



Te Kōmihana Uiui a te Karauna mō te
parekura i Ngā Whare Kōrana o Ōtautahi
i te 15 o Poutū-te-rangi 2019

Royal Commission of Inquiry into the
Attack on Christchurch Mosques
on 15 March 2019

Third Quarterly Report: October – December 2019

Purpose

1. The purpose of this report is to provide a high-level summary of activities of the Royal Commission of Inquiry into the Attack on Christchurch Mosques over its third quarter of activities from October to December 2019. The Royal Commission is required to examine:
 - What relevant State sector agencies knew prior to 15 March 2019, about the activities of the individual charged with offences in relation to the 15 March 2019 attacks on the Al-Noor Mosque and the Linwood Islamic Centre in Christchurch;
 - What actions (if any) relevant State sector agencies took considering that knowledge;
 - Whether there were any additional measures that relevant State sector agencies could have taken to prevent the attack; and
 - What additional measures should be taken by relevant State sector agencies to prevent such attacks in the future.

Royal Commission Workstreams

2. The Royal Commission focused on six major workstreams during the third quarter:
 - engagement with affected whānau, survivors and witnesses of the attack and communities;
 - engagement with State sector agencies, and subject experts based in New Zealand and Australia;
 - analysis of the public submissions received;
 - taking evidence under oath;
 - planning for due diligence processes; and
 - communications.

Engagement with affected whānau, survivors and witnesses of the attack and communities

3. The Royal Commission continued private meetings with affected whānau of the 51 shuhada of the attack, and the survivors and witnesses and their whānau that requested hui throughout this quarter.

4. The Royal Commission's work with the Muslim Community Reference Group intensified during this quarter with three hui during the quarter, bringing the total hui between the Royal Commission and the Reference Group to five. *"Reference Group members each have unique networks and experiences can lead discussions within their communities on issues that are important. The views and feedback they gather is of real value to the Royal Commission,"* said Sir William Young the Royal Commission Chair in an October public update about the progress of the inquiry.
5. Reference group members indicated that the Royal Commission needed to broaden its approach to meeting with Muslim communities and suggested ways that they could assist this. Facilitation training was sought by some reference group members and provided by an independent trainer. A number of Reference group members developed engagement plans and facilitated communities' meetings in their region during this quarter. At some of these meetings, Commissioners or secretariat staff attended when invited. Notes from each communities' meeting were provided to the Royal Commission by the Reference group member to take into account.
6. Further hui were held with the Islamic Women's Council of New Zealand and the Federation of Islamic Associations of New Zealand this quarter.
7. Additional meetings with representatives of civil society groups, including ethnic and religious community groups continued this quarter.
8. In October, Sir William Young, Jacqui Caine and Benesia Smith attended the closing ceremony of the New Zealand National Commission for UNESCO Youth Diversity Forum in Christchurch to listen to the participants' thoughts on addressing racism in response to the mosque attacks of 15 March 2019.

Engagement with State sector agencies and subject experts in New Zealand and Australia

9. The Royal Commission continued meeting with:
 - Chief Executives of agencies and their employees whose work is relevant to its Terms of Reference;
 - Former agency employees or agency leaders with interests in the work of the Royal Commission; and
 - New Zealand-based experts on subjects relevant to the Royal Commission's work.
10. Further targeted requests for information from relevant State sector agencies were sent and responses received. Due to the iterative process employed for this inquiry, further information gathered from meetings with communities and subject experts in New Zealand resulted in additional targeted information being sought from State sector agencies along specific lines of inquiry this quarter.
11. In addition, the Royal Commission met with the leaders of Australian Federal agencies and subject experts whose work is relevant to the progress of the inquiry. Their experience provided helpful input to the work of the Royal Commission.

Analysis of Submissions

12. With the submissions process closing in late September, the Royal Commission was able to complete an analysis of the material gathered. The almost 1,100 submissions came from a wide range of individuals and organisations across New Zealand. Commissioner Jacqui Caine commented in an October public update that, *“many submissions we received were articulate, considered, well-reasoned and heartfelt. We appreciate the time and effort submitters went to in order to share their views, insights and in some cases evidence with us.”*
13. Commissioner Caine added that a shared view among submitters was deep dismay that an attack like that which occurred on 15 March 2019 could happen in New Zealand. *“This shared view echoes the Royal Commission’s central purpose and reminds us how deeply disturbing the events of 15 March are in New Zealand’s history.”*
14. Some of the personal views expressed in submissions include:
 - questions raised about why the accused wasn’t detected before the attack;
 - concerns about widespread racism and discrimination in communities, workplaces and institutions;
 - lack of response to complaints about racism or discrimination;
 - the role of media in shaping public opinion;
 - call for increased monitoring of social media;
 - criticisms of recent firearms law reforms;
 - need to recognise and address emerging extremist threats; and
 - ideas for building a more inclusive and safer New Zealand.
15. The submissions are carefully considered alongside other evidence collected through interviews, hearings, inquiries and community engagement.

