aotearoa New Zealand and/or affiliated entities and institutions
 - e. Methodist Church of New Zealand
 - f. Wesley College
 - g. St Patrick's College, Silverstream
 - h. Dilworth School
13. A final witness list and hearing schedule will be published on or before 7 October 2022.

Evidence bundles

14. There will be a common bundle containing witness evidence for witnesses giving oral evidence. Core participants and those granted leave to appear will be given access to that bundle before the hearing. This witness evidence will be published after each witness gives evidence.
15. There will also be separate bundles relevant to institutional witnesses which will contain documents relevant to the questioning of that institution, and which will generally only be made available to that institution. These bundles will not be made available to core participants or those granted leave to appear, and documents will not be published.

Leave to appear at the hearing

16. Core participants, individuals or groups may apply for leave to appear at the hearing. Applications for leave to appear should be made by email as soon as possible and before 5pm on 30 September 2022 to: counselassisting@abuseincare.org.nz

17. An application for leave to appear should address the matters set out in para [12] of the Inquiry's [Practice Note 6 – Public Hearings](#).
18. Decisions on applications for leave to appear will be made and notified as applications are received and as soon as practicable.
19. The institutions listed in paragraph [12] above are granted leave to appear at the hearing.

Opening statements

20. Core participants and individuals/groups granted leave to appear, or their counsel, are permitted a maximum of 20 minutes to make an opening statement.
21. A timetable for opening statements will be advised after the witness list has been finalised. The time limits are subject to any further direction of the Inquiry.

Oral evidence

22. The Inquiry has limited public hearing time available. Under s 14 of the Inquiries Act the Inquiry must balance fairness and the need to avoid unnecessary delay or cost when considering which witnesses will give oral evidence, and the manner and form of their evidence. Consistent with those principles, the maximum time possible should be available to the Inquiry to examine topics of particular interest through Counsel Assisting and Commissioners.

Applications to question witnesses

23. Counsel Assisting the Inquiry will question all witnesses. Core participants or those granted leave to appear and their lawyers may suggest lines of questioning to Counsel Assisting and should do so in writing well in advance of a witness being called.
24. Additional questioning of witnesses by lawyers for participants requires the Inquiry's permission. [Practice Note 6 - Public Hearings](#) sets out the process for applications for leave to question witnesses. Applications should be made by email to counselassisting@abuseincare.org.nz as soon as possible but no later than 5pm on 7 October 2022, and should set out the proposed area/s of questioning and the estimated time required for questioning.
25. Decisions on applications for leave to question will be notified as soon as practicable.
26. This process does not exclude participants making oral applications to the Chair for leave to question a witness during the hearing, but this is not encouraged given the time constraints.

Closing statements

27. Core participants and individuals/groups granted leave to appear, or their counsel, can make oral closing submissions on 19 October 2022. Further directions as to order and time limits will be made as soon as practicable.

Protocol for document management in hearing

35. The protocol for document management in this hearing will be different from that in previous hearings.
36. The Inquiry will be using hearing presentation technology to enhance access to documents referred to at the hearing for Commissioners, witnesses and counsel. However, for natural justice and privacy reasons, and due to time constraints, any documents referred to will **not** be published to the public via livestreaming or published on the Inquiry's website at the conclusion of a witness's evidence. Relevant portions of the documents referred to in questioning will be included in the evidence transcript that will be publicly available.

Section 15 Inquiries Act Orders

37. The provisions in the Inquiry's [General Restriction Order](#) and [Practice Note - Section 15 Orders - Anonymity and Redactions](#) apply. They are publicly available on the Inquiry's website.

Religious attire and uniforms

38. The Inquiry directs that religious attire or 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 Care of Faith-based Institutions



Coral Shaw – Chair

Date: 2 September 2022