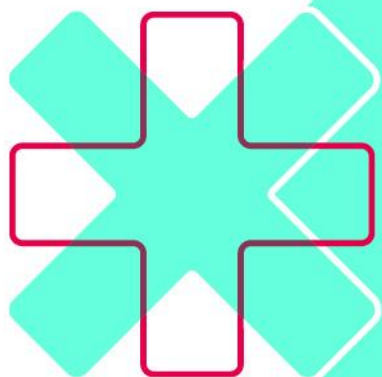
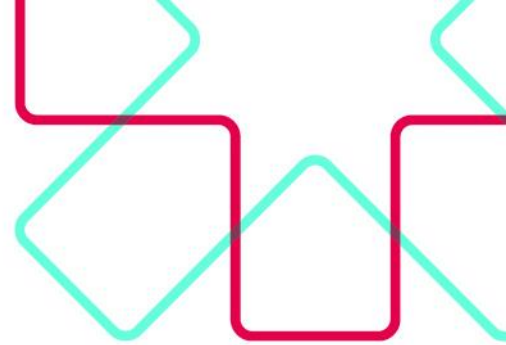


SOCIAL SERVICE PROVIDER PARTICIPATION IN THE ROYAL COMMISSION INTO ABUSE IN CARE

Final Report

17 June 2020





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PREFACE

This report has been prepared for Social Service Providers Aotearoa (SSPA) and the New Zealand Council of Christian Social Services (NZCCSS) by Rebecca Hollingsworth, Jessica Black and Michael Flett from MartinJenkins (Martin, Jenkins & Associates Limited).

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NOTE

Since this report was commissioned, the spread of COVID-19 has altered 'business as usual' operations and activity in New Zealand. There is uncertainty as to what the impacts of COVID-19 will mean for The Royal Commission into Abuse in Care in the long-term, as well as government agencies, NGOs and faith-based organisations participating in the process. Information on the Royal Commission's website¹, as of 29 May 2020, notes that private sessions are recommencing in Auckland and Wellington under Ministry of Health guidelines and the redress public hearing scheduled for the 23 March to 3 April has been deferred with new dates and a venue to be confirmed soon. The Royal Commission does remain operational with some staff working remotely.

¹ Royal Commission COVID-19 updates <https://www.abuseincare.org.nz/footer-navigation/covid-19/>



EXECUTIVE SUMMARY

This executive summary outlines the key findings of our investigation into the participation of NGOs and faith-based organisations in the Royal Commission of Abuse in Care, the cost of participation, and the potential options for supporting effective participation going forward.



Helping tell the history of care in New Zealand

The Royal Commission of Abuse in Care (referred to throughout as ‘the Royal Commission’) was established in February 2018 to investigate the experiences of abuse in State and faith-based care in New Zealand between 1950 and 1999, and to examine ways to stop further abuse.

The most significant care provider in New Zealand’s history is the State. Beyond the State, NGOs and faith-based organisations are also a significant part of our history of care. A number of these organisations provided care on behalf of the State and are within the scope of the Royal Commission. Faith-based organisations are also within scope of the Royal Commission whether they provided care on behalf of the State or not.

These organisations were part of the early calls to establish the Royal Commission and they wish to see the Royal Commission meet its outcomes to help tell the stories of survivors of abuse, and to learn from this history to help protect and nurture those who require care. However, the capacity across these organisations to effectively participate and help tell these stories is variable. In the context of an under resourced social service sector, many organisations are not well positioned to effectively participate. Access to support and funding would help facilitate the work of the Royal Commission.

MartinJenkins was asked by Social Service Providers Aotearoa (SSPA) and the New Zealand Council of Christian Social Services (NZCCSS) to help identify what is involved for organisations participating in the Royal Commission, and to estimate the cost of this participation for organisations. We were also asked to support the identification of potential options for support and funding mechanisms that may assist organisations to participate effectively.

Understanding what participation entails

While the Royal Commission has been open about a few upcoming areas of focus, its evolving inquiry can make it difficult for organisations to anticipate what participation in the Royal Commission might look like to them. Through our engagement with organisations, we identified three forms of participation which organisations might expect to undertake:

- 1 **Facilitating access to information:** responding to requests for information from individuals wishing to understand their care history, from the Royal Commission to support its inquiry and investigations, and from government departments if organisations hold information on behalf of government.
- 2 **Participation in hearings:** a smaller number of organisations may participate in a Royal Commission hearing as the subject of an investigation, or to assist with a thematic hearing. This form of participation can be substantial and may require months of work and preparation in the lead up to a hearing.
- 3 **Preparation and support:** organisations that may become directly involved in the Royal Commission are likely to undertake preparation and support activities to help them to be able to respond, if needed. This includes a range of activities, including work by organisations to proactively understand their own history, policy and procedure.