Taking evidence under oath

16. Early this quarter, the Royal Commission issued a public invitation to current or former staff (or contractors) of State sector agencies to meet with it if they felt they had information relevant to the inquiry. Royal Commission Chair Sir William Young gave a public assurance that *“we have these conversations in private and with a very, very careful process wrapped around people, so they can be confident sharing information without fear of repercussions on their current and future employment.”* Several people took up the Royal Commission’s offer and provided information vital to the inquiry during this quarter.
17. During this quarter the Royal Commission extended its information and evidence gathering activity by taking an increasing amount of evidence under oath. In a late October public update Royal Commission Chair, Sir William Young said *“Taking sworn evidence from participants is a serious step to take and one that requires meticulous preparation and implementation on the Royal Commission’s activities”*.

18. The Royal Commission took evidence under oath, including from the Chief Executives or former Chief Executives of four New Zealand central government agencies; the Department of Prime Minister and Cabinet, the New Zealand Police, the Government Communications Security Bureau, and the New Zealand Security Intelligence Service.
19. A total of 47 of those interviewed during this quarter were summonsed to appear and provided their evidence subject to orders under Section 15 of the Inquiries Act 2013. These orders prevent interviewees from coordinating or discussing matters with other interviewees or publicly.

Planning for due diligence processes

20. Initial work commenced at the end of this quarter on identifying the due diligence processes that need to be undertaken prior to the Royal Commission finalising its report. Processes identified relate to: natural justice, seeking consent for the use of quotes, fact checking and a review of classified material consistent with the Terms of Reference. Initial timeframes and activities are identified.

Communications

21. The Royal Commission published five public updates in this quarter, responded to a number of media enquiries from New Zealand and overseas outlets, published some material in multiple languages and responded to correspondence received.

Other matters – extension of time, appointment of second Counsel Assisting

22. Cabinet approved an extension to the reporting deadline for the Royal Commission to present its report to the Governor-General to 30 April 2020.
23. In October 2019, an additional Counsel Assisting the Royal Commission – Nick Whittington – was appointed.

Financial summary

24. During this quarter expenditure against budget shows an increasing convergence between budgeted and actual expenditure over the life of the Royal Commission. One application for legal assistance and three applications for financial assistance applications were approved in November 2019. The budget for this category of expenditure was increased to allow for a couple of applications that were being processed in the quarter but not yet approved to be accommodated and also allow for further applications.
25. FTE numbers started to reduce this quarter from a high in 31.6 in October reducing slightly to 31.1 in November and then to 29.3 FTEs in December 2019.
26. Capital expenditure included capitalising computer costs and a minor office fit-out this quarter.

27. This quarter, Cabinet approved an increase of \$3m to the Royal Commission’s budget to enable it to complete all planned activity. Increases to operating expenses, legal and financial assistance, and Commissioners fees can be seen in the total approved budget line in the table below.

Table: 1: Financial precis of life to date Royal Commission expenditure (October to December 2019)

Output	LTD ¹ Actual	LTD Budget	LTD Variance	Total Approved Budget
Operating Expenses	5.081	5.208	0.127	8.723
Legal and Financial Assistance	0.056	0.300	0.244	0.650
Commissioner fees	0.688	0.810	0.122	1.278
Capital expenditure	0.240	0.600	0.360	0.600

Next Quarter – expected activity

28. The Royal Commission’s expected activity over the next quarter is:
- The Royal Commission members expect to complete further engagements with affected whānau, survivors and witnesses.
 - Three meetings are scheduled with the Muslim Community Reference Group, which will complete community engagement.
 - Completion of all interviews and evidence gathering to enable the Royal Commission to focus on synthesising all evidence and information.
 - Implementation and completion of due diligence processes consistent with the Inquiries Act 2013.

¹ LTD = Life to date