

Department of the Prime Minister and Cabinet

Inquiry into the Earthquake Commission Proactive Release November 2018

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**TO: Hon Dr Megan Woods,
Minister Responsible for the Earthquake Commission**

Earthquake Commission Inquiry – recommended model and next steps to establish the Inquiry

Date	10 August 2018	Priority	Medium
Report Number	DPMC-2018/19-145	File Reference:	4070364:1

	Action Sought	Deadline
Minister Responsible for the Earthquake Commission (Hon Dr Megan Woods)	<p>Agree that the Public Inquiry into EQC be undertaken by a single member;</p> <p>Agree to provide the attached finalised ToR to the Chair-designate for consideration;</p> <p>Agree to extend the report back date for the Inquiry to 30 June 2019;</p> <p>Sign the attached letter to Dame Silvia Cartwright; and</p> <p>Sign the attached letter to the Minister of State Services.</p>	13 August 2018

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Anne Shaw	Director, Greater Christchurch Group	9(2)(a) [REDACTED]	[1]
Peter Martin	Project Lead, EQC Inquiry	9(2)(a) [REDACTED]	[1] <input checked="" type="checkbox"/>

Minister's office comments

<input type="checkbox"/> Noted <input type="checkbox"/> Seen <input type="checkbox"/> Approved <input type="checkbox"/> Needs change <input type="checkbox"/> Withdrawn <input type="checkbox"/> Not seen by Minister <input type="checkbox"/> Overtaken by events <input type="checkbox"/> Referred to <hr/>

<p>Comments</p>
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Earthquake Commission Inquiry - recommended model and next steps to establish the Inquiry

Purpose

1. This briefing seeks your agreement to the next steps to formally establish the Public (subject to Cabinet approval) Inquiry into the Earthquake Commission (the Inquiry). It follows officials' further meeting with the Chair-designate on Monday 30 July 2018 to discuss two membership models considered for the Inquiry.

Background

2. You met with the Chair-designate Dame Silvia Cartwright, on 2 July 2018 to discuss the establishment of the Inquiry, including consideration of the composition of the Inquiry's membership. At this meeting you requested advice on two models for the membership:
 - a. a single member option, with an appointed Chair supported by expert advisors; or
 - b. a three-member option, made up of a Chair and two other members.
3. This advice was provided to you on 12 July 2018. Following this you asked officials to discuss the models and their relative merits at a further meeting with the Chair-designate. This meeting took place on 30 July 2018.

Discussion and outcomes from the meeting with the Chair-designate

4. Exploration of the models, and officials' analysis, enabled a rich discussion with Dame Sylvia on the dynamics of the Inquiry and how she would expect to conduct it if appointed to the role of Chair.
5. We agreed that the most significant difference between the two models is the lack of redundancy in the Chair alone model. However, it became clear in discussion that, as Chair, Dame Silvia anticipates that she would need to be personally involved in most aspects of the Inquiry, including conducting hearings and other engagement with stakeholders. In practice, therefore, unavailability of the Chair is a risk that could affect the operation of the Inquiry whether or not there are other appointed members. For similar reasons, it is not clear that the workload for the Chair in gathering evidence or other responsibilities would differ materially under either model.
6. Dame Silvia felt that other concerns identified by officials as potential risks with the Chair alone model such as 'scope creep', achieving the right balance between the retrospective and future-focused dimensions of the Inquiry, and managing public perception of bias among members, were present in both models. She noted these are best addressed in the way the Inquiry is conducted and through ensuring the Terms of Reference for the Inquiry are well defined and clearly understood. We agree with this assessment.
7. Dame Silvia confirmed her preference for the Inquiry membership to consist of a Chair alone, while noting that the final decision on the Inquiry membership sits with you as Minister. She helpfully clarified, however, that she sees the Chair working in close partnership with, and taking advice from, the Head of Secretariat and Counsel Assisting on design and delivery of the Inquiry against the agreed Terms of Reference. This helps to mitigate another risk identified by officials under the Chair alone model, a lack of diversity in thought or experience.

