

**WITNESS AND SUPPORT PERSON EXPENSES POLICY**

**INTRODUCTION**

1. This policy outlines payments the Royal Commission may make to:
	1. witnesses who are requested by the Commission to give evidence at public hearings;
	2. support persons[[1]](#footnote-1) for those witnesses if they wish to have one.
2. The purpose of payments is to reimburse witnesses and their support persons for the fair and reasonable costs of attending a public hearing in accordance with s 25 of the Inquiries Act, and to ensure that the Inquiry receives evidence necessary for it to carry out its functions.

**EXPENSES**

1. The Royal Commission will cover the fair and reasonable costs and expenses required to allow a witness and a support person to attend a hearing.

*Accommodation and travel*

1. The Royal Commission will pay the **actual and reasonable costs** of accommodation and travel required for a witness to attend a public hearing. This will include, as required:
2. cost of public transport, taxi or other small passenger vehicle, or air travel where necessary;
3. reimbursement for mileage at the applicable IRD published tier 1 per km rate for a witness and/or support person travelling in their own vehicle;
4. parking, including airport parking;
5. if an overnight stay is required, accommodation at a rate of up to $300 plus GST per night per person for accommodation in Auckland, Wellington or Christchurch, and up to $250 plus GST per night per person in any other location.
6. The Royal Commission prefers to may make travel arrangements and payments on behalf of the support person. If this is not practicable, payment of expenses will be by reimbursement on production of valid GST receipts and other required information such as bank account details.
7. The Royal Commission may also pay for other actual and reasonable costs incurred that are necessary to allow a witness to attend the hearing, if approval is sought in writing and approved in advance.

*Food costs*

1. The Royal Commission will provide a witness and a support person either with reimbursement for actual and reasonable cost of food while the witness is required to be away from home to attend the Inquiry, or a food allowance of:
2. $50 including GST, where a witness is required to attend a hearing for up to one hearing day or part day; or
3. $90 including GST for every completed 24 period the witness is required to be away from their usual residence.
4. Costs of alcohol will not be paid.

**FEES FOR EXPERT WITNESSES**

1. An expert witness is a witness called because of his or her professional skill or knowledge, to give evidence at a public hearing in an area that relates to his or her profession.
2. The Royal Commission may engage an expert witness to prepare and give evidence at a public hearing where it considers it is in the interests of the inquiry to receive evidence from that person in their area of expertise.
3. The Royal Commission will remunerate such expert witnesses for their actual and reasonable costs for preparing and giving evidence at public hearings. The Royal Commission will pay:
4. Fees at the witness’ usual hourly rate (to a maximum of $200 plus GST per hour) and any necessary disbursements required for the preparation of evidence, on the basis that a written estimate of preparation time and disbursements must be provided in advance and approved by the Royal Commission before work commences or disbursements are incurred; and
5. Actual time spent giving evidence at the public hearing including waiting time, at the same hourly rate; and
6. Actual and reasonable travel time at the rate of $63 per hour plus GST, if the expert witness has to attend a public hearing in a city or town away from their usual place of residence or business.
7. Expert witness fees and disbursements will be paid on receipt of an invoice.

**OTHER WITNESSES: LOSS OF INCOME**

1. The Royal Commission may pay a witness a reasonable amount as compensation for loss of income due the witness being required to attend a public hearing.
2. A witness can make a claim for loss of income if they will actually lose wages or other earnings because they had to come to the Inquiry. If an employer will allow you to come without losing wages, the claim will not be paid.
3. A witness can make a claim by submitting a completed application, and providing evidence of wages or other earnings lost. Any loss of income payment will be made after the public hearing.
4. Costs of loss of income for a support person will not be paid

**APPLICATIONS**

1. Application forms for claiming expenses and fees are available on request from Counsel Assisting the Inquiry who can be reached by email at solicitorassisting@abuseincare.org.nz.
2. If the applicant is dissatisfied with the outcome, he or she may request that the application be reconsidered by the Solicitor Assisting.
1. The definition of a support person in this context, primarily describes any person, regardless of their expertise, qualifications and/or relationship with the Witness is the selected person to provide support to the Witness at a hearing. [↑](#footnote-ref-1)