



What is a Royal Commission of Inquiry?

A Royal Commission of Inquiry is setup by the Government to look at an issue or event that is very important. It is the highest level of Inquiry in New Zealand.

The Government sets the Terms of Reference (what is and is not going to be included in the Inquiry) and selects the Commissioners who will lead the investigation. After that, the Government is no longer allowed to be involved in the running of the Inquiry.

Why was the Inquiry established?

Survivors had been calling for an Inquiry into the abuse of children and vulnerable adults in care for a long time.

- In **July 2017**, a petition asking for an Inquiry signed by many survivors and supporters was delivered to Parliament.
- In **February 2018**, the Government announced there would be a Royal Commission of Inquiry into Abuse in State Care. Judge Coral Shaw is chair of the Inquiry.
- On 12 **November 2018**, the Government appointed four Commissioners: Chair Judge Coral Shaw Paul Gibson, Ali'imua Sandra Alofiavae, Dr Andrew Erueti and. The Terms of Reference were also changed to include abuse in care of faith-based institutions.

The Inquiry is underpinned by the Te Tiriti o Waitangi. We are committed to working in partnership with iwi and Māori.

What can the Inquiry investigate?

The Inquiry will investigate the abuse of children, young people and vulnerable adults in the care of the State and/or faith-based institutions in New Zealand between 1950 and 1999.

We may also consider and make recommendations about the abuse and neglect that happened before 1950, or after 1999, including people who are in care now.

Abuse can be physical, sexual, emotional, psychological and neglect.

It may have happened:

- In a State children's home
- If you were fostered or adopted out
- In a youth justice placement
- In psychiatric/mental health care
- At any disability care or facility
- At a health camp
- At any school or special school
- At any early childhood centre
- In police cells, court cells or police custody
- In transport between different care facilities
- In a church or in the care of a religious group (any religion or faith)

What issues will the Inquiry look at?

- Why were people taken into care – and did this include bias, discrimination or bad decision-making by government agencies?
- What abuse and neglect happened – what took place and to what extent?



- Why did the abuse and neglect happen – what made it possible for this to happen to people?
- What effects did this have – on the person abused, their family, whānau and others? This includes long-term effects and effects on future generations
- What was learned – what changes were made over the years in response to abuse and neglect, including laws, rules, and efforts to monitor places where care is provided?
- How well are the systems working now – including current redress and rehabilitation processes?
- How can things be done better in the future?

Our principles

- do no harm
- focusing on survivors
- taking a whānau-centered view
- working inclusively with Pacific people
- facilitating the meaningful participation of disabled people and people who experience mental distress
- responding to differential impacts on other marginalised individuals and groups
- being sensitive to the different risk factors that people in care may be exposed to
- ensuring fair and reasonable processes for individuals and organisations associated with providing care
- avoiding being too legal

Our Independence

The Royal Commission is independent of the Government and faith-based institutions. This means we will reach our own conclusions and recommendations fairly and without influence from others.

We do not pay compensation. We will make recommendations to the Governor General about what compensation may look like in the future. We cannot pursue criminal convictions, but we can refer matters to the NZ Police.

How will we work?

We will receive information in many ways:

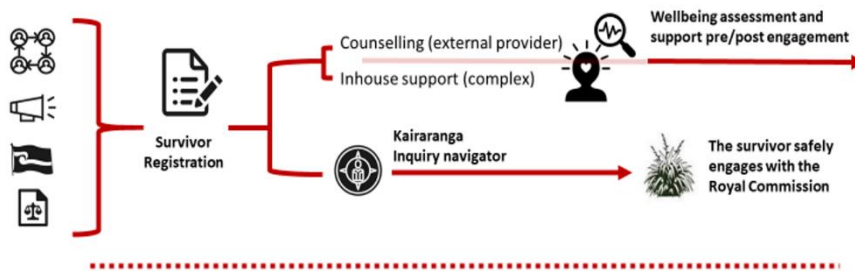
- by listening to people sharing their experiences in private sessions
- receiving submissions in writing or other ways
- holding public hearings
- conducting roundtables and research
- engaging with the community
- obtaining documents and records – we have powers to require people and institutions, including Government agencies, to give us information

The wellbeing process for a survivor engaging with the Royal Commission

In the principle of do no harm, wellbeing support is integral to all engagements within the Inquiry, this includes private sessions (face to face and /or technology enabled), written submissions, public hearings, witness statements or other activities. Wellbeing support is initiated as soon as the survivor registers with the Royal Commission.



The diagram below charts the survivor on their journey through the Inquiry.



Each survivor is assigned a Kairaranga / support person along their journey engaging with the Royal Commission. The survivor can choose from a range of support options such as counselling or other community supports that would work for them.

A survivor may decide to change their mind and leave the process at any time they choose.

How will we report our findings?

We will deliver at least two reports:

1. Before the end of 2020. This will cover what we have learned by then, the main themes, and how many people have come forward so that we can estimate the resources needed to complete the work. We can make recommendations for the change at this stage, rather than wait until the end of the Inquiry.
2. Before January 2023. This is the final report. The Inquiry will report on what has been found out about the nature of the abuse, the extent of it, what impact it had on people, what has improved, and what may still need to be done.

We will make recommendations to the Government and faith-based institutions about:

- changes to laws, rules, and ways of working;
- what needs to happen to prevent and respond to abuse and neglect in the future;
- what needs to be done to support people who have been abused or neglected e.g. readdress, rehabilitation and compensation processes;
- how to address the harm caused;
- apologies

A shortened version of the Terms of Reference (translated into seven languages and Easy Read) and the full Terms of Reference are available on the Abuse in Care Inquiry website.

For Further Information

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General Inquiries

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