8. The ability to draw on expert advisors and a community reference group to provide respectively, professional and technical insights or “lived experience”, further reduces risks with the Chair alone model. Dame Silvia noted that the benefit she sees in this approach is that it allows expert advisors to focus on providing advice in their particular area of expertise, without having to take on a wider role considering all of the different evidence provided to the Inquiry. She was very clear that the role of experts and community representatives would be advisory and could not form part of the Inquiry’s decision-making processes.
9. Officials also discussed the Terms of Reference (ToR) for the Inquiry with Dame Silvia. She noted that the original draft version of the ToR was easily understood and set clear parameters for the Inquiry. In discussion she noted that she would expect to be consulted on the final version of the ToR, but only envisages suggesting small edits to them. We advise including draft ToR with a letter to Dame Silvia requesting confirmation of her readiness to be appointed Chair of the Inquiry.
10. With regard to her availability, Dame Silvia confirmed that she has commitments through October but is available full-time thereafter. Discussion was also had around announcement of the Inquiry, and potentially a formal launch. We outlined an approach involving announcing her appointment as Chair and release of ToR in October 2018 with the public request for submissions to be made before Christmas, potentially linked to the Earthquake symposium in Christchurch on 29-30 November 2018.

Recommendation on the Inquiry model

11. Following this discussion, officials are more comfortable that the Chair alone model, with Dame Silvia as Chair, can work well. It is administratively simpler to establish, increasing the likelihood that it can be formally announced and be ready to commence its work by the final quarter of this year.
12. On the other hand, a Chair plus members’ model would require further work to identify suitable appointees and establish their availability. This may delay progress and, given the discussion with the Chair-designate, is potentially of limited benefit in addressing any concerns between the models. On balance, we recommend the Chair alone model be confirmed for the Inquiry, with Dame Silvia as Chair.
13. A letter from you to Dame Silvia requesting confirmation of her availability and willingness to undertake the role, and seeking comments on the draft ToR, is included as **Attachment A**.

Next steps to have the Inquiry formally established

14. Should you decide to proceed with the appointment of a Chair alone, there are a number of steps to be completed to formally establish the Inquiry. These include:
 - a. seeking agreement to the appointment of a former member of the judiciary to the Inquiry from the Attorney-General and agreement from the Minister of State Services to the Chair’s fee;
 - b. finalisation of the Terms of Reference for inclusion in the Cabinet paper and Order in Council; and
 - c. Cabinet processes for policy decisions, appointment of members and approval of the Order in Council formally establishing the Inquiry.

Approval to appoint a former member of the judiciary and fees approval

15. As Dame Silvia is a former judge, formal approval for her appointment must be sought from the Attorney-General. Initial contact has been made with the Solicitor-General regarding this and officials will help your office with the remaining formalities once Dame Silvia's availability has been confirmed.
16. As required in the Cabinet Office guidance on fees for appointed members, a request needs to be made to the Minister of State Services for the proposed daily fee for the Chair prior to Cabinet consideration. The daily fee suggested for the Chair of the Inquiry is \$1,400 a day. The proposed fee is in line with those provided to the Chair of other inquiries established by the Government. A letter requesting this is attached in **Attachment B**, this letter should be sent following confirmation from the Chair-designate of her acceptance of the role. The State Services Commission has been advised.

Terms of Reference

17. As noted above, before you give final approval for the ToR for the Inquiry, further consultation with the Chair-designate is advised. One particular matter for your consideration is the report back date for the Inquiry.
18. At this stage the ToR do not have a report back date included. The original intention was to have the Inquiry report back by 31 March 2019. This is no longer viable given the delays with establishment. Accordingly, we now suggest consideration of a report back date of 30 June 2019. While challenging, this timeline would provide the public with confidence that progress is being made. Should you agree, the ToR will need to be updated with this date, prior to being provided to Dame Silvia.
19. Once finalised the Terms of Reference will be included in the Order in Council, for Cabinet confirmation, which will formally establish the Inquiry.

Cabinet committee processes

20. Following your decision to proceed, the intention is for the Cabinet processes to be undertaken during September and October, taking account of your availability. Cabinet decisions are required on the form of the Inquiry (Public or Government), its term, membership and fees, the ToR, the Order in Council establishing the Inquiry, and any other required matters.
21. These require Cabinet decisions in three specific areas: policy, appointments and legislation. This could therefore require papers to the Cabinet Economic Development (DEV), Appointments and Honours (APH) and Legislative (LEG) committees for consideration of each area. However, we propose combining the decisions for DEV and APH into one paper should you agree to proceed with the Chair alone model.
22. Following a conversation with the Cabinet Office, the suggestion is that one paper be provided to APH for consideration of the form, term, membership, fees and ToR. Given the in principle decision to establish the Inquiry was made at DEV, and the changes made in finalising the ToR are not significant in a policy sense, this is seen as the preferable option. Officials suggest testing this idea with the Prime Minister's Office to check on comfort with this approach prior to consultation on the paper.
23. As the intention is for the Inquiry to be a Public Inquiry, rather than a Government Inquiry, it is established through an Order in Council. Once the Order is signed by the Governor-General in Executive Council on the Monday afternoon following Cabinet confirmation, it is published in the Gazette the following Thursday. Note that a request for a waiver of the 28-day rule for the Order will be sought through Cabinet to enable the Inquiry's immediate establishment once signed.