These participation activities are above and beyond business as usual for organisations. Organisations would not have typically anticipated or undertaken these activities, especially within the compressed timeframes associated with the Royal Commission. For personal requests for information, we have focused on where these are above usual levels for organisations.

The cost or impact of participation activities will vary by organisations and will be affected by a range of factors. For example, the state of an organisation’s records can have a significant impact on the cost of responding to information requests. Across organisations, record keeping and information management systems can be poor, with older records especially being handwritten, often stored in boxes to be waded through.

For the most part, organisations are relying on their own staff and volunteers to support their participation. There are some exceptions, however. In particular, we heard about the heavy dependence that most organisations have on (usually external) legal assistance. This appears to be necessitated by the approach and processes put in place by the Royal Commission, with organisations signalling that they would be unable or very uncomfortable participating in a hearing without legal assistance.

Estimating the cost of participation

Information collected on organisations’ participation to date allowed us to estimate overall costs of participation for organisations. We expect that these estimates are conservative as there were some activities that we were unable to cost. Due to the early stage of the Royal Commission, very few organisations had received requests for information from the Royal Commission at the time of this report and were therefore unable to share information about the effort involved in fulfilling these requests. Our analysis also does not include itemised costs related to participation which could also be significant.

While there are difficulties in anticipating the full scale of participation in the Royal Commission, some assumptions can be made to provide an example of what the total costs for all organisations may look like at a minimum across the remaining life of the Royal Commission (from June 2020 until December 2022). These are summarised in Table 1 below.

Table 1: Scaling – total activity for remaining lifetime of Royal Commission

Activity	Total estimated costs (all organisations)
Facilitating access to information	\$0.420 - \$1.7 million
Participation in hearings (10 organisations)	\$0.334 - \$1.1 million
Preparation and support (minimum estimates)	\$1.6 - \$4.9 million
Total activity for lifetime of Royal Commission	\$2.3 - \$7.6 million

This scaling is based on the costs to complete activities under the three participation forms which were identified in discussions and analysis. Table 2 provides a summary of the typical range of time spent on, and cost of, each of the three forms of participation for an organisation.



Table 2: Summary of participation costs for each activity

Activity	Typical hours spent	Total range cost
Facilitating access to information (per personal information request, any organisation)	17 – 41 hrs	\$678 - \$2,715
Participation in a hearing (per hearing, any organisation)	492 - 840 hrs	\$33,385 - \$109,510
Preparation and support activities (per month) ¹ :		
• All organisations, baseline/minimal activity	8 – 32 hrs	\$420 - \$2,330
• Organisations completing ad hoc preparation projects	120 – 228 hrs	\$5,400 - \$15,060
• Organisations with dedicated and ongoing preparation activity	323 – 441 hrs	\$13,950 - \$28,770

¹ These activities are dependent on the organisation undertaking them

Exploring options for support and funding

Where organisations are less likely to have capacity to participate in the Royal Commission, funding and support mechanisms may be needed. We note that while contributing to this work, a few faith-based organisations that have better capacity to participate in the Royal Commission have signalled that they would not feel comfortable accepting financial supporting if a funding mechanism were to be put in place.

This report considers three options for funding: advanced funding of reasonable costs, reimbursement following participation, and the establishment of a panel of resources. We also considered non-funding options to improve information exchange and networking.

Based on the needs of organisations, we consider proactive approaches for funding would provide the most benefit by being very timely. Being able to access funding in advance reduces the need for organisations to sacrifice resources or pause other lines of work when participating in the Royal Commission. This reduces the length and severity of impacts participation may result in and enables all organisations to reach similar levels of effective participation in Royal Commission activities.



Recommendations

The following recommendations are focused on next steps for exploring costs and impacts of participation further, and options to put support and funding mechanisms in place. They are directed to both SSPA and NZCCSS who commissioned this work, and to Oranga Tamariki and the Crown Secretariat.

Recommendations to SSPA and NZCCSS

Leveraging and building on the findings and analysis in this report:

- 1 Engage with Oranga Tamariki and government to consider the recommendations in this report for support and funding mechanisms, determining what is practical, fair, and reasonable together.
- 2 Explore opportunities to work together to support improved and regular networking and information sharing that brings together faith-based organisations and NGOs participating in the Royal Commission and, as appropriate, the Royal Commission and the Crown Secretariat.
- 3 Identify what support and/or funding SSPA and NZCCSS may require to effectively carry out this coordination role, above and beyond usual coordination activity.

