



# Department of the Prime Minister and Cabinet

## Inquiry into the Earthquake Commission Proactive Release

January 2021

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# Public Inquiry into the Earthquake Commission

## Minute 3:

### Public Forums

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#### **Introduction**

1. This Minute addresses the processes and procedures the Public Inquiry into the Earthquake Commission (“Inquiry”) expects to take in relation to public forums. Public forums are being held so that the views and experiences of the public can be considered by the Inquiry.
2. The format for public forums has been informed by meetings the Inquiry Chair has held with the Community Reference Group, the minutes for which can be found on the Inquiry’s website.
3. This Minute does not address processes and procedures for meetings or private interviews that the Inquiry Chair might arrange. Nor does it apply to meetings which will be held with current or former EQC staff members, to which public access will be restricted in accordance with paragraph 16 of Minute 2.

#### **Attendance and registration**

4. The dates, times and locations of public forums can be found under the “have your say” tab of the Inquiry’s website referred to above. Public forums in Christchurch will be held at Turanga Central library. The location of public forums at other places will be notified on the website.
5. As described on the website, the forums will be open for people to drop-in to talk to the Inquiry face-to-face and share views through a range of options that could include video, orally or in writing by writing short “post-it” views and suggestions on an interactive “ideas wall”. No registration is required for attendance at a public forum. The Inquiry Chair will not necessarily be in attendance at all times.
6. The Inquiry Chair will however attend group discussions at the times listed on the website and, as referred to in paragraph 12 of Minute 1, will be accompanied by counsel assisting and/or members of the Inquiry staff. Group discussions will on most occasions be led by an independent facilitator, supporting the Inquiry Chair and helping to ensure that all participants have a fair opportunity to share their views.
7. The Inquiry expects that there may be significant numbers of individuals or groups who wish to attend the group discussions. Participants are therefore requested to register for those group discussions through an online registration system that is accessible from the website and promoted

on social media, emailing the Inquiry or calling the Inquiry's free phone. Subject to the number of pre-registrations and available seating space, participants may be able to choose to attend a group discussion on-the-day.

8. Pre-registrants will be asked to supply their name as part of registering, but this and any other personal identifying information will not be collected or retained by the Inquiry except for the purpose of managing the registration process.

### **Publication and Disclosure of information**

9. Minute 2 addresses the Inquiry's expected approach to publication and disclosure of the material submitted to the Inquiry. Please advise the Inquiry Chair and/or members of the Inquiry staff if you require confidentiality for any of your comments or other material provided to the public forum which may be confidential, sensitive or private. That information may become subject to non-publication orders under section 15(1)(a) of the Inquiries Act 2013 in accordance with paragraph 6 of Minute 2.

10. The Inquiry does not expect attendees to use the public forums to publicly name or criticise individuals. If any attendee seeks to do this, the Inquiry Chair is likely to issue an immediate suppression order and advise media (if any) accordingly.

### **Notes from public forums**

11. The Inquiry may publish generic information about public forums, including themes arising from them. However, as noted above in paragraph 8, the Inquiry will not publish names of individuals who attend these forums or group discussions. Neither will the Inquiry make public any videos, notes, submissions or similar material that attendees may make at, or provide to, the public forums<sup>1</sup> without the consent of the relevant attendee.

### **Media**

12. As noted in paragraph 21 of Minute 1, media are entitled to attend all public forums. However, this is on the proviso that they identify themselves to the Inquiry staff on or before their arrival.

13. Attendees at the public forums must be given the opportunity to refuse to allow media to film, photograph or interview them.

14. Media will only be entitled to attend group discussions with the permission of the Inquiry Chair. The Inquiry Chair will take into account the views of attendees before making a decision whether to allow media to attend that group discussion and whether to allow media to film, photograph, record or take notes at that group discussion.

15. Paragraph 21 of Minute 1 is to be read subject to the above.

### **Previous Minutes**

16. To the extent that anything in this Minute as it relates to public forums contradicts, or is in conflict with anything contained in Minute 1 or 2, this Minute prevails.

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<sup>1</sup> Note that although the Inquiry will not be publishing this information, to the extent that it is provided to the Inquiry in a public forum or at a group discussion where other members of the public may see or hear it, it is unlikely to be completely confidential.

## **Official Information Act and Minute 2**

17. The Inquiry may make a non-publication order under section 15(1)(a) of the Inquiries Act 2013 in respect of information received by it which at that point is “official information” within the meaning of the Official Information Act 1982 (“OIA”). Information subject to any such non-publication order will cease to be “official information” under section 2(1)(ha)(i).

18. Accordingly, if the Inquiry makes such an order in accordance with the provisions of Minute 2, that information will cease to be “official information”. Having considered this matter further, the Inquiry believes paragraphs 13 and 14 of Minute 2 are incorrect and by virtue of issuing this Minute 3 are deleted.

## **Public Inquiry into the Earthquake Commission**

Issued under the authority of the Inquiry Chair, Dame Silvia Cartwright, on 16 May 2019.