24. Therefore, we propose that the LEG paper would be lodged for consideration in October. This later date allows more time to ensure all necessary positions and supporting infrastructure are in place to make a formal announcement on the establishment of the Inquiry.
25. A timeline for these processes is provided in **Attachment C**, along with a table outlining a number of administrative processes and tasks that need to be completed to enable the practical establishment of the Inquiry. A number of these tasks can be carried out in parallel with the Cabinet processes, and officials are well-advanced with these.

Head of Secretariat and Assisting Counsel

26. Key positions for the administration and support of the Inquiry are the Head of Secretariat (HoS) and the Counsel Assisting. The Chair-designate has noted her preference that these positions be filled in advance of the formal announcement of the establishment of the Inquiry, to enable initial discussions around how the Inquiry will undertake its work to be had between the Chair, HoS and Counsel Assisting.
27. A full recruitment process for the HoS will be undertaken to ensure the best candidate for the position is found. There is no concern with advertising this position as the Inquiry has been publicly announced. A job description for this role has been drafted and will be provided to the Chair-designate for her consideration prior to it being advertised.
28. Appointment of the Counsel Assisting position must be requested by the Inquiry from the Solicitor-General under section 13 of the Inquiries Act 2013. We have alerted Crown Law and will follow up on the details of an appointment when we have your confirmation to proceed with the Chair alone model

Announcement and the beginning of the Inquiry

29. As noted above, with your agreement we propose that the Inquiry be announced in October/November 2018. The Chair-designate has requested good communications support for the public announcement of the Inquiry, noting that she does not have extensive experience in public relations. It has also been noted that it may be valuable to have the Chair of the Inquiry take part in Earthquakes symposium in Christchurch on 29-30 November 2018. She will need support for this, particularly if the intention is to use her session to provide details of how the Inquiry will operate, how to make submissions and arrangements for hearings.
30. In order for the announcement on the Inquiry to be made and to enable work to commence, there will be a need for some infrastructure such as a website and email addresses to be in place. Officials have this in hand and will also look to progress a communications lead for the Inquiry to be in place by October.

Financial Implications

31. The budget for the Inquiry was confirmed as part of Budget 18. It was noted that the intention was that the Inquiry would commence work before 30 June 2018. However, Cabinet agreed that any unspent funding for 2017/18 be transferred to 2018/19 and authorised the Minister of Finance and yourself to approve this transfer, following completion of the 2017/18 audited financial statements (CAB-18-MIN-0158.24 refers). This will be requested from you as part of the 2018 October Baseline Update which is generally submitted in late September early October. Officials will support you with this process.
32. With the delay with the establishment of the Inquiry, it is possible that there will be a later reporting date for the Inquiry. Should this occur financial adjustments will be required. Officials will keep you updated on this and support you with any work required.

Recommendations

33. It is recommended that you:

1. **Agree** that the Public Inquiry into the Earthquake Commission be undertaken by a single member; **YES / NO**
2. **Agree** to provide the attached finalised Terms of Reference to the Chair-designate for consideration; **YES / NO**
3. **Agree** to extend the report back date for the Inquiry to 30 June 2019; **YES / NO**
4. **Sign** the attached letter to Dame Silvia Cartwright; **YES / NO**
5. **Sign** the attached letter to the Minister of State Services; and **YES / NO**
6. **Note/comment on** the attached timetable for the Cabinet processes required to establish the Inquiry.

Anne Shaw
Director, Greater Christchurch Group

NOTED / APPROVED / NOT APPROVED
<p style="margin: 0;">Hon Dr Megan Woods, Minister Responsible for the Earthquake Commission</p>
<p>Date: / / 2018</p>

- Attachment A** Letter to the Chair-designate including the finalised Terms of Reference
Attachment B Letter to the Minister of State Services on the fees for the Chair
Attachment C Timeframes for Cabinet processes and other operational matters

Attachment A: Letter to the Chair including the Terms of Reference

Minister's letterhead

Date

Dame Silvia Cartwright
9(2)(a)

Dear Dame Silvia

Re: Appointment as Chair of the Public Inquiry into the Earthquake Commission

Thank you for meeting with me on 2 July 2018 to discuss your proposed appointment as the Chair of the Public Inquiry into the Earthquake Commission (the Inquiry). I am writing to seek confirmation of your willingness and availability to be appointed as Chair of the Inquiry.