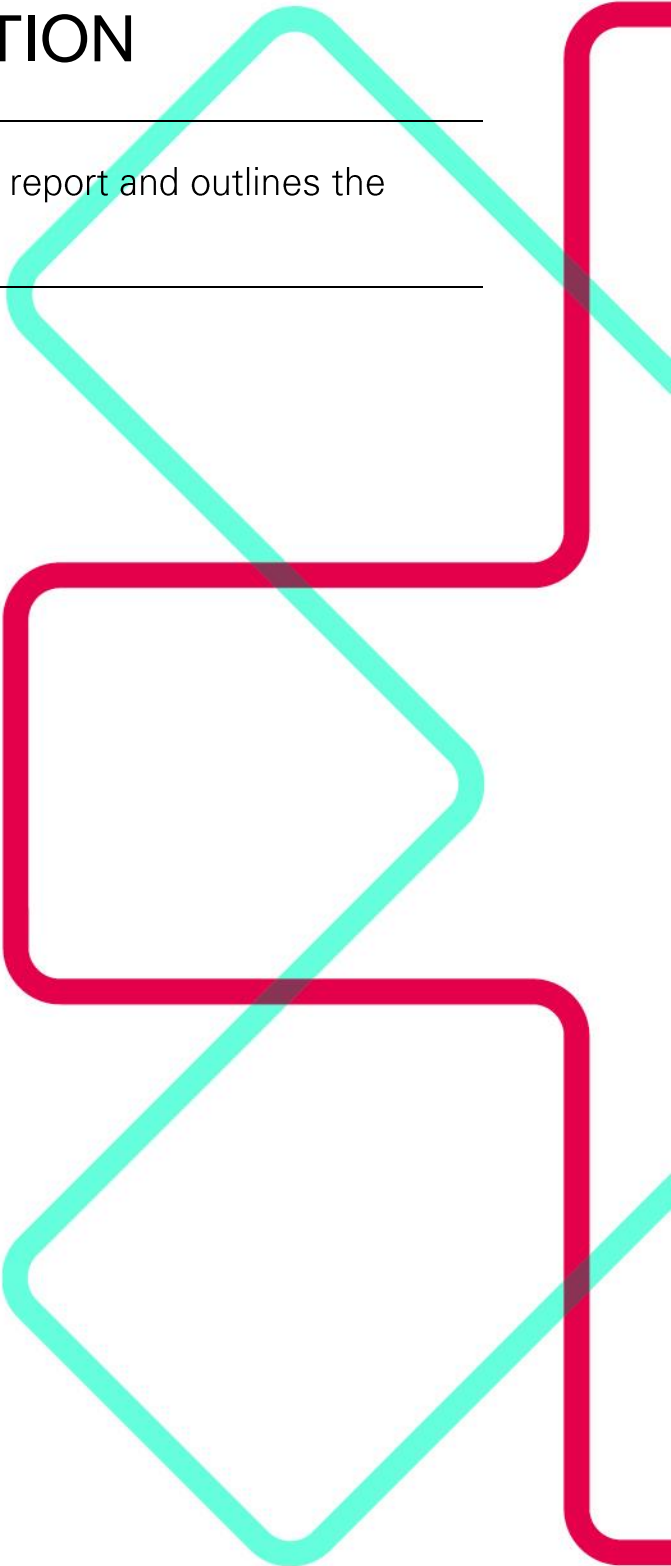
Recommendations to Oranga Tamariki and the Crown Secretariat

- 1 Note the activities, costs and time commitments required for organisations to participate effectively in the Royal Commission as outlined in this report, and that these impacts are in the context of an under-resourced social service sector.
- 2 With the Royal Commission, SSPA and NZCCSS actively monitor what is being asked of organisations (to the extent possible) to ensure a robust and up to date understanding of the impacts that Royal Commission related activities are having on organisations, particularly where organisations provided care on behalf of the State.
- 3 Work with SSPA and NZCCSS to consider the recommendations in this report for support and funding mechanisms, determining what is practical, fair and reasonable together.
- 4 Note that proactive or advanced funding mechanisms may be best suited for supporting organisations to participate effectively in the Royal Commission, allowing a timely and relatively easy to administer solution.
- 5 Seek and/or make available funding of at least \$2.3 million over the life of the Royal Commission to enable effective participation from NGOs and faith-based organisations in the Royal Commission process.
- 6 Responsibility for establishing and administering funding should sit with Oranga Tamariki and not be devolved to SSPA and NZCCSS.



SECTION 1: INTRODUCTION

This section sets out the background to this report and outlines the approach taken to this report.



