

Aide-Mémoire

Crown response into the Abuse in Care Inquiry – Eighth Ministerial group meeting

Date due to MO: 4 November 2024 **Date of Meeting:** 5 November 2024

Security level: IN CONFIDENCE **Reference:** H2024052980
(SENSITIVE)

To: Hon Dr Shane Reti, Minister of Health
Hon Matt Doocey, Minister for Mental Health

Consulted: Health New Zealand: ☐

Proactive release: This **title** is proposed by the Ministry of Health for proactive release: ☒

Contact for telephone discussion

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About the Meeting

Purpose of Meeting Ministerial Group on the Abuse in Care Royal Commission of Inquiry to help drive and coordinate the Crown's response.

Details of Meeting

Date: 5 November 2024
Time: 5:00 – 6:30pm
Venue: 2.1 Executive Wing

Attendees

Hon Erica Stanford, Chair of this Ministerial Group and Minister of Education
Hon Dr Shane Reti, Minister of Health and Minister for Pacific Peoples
Hon Paul Goldsmith, Minister of Justice
Hon Louise Upston, Minister for Social Development and Employment and Minister for Disability Issues
Hon Mark Mitchell, Minister of Corrections and Minister of Police
Hon Tama Potaka, Minister for Māori Development and Māori Crown Relations
Hon Louise Upston, Minister for Disability Issues
Hon Karen Chhour, Minister for Children and Minister for the Prevention of Family and Sexual Violence
Hon Casey Costello, Associate Minister of Health and Associate Minister of Police
Hon Judith Collins KC, Attorney-General
Hon Nicola Willis, Minister of Finance and Minister for the Public Service

Comment

Item 1: 12 November Apology Programme Detail

[Paper: Aide-memoire – Overview of the run sheet for the 12 November public apology event - attached]

- The Crown Response Unit will brief you on the run sheet for the public apology event on 12 November.
- The public apology consists of the apology event at Parliament that will be live streamed to three concurrent events in Auckland, Wellington, and Christchurch.
- The public live stream enables viewing for those who do not attend an event and will commence at 9:45am after the mihi whakatau. It will also be broadcast on Radio NZ.
- Approximately 350 attendees are expected at each event. They include survivors and their support people, mana whenua, local MPs, government officials, and community and civic leaders. All events will be supported by wellbeing providers, Māori wardens, local iwi and other supports.
- The apology lead-in event includes an acknowledgement of abuse in State care, an apology made by the Prime Minister, followed by a speech by Minister Stanford to open the programme.

Public sector leaders apologies

- Minister Stanford will be followed by apologies from the following public sector leaders identified in the Royal Commission of Inquiry into Abuse in Care final report:
 - a. Public Service Commissioner;
 - b. Solicitor-General;
 - c. Acting Commissioner of the New Zealand Police;
 - d. Acting Secretary for Education;
 - e. Chief Executive of Oranga Tamariki (acting);
 - f. Chief Executive of Minister of Social Development; and
 - g. Director-General of Ministry of Health.
- The apologies are expected to average three and a half minutes across the seven speakers, noting that the content for some public sector leaders to cover is wider than for others.

Survivor voices

- Three survivors will deliver a message in response to the apology event and will present for five minutes.
- The survivors' speeches and video will be supported through karakia, karanga, waiata and poi which have been specially composed by, and performed, by survivors.

- It is expected that the apology lead-in event will close with one minutes' silence. However, this may be included as part of the Prime Minister's apology and will be confirmed soon.
- The updated run sheet for the public apology is attached as **Appendix 1**.
- The Director General of Health will be one of seven public sector leaders delivering apologies on the day, and a draft of her speech has been shared with your offices.

s 9(2)(f)(iv)

PROACTIVELY RELEASED

Item 3: Ministerial roles and responsibilities (Phase 2)

- While no papers have been provided on this, we understand that Minister Stanford wants to discuss the role of the Ministers group, and whether this is the best way for Ministers to make decisions on the next phase of the response.

Item 4: Any other business

- The Ministry of Health (the Ministry) is comfortable with the Cabinet papers that we have provided feedback on related to this work. Our only concern has been ensuring that the Ministry will have the resources it needs to respond to requests for redress through the current system while work on a new system is progressed.
- A short update on current papers is provided below.

Cabinet paper: Redress for survivors of torture at Lake Alice Unit Child and Adolescent Unit

- This provides for a redress package to be offered to survivors who experienced torture at the Lake Alice Psychiatric Hospital Child and Adolescent Unit (Lake Alice). The Ministry will be administering this scheme.
- Redress for torture at Lake Alice will consist of three components:
 - a. A new written apology provided to individual survivors which explicitly acknowledges torture.
 - b. A one-off financial payment which recognises the experience of torture.
 - c. Access to appropriate support and rehabilitative services for the experience of torture.
- The Ministry has provided feedback to the Crown Response Unit on this paper. A key part of this feedback was on the financial recommendations and ensuring that the Ministry is appropriately resourced to administer this scheme.