I am aware you met with officials on 30 July 2018 to discuss the model to be employed in undertaking the Inquiry. Following this meeting I received a further briefing from officials on the discussion and have decided to recommend to Cabinet that the Inquiry be conducted with you as Chair and sole member, subject to your confirmation of your availability for this role and consideration of the Terms of Reference for the Inquiry. The final Terms of Reference for the Inquiry are attached. These differ slightly from the earlier version provided to you with the inclusion now of a reference to the Earthquake Commission's statutory role, clarification of the terminology used and modification of the report back date.

Cabinet will confirm your daily rate as Chair of the Inquiry. The proposed daily fee is \$1,400, which is in line with those provided to the Chairs of other inquiries established by the Government. The intention is that the Cabinet processes to establish the Inquiry will be completed during September and October 2018, with a public announcement of the Inquiry to follow. You will be aware that a more formal announcement, including more detail on the Inquiry's processes, is intended at the Earthquake symposium in Christchurch on 29-30 November 2018.

If you could please confirm your availability to be appointed Chair of the Inquiry and provide feedback on the Terms of Reference by 20 August 2018 that would be appreciated.

If you have any further questions or queries about the establishment of the Inquiry, please contact either my office or Peter Martin, Project Lead for the Inquiry Establishment, on 9(2)(a) or at peter.martin@dpmc.govt.nz.

Warm regards

Hon Dr Megan Woods
Minister Responsible for the Earthquake Commission

Inquiry into the Earthquake Commission – Terms of Reference

Terms of Reference

Background and status as a ‘matter of public importance’

The Earthquake Commission (EQC) is a Crown Entity established under the Earthquake Commission Act 1993 (the Act). Originally established in 1945 as the Earthquake and War Damages Commission following the 1942 Wairarapa Earthquake, its role has changed significantly over time.

EQC’s statutory functions are set out in section 5 of the Act. It:

- provides natural disaster insurance for residential property (contents, dwellings and some coverage of land)¹;
- administers the Natural Disaster Fund (NDF), including its investments and reinsurance; and
- funds research and education on natural disasters and ways of reducing their impact.

During 2010 and 2011, New Zealand experienced its most significant earthquake event sequence in recent times in the Canterbury region. This resulted in over 583,000 claims to EQC for damage to approximately 168,000 residential dwellings. While the majority of claims have been addressed, multiple issues have arisen in relation to EQC’s operational practices.

There are still approximately 3600 unresolved residential property claims. These mainly relate to land claims or remedial repair claims such as, repair claims that have been re-opened due to poor workmanship, incomplete repair scope, or damage not identified in initial assessments. These unresolved claims have a significant impact on affected Canterbury residents as well as on continued confidence, including of the global insurance market, in New Zealand’s ability to respond quickly and comprehensively to future natural disaster events.

Since the Canterbury events sequence EQC has had to deal with a number of other events. These include:

- the 2013 earthquakes in Seddon and the Cook Strait;
- the Eketahuna earthquake in 2014;
- Edgecumbe flooding in 2017; and
- the November 2016 earthquake in the Kaikoura region.

EQC practices have evolved in response to each of these events with a significantly different approach taken in responding to the Kaikoura event. This saw a Memorandum of Understanding signed with insurers allowing them to act as EQC’s agents in settling most building and contents claims. This different approach will provide a reference point for the Inquiry, with its overall effectiveness not yet fully known.

Insurance, both public and private, makes a major contribution to the economic and social recovery from a natural disaster. EQC plays a critical role in underpinning the New Zealand residential dwellings insurance market. As a result, the public needs to be confident that EQC has the capability and systems to meet its key responsibilities. It is a matter of public importance that EQC, the wider

¹ Note the Earthquake Commission Amendment Bill, currently before the house, removes Earthquake Commission cover for personal property (contents) to ensure that EQC’s primary focus is on housing repair and recovery.

industry, and the Government, learn from the experience of dealing with claims from the Canterbury earthquake sequence to ensure that EQC is well placed to deliver in the future.

Order of reference

This Inquiry will investigate and report on the lessons that can be learned from:

The application of EQC's operational practices and claims outcomes approaches, from the Canterbury earthquakes and subsequent events. It will make recommendations to improve EQC's readiness to respond to future events.