Purpose of this report

Given the role that NGOs and faith-based organisations play in the Royal Commission, Oranga Tamariki is now considering whether it needs to support New Zealand's NGOs and faith-based institutions to effectively participate in the Royal Commission. Many of these organisations are members of Social Service Providers Aotearoa (SSPA) and/or the New Zealand Council of Christian Social Services (NZCCSS), two peak member bodies for social service providers in New Zealand.

SSPA and NZCCSS asked MartinJenkins to scope and cost the participation of NGOs and faith-based institutions in the Royal Commission, and to help identify appropriate supports and funding for the sector.

This report investigates the following areas:

- The Royal Commission's establishment and its functions, activities and work programme, and reviews similar inquiries conducted in Australia and Scotland to provide insight into New Zealand's inquiry approach.
- The role and functions of social providers, their link to the State and their role in the Royal Commission, including emerging themes about their engagement with the Royal Commission.
- The current and anticipated activities required from social providers to effectively participate in the Royal Commission.
- The current and anticipated costs to providers for undertaking activities that enable them to participate effectively in the Royal Commission.
- Funding and other support mechanisms that government and social providers could implement to ensure providers can participate effectively in the Royal Commission.
- Fair and pragmatic recommendations on the funding and supports that should be implemented to enable providers to participate effectively in the Royal Commission.

While the focus of this report and discussion is primarily on NGOs and faith-based organisations, and their relationship with Oranga Tamariki, the findings are widely applicable to all social service providers and their relationship with government departments in New Zealand. It is hoped that the Royal Commission itself can also glean insights from this report.

Contributing organisations

With the help of SSPA and NZCCSS, this report is informed by both NGOs and faith-based organisations who fall within the scope of the Royal Commission due to their history of providing care in New Zealand, either on behalf of the State or as a faith-based organisation.

Throughout this report 'organisations' refers to both NGOs and faith-based institutions unless otherwise made explicitly clear. 'Providers' or 'social service providers' are also used interchangeably with 'organisations.' While faith-based organisations are technically NGOs, the term 'NGOs' in this report excludes faith-based organisations which are considered in their own right.



NGOs providing these care services can be large or small. In the case of larger NGOs they are often nationally run organisations with regional offices or operations, employing large numbers of staff sometimes with many volunteers to support the delivery of a range of services across New Zealand. Not all of these services are linked to care. Smaller organisations can be very lean, employing a few full-time staff with volunteers allowing them to complete the work they do. They may be based in one or a few communities to meet a need.

Faith-based organisations in this report refer to the six main Christian churches (Anglican, Baptist, Catholic, Methodist, Presbyterian and Salvation Army) with a history of providing care services. These churches tend to be made up of networks of dioceses, local churches, social services providers, social justice agencies, schools, parish-based programmes, hospitals and homes, trusts, and missions, depending on the respective denomination. Their operations and responsibilities for care services may be centralised or more often are regional or localised.

When referring to organisations throughout this report we refer to the main body or denomination of that organisation (rather than a branch, agency, parish or other smaller sub organisation).

Approach to engagement

Ten members from SSPA and NZCCSS, who varied in their likely level of participation in the Royal Commission, provided input into this analysis and report through meetings, follow up discussions and an excel template that captured information about participation activities.

An initial meeting with NGOs helped to build a picture of how NGOs have been preparing and participating in the Royal Commission. Discussions focused on the activities NGOs were undertaking due to the Royal Commission, the costs and time commitments these required and some potential and preferred ways to manage these activities. In addition to this a kōrero was held with one NGO to inform the narrative around cultural support.

A meeting with faith-based organisations helped us build on this initial understanding of participation activities and allowed us to establish a richer picture of the participation activities that were specific to faith-based organisations.

From these engagements, a detailed list of participation forms and related activities was developed. Organisations were asked to provide information on the financial and time costs they had experienced for the identified activities. These figures informed the financial analysis and supporting narrative.

Other engagements included meetings with the Crown Secretariat and Oranga Tamariki. The primary purpose of these meetings was to understand the depth and scope of information that Oranga Tamariki may need, to make further decisions to support NGOs and faith-based institutions in effectively participating in the Royal Commission.

In a meeting with two Royal Commission staff members (two Principal Advisors to the Royal Commission) we heard information about the past, current and projected activities of the Royal Commission. Additional insights on the emerging direction of the Royal Commission was gathered by researching the processes undertaken by similar, recent inquires conducted in Australia and Scotland.