Cabinet Paper - Addressing inequity in some previous Lake Alice Child and Adolescent Unit settlements

- Addressing a parity issue in some previous Lake Alice settlements to address recommendation 18 of the Abuse in Care Royal Commission of Inquiry's (the Royal Commission's) final report.
- Claimants in the first round of settlements had their legal fees deducted from their settlement amount, meaning that they received significantly less by way of their net payment than those in the second round of settlements.
- The Ministry is also administering this scheme. The Cabinet paper for this proposal has been lodged.



Maree Roberts

Deputy Director-General

Strategy, Policy and Legislation

Appendix 1: Public Apology Run Sheet for Parliament

Timing	Programme	Elements	Minister's Office notes
From 8.20am	Arrivals	All attendees move, in groups, into the Banquet Hall to the sound of the conch and karanga by the kaikaranga, Alishia Mansell.	
8.42am	H+S	MC gives Health and Safety briefing	
8.45am-9.15am [30 mins]	Mihi whakatau and opening in Banquet Hall	Mana whenua, led by Kura Moeahu and Alisha Mansell. The Prime Minister, Minister Stanford and Minister Potaka will join mana whenua to welcome the manuhiri at the beginning of the mihi whakatau. Reply to be given by a survivor (Whiti Ronaki), supported by ngā mōrehu. Taonga puoro – conch Te re karanga (A 'call' into the space). Move into the Banquet Hall. Te Oha / Hongi & Harirū A small delegation representing ngā mōrehu (survivors) will move towards the paepae (a spot near the stage) to complete the hongī and harirū (greetings). Other attendees will have moved to their seats during the earlier karanga (the welcome call) by the kaikaranga, Alishia Mansell. Whaikōrero (Speech) Te Āti Awa welcome ngā mōrehu (survivors) into Parliament. The whaikōrero (speech) format adopted in Parliament is that of Te Āti Awa, being Pāeke (mana whenua). Te Āti Awa will perform a waiata tautoko (song). Following Te Āti Awa, ngā mōrehu (survivors) will be given the opportunity to respond. Following the speaker support waiata (songs) will acknowledge the kōrero (speeches).	

		Following the kōrero (speech), Te Āti Awa will close the speeches with a karakia (customary prayer). Kura introduces the MC to outline the programme. MC invites Kura to bless kai.	
9.15am-9.45am [30 mins]	Break	Kai in the Banquet Hall following mihi whakatau	
9.45am-11am [75 mins]	Apology lead-in event in the Banquet Hall (Live stream to concurrent events begins) after	MC [allow 7 minutes throughout] H+S briefing repeated, introduce the programme, the taonga (treasure) and exhibition and speakers. Minister Stanford, [5 minutes] Ahead of the formal apology in the House, give a short acknowledgment of the significance of the day, acknowledging the survivors here, across the country and the world, and those who are no longer with us. Acknowledge the families and supporters of survivors. Acknowledge the survivor voices who join me on the stage this morning. [7 CE Apologies 24.5 mins] [3.5 minutes on average x 7 each with 30 sec intro] Survivor Voices and video [28 minutes in total] Four survivor voice(s) slots – each survivor voice will be supported by a karakia by ngā mōrehu survivors) and mana whenua. • Tu Chapman • Feke Taito • Keith Wiffin Digital content of the late Sir Robert Martin KNZM. Sir Robert Martin KNZM video with introduction by Gary Williams <i>Karakia</i> One Minutes' SILENCE (the Prime Minister may do this in the House in which case it will be removed from the lead-in event portion of the programme)	

		Korowai waiata poi [4 mins] MC acknowledges the speakers, Sir Robert, the waiata rōpū and Minister Stanford. Explains the arrangements for those attendees who are relocating to the Gallery and those who are moving to the Grand Hall, noting they will need to clear security outside the Gallery.	
11.00am-11.30am [30 mins]	Relocation to the House and Grand Hall	Gallery attendees are escorted to the Gallery at 11.00am. MC moves to the Grand Hall with those not sitting in the Gallery.	
11.30am-12.20pm [50 mins approx]	Apology in the House	Speaker Opening protocols [5 mins max]. Prime Minister [25 minutes]. Leader of the Opposition [15 minutes]. Survivors [6 minutes] Karanga, karakia, and waiata. Speaker adjourns House until 2pm. Formal programme closes.	
11.30am-12.15pm [45 mins approx]	Livestream of apology in Grand Hall	MC introduces the apology from the House. Attendees watch the apology livestream in the Grand Hall. MC - Karakia whakamutunga, closing karakia, at the closing of the apology in the House. MC Invites attendees to move back to the Banquet Hall for lunch.	
12.15pm	Relocation to Banquet Hall or departure	All attendees are escorted to the Banquet Hall.	
12.30pm-2pm	Lunch	Blessing for the kai. Mix and mingle.	
2pm-4pm	Omnibus Bill Introduction and first reading	Note: Some Ministers will need to return to the House for 2pm. Survivors can depart whenever suits them, stay in Banquet Hall, or return to Gallery to watch Omnibus Bill first reading.	