The purpose of the Inquiry is to ensure that lessons are learnt from these past experiences and EQC has the appropriate policies and operating structures in place to ensure improved operational practices in the future.

The scope of the Inquiry includes the following:

Canterbury operational practice experiences

1. EQC operational practices, looking at them both before and after the Canterbury earthquake events, including the performance of EQC in scaling up appropriate resourcing to deal with this significant event;
2. EQC customers' experience of its operational practices and claims outcomes;
3. the interplay between EQC and the other insurers with regard to operational practices including, as relevant to the performance of EQC the experiences of those other insurers;

Comparative experiences

4. the benefits and shortcomings of EQC's different approaches to claims outcomes such as cash settlement versus repair and rebuild;
5. the application by EQC of learnings from its Canterbury experience to subsequent events;
6. the key process differences between the operational processes used in Canterbury and the Kaikoura pilot approach, taking into account the different economic impact of the events;

Future strategies

7. operational practices that have now been put in place by EQC, or are being implemented, to help ensure improved experiences and outcomes; and
8. any further improvements that can be made for any future events.

Inquiry matters requiring recommendations

The Inquiry will make recommendations on:

1. lessons that can be learned from Canterbury, and subsequent events, around the management of operational practices. This should include contingency planning, preparedness and EQC's responsiveness (and, as relevant to the performance of EQC, other insurers);
2. any changes or additions to operational practices as a result; and
3. any other matter which the Inquiry believes may promote improved operational practices for future events, and/or minimise the recurrence of any inadequacies in claims handling identified by the Inquiry.

Exclusions from the Inquiry

The Inquiry is not to investigate, determine, or report in an interim or final way, or otherwise prejudice any of the following matters:

1. Subject to sections 11(1) and 11(2) of the Inquiries Act 2013, questions of civil, criminal, or disciplinary liability;
2. the structural arrangements for central or local government;
3. the funding structure of EQC (including levies);
4. the resolution of actual claims that remain unresolved;
5. specific cases that are subject to current mediation, litigation or arbitration proceedings;
6. the re-opening of settled claims;
7. legal precedents (with regard to actual insurance claims) that have been established by the Courts; or
8. issues relating to insurance contract law, the Limitation Act, the Earthquake Commission Act, other insurers and reinsurers that are unrelated to the EQC claims management operational practices and claims outcomes.

Consideration of other investigations by the Inquiry

The Inquiry may take account of the outcome of any other investigations into related matters. For example, the Ministry of Business, Innovation and Employment's Review of Insurance Contract Law which is considering whether there is a need for greater regulation of insurers' conduct including claims management and handling, and the Report of the Independent Ministerial Advisor to the Minister Responsible for the Earthquake Commission.

However, it is not bound in any way by the conclusions or recommendations of any such investigation.

Timing

The Inquiry is to report its findings and recommendations by [xx xxx 2019].

Definitions

'Operational practices' include, without limitation, each of the following:

- claims handling and management, including interactions with claimants, their advisers and other insurers;
- claims handling standards, including their implementation;
- planning and resourcing (including litigation);
- decision-making;
- capability and capacity;
- procedures;
- processes;
- services; and
- systems.

'Claims outcomes' include without limitation, each of the following:

- cash settlement;
- managed repairs;
- the damage assessment process;

- the scoping of repairs;
 - communication with owners;
 - timeliness of repairs;
 - the over-cap experience; and
 - defective repairs and the process to investigate and resolve such repairs.
-

Attachment B: Letter to the Minister of State Services on fees

Minister's letterhead

Date

Hon Chris Hipkins
Minister of State Services
Parliament Buildings
Wellington

Dear Minister

Public Inquiry into Earthquake Commission (EQC) – Fees for Chair

On 21 March 2018, Cabinet agreed in principle to establish a statutory inquiry into the EQC (DEV-18-MIN-0021 refers, confirmed by Cabinet 26 March 2018) under the Inquiries Act 2013. A report back on further details, including the form of inquiry, members, terms of reference and other matters is currently being prepared.

I intend to consult Cabinet in September 2018 on the name of the Chair of the Inquiry. As appointing Minister for the Inquiry, I am writing to seek your agreement to the fees for the Chair, consistent with the guidance in Cabinet Office Circular CO (12) 6, *Fees Framework for Members appointed to bodies in which the Crown has an interest*.

I seek your approval to a payment of \$1,400 per day for the Inquiry Chair.

In support of this level of fee, I have considered the demands on the Chair arising from:

- i. Significant public interest in the Inquiry and its deliberations;
- ii. Examining a complex range of issues, including the analysis and synthesis of a considerable body of evidence and supporting material;
- iii. The public-facing nature of the exercise, with extensive engagement with a range of diverse stakeholders and their representatives;
- iv. The likely duration of the Inquiry and the intensity of its work programme; and
- v. Consistency with the fees paid to Chairs of similar exercises.

Declarations of availability, interests and probity are currently being undertaken with the Chair.

I look forward to your prompt reply.

Warm regards

Hon Dr Megan Woods
Minister Responsible for the Earthquake Commission



Attachment C

Cabinet Committee timing

Item	Tasks/Status	Key date(s)
Appointment of Chair	<ul style="list-style-type: none"> - Seek confirmation from the Chair-designate of her acceptance of the nomination to be Chair of the Inquiry by letter, consult on revised ToR - Formal approach to Attorney-General on appointment of former justice (initial contact made and Solicitor-General has spoken to Chair designate regarding appointment) 	20 August 2018 to be confirmed by
Fees	<ul style="list-style-type: none"> - Finalised signed letter regarding the fee level for the Chair to be sent from the Minister to the Minister of State Services 	20 August 2018 response required by
Terms of Reference	<ul style="list-style-type: none"> - Consultation with other agencies by officials through Cabinet paper consultation process - Finalisation for inclusion in the Order in Council establishing the Inquiry for Cabinet consideration (LEG) 	20 August 2018 finalised
Order in Council	<ul style="list-style-type: none"> - Initial draft completed, requires membership, terms of reference and commencement date for finalisation - To be included in Cabinet paper to LEG in October (see below) 	Draft required 2 weeks prior to LEG consideration in October
Cabinet paper on policy decisions to establish the Inquiry finalised	<ul style="list-style-type: none"> - Drafted, initial consultation undertaken with relevant agencies - To be finalised with confirmed membership, agreed fees, terms of reference and consulted with other agencies from 14-20 August 2018 - Submit to the Minister's office for final comments – 21-22 August 	21-22 August 2018 submission to the Minister's office for approval
Cabinet paper - party consultation	<ul style="list-style-type: none"> - Interparty consultation on APH paper (one week) 	23-30 August 2018
Cabinet paper finalised	<ul style="list-style-type: none"> - Officials make any final changes to the APH paper following feedback and upload 	31 August-5 September 2018

Cabinet Committee process – APH	<ul style="list-style-type: none"> - Lodge paper on 6 September 2018 for APH consideration 12 September 2018 - Cabinet confirmation of APH - 17 September 2018 	12 September 2018 APH 17 September 2018 Cabinet confirmation
Letter of appointment to the Chair	<ul style="list-style-type: none"> - Letter from Minister to the Chair to formalise the appointment and terms 	18-19 September 2018
Cabinet Committee process -LEG Order in Council	<ul style="list-style-type: none"> - Finalise the Order in Council as above, undertake any necessary further consultation - Lodge the LEG paper attaching the Order Thursday 11 October 2018 for consideration 18 October 2018 - Will seek waiver of the 28-day rule to allow the Inquiry to be established immediately following the Order signing - Once Cabinet confirmation given, 23 October 2018, then the Order in Council will go to the Executive Council the same day for signing by the Governor-General 	18 October 2018 LEG 23 October Cabinet confirmation
Announcement of Inquiry membership and commencement date	<ul style="list-style-type: none"> - Gazette notice on the Order in Council published on the Thursday 25 October 2018 following Executive Council - Announcement will need to happen at the same time/precede this - Will need Communications support for the Chair (if Chair-designate appointed) - Website and email address needs to be established 	25 October 2018

Other matters for consideration in Inquiry establishment

Task	When	Notes
Recruitment of Head of Secretariat	To commence once Chair confirmed	Subject to the Chair's availability to be part of an interview panel
Start the process for appointment of Counsel Assisting with the Solicitor-General (section 13, Inquiries Act 2013)	To commence once Chair confirmed	
Agree timing of announcement and support , including: <ul style="list-style-type: none"> • Development of communications material/support; • Website establishment; and • Ensure email inbox set-up and operational. 	Initial work commenced, further to follow in parallel with Cabinet processes	
Operational establishment of the Inquiry in full , including: <ul style="list-style-type: none"> • Appointment of other members of the Secretariat; • Office set-up – location, email, phones etc. • Hearing dates/times – with locations identified and booked 	Initial work commenced, will follow from Cabinet processes	