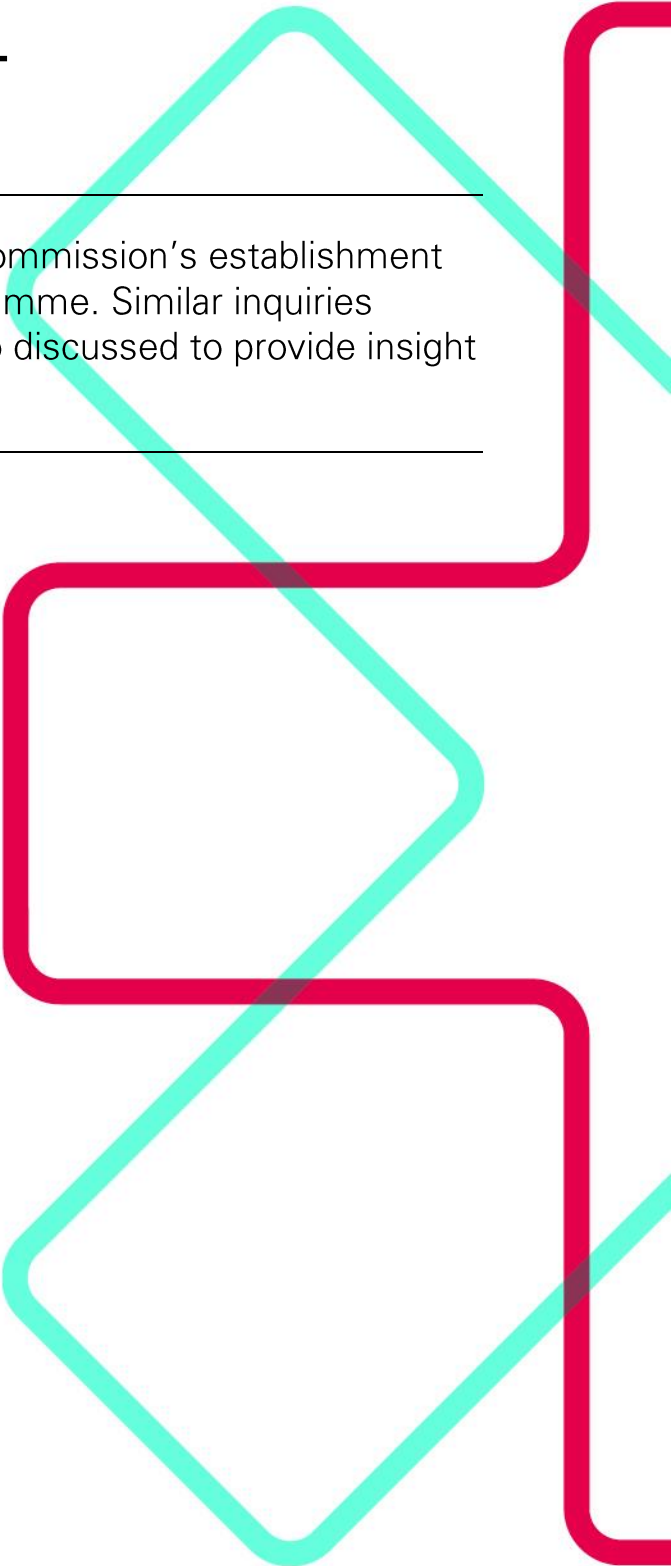


Finally, before the analysis was finalised, initial figures of time and costs for each participation form were sense tested with a select number of NGOs and faith-based organisations. SSPA and NZCCSS also tested findings to ensure they were reflective of what they had heard from their members.



SECTION 2: THE ROYAL COMMISSION

This section provides details of the Royal Commission’s establishment and its functions, activities, and work programme. Similar inquiries conducted in Australia and Scotland are also discussed to provide insight into New Zealand’s inquiry approach.



Establishment of the Royal Commission

The Royal Commission into Abuse in Care was established by the New Zealand Government in February 2018, after calls for an independent investigation into abuse in care in New Zealand.

The focus of the Royal Commission is on the experiences of abuse of children, vulnerable adults and people in State and faith-based care in New Zealand between 1950 and 1999, although it can also hear experiences of those in care after 1999. The Royal Commission will also build an understanding of how organisations that provided care have responded to allegations and instances of abuse.

The Royal Commission covers a range of settings where the State, an NGO or a faith-based institution assumed the responsibility of care for an individual. This includes care and protection residences, children's homes, foster care, adoption placements, psychiatric hospitals, psychiatric or disability care, health camps, early childhood educational facilities, schools, teen parent units, and transitional and law enforcement settings.

The ultimate purpose of the Royal Commission is to understand, acknowledge and respond to the harm caused to survivors, their whānau and communities, and to learn from these experiences in order to make systemic changes which will ensure those in care are protected and nurtured. It is set to run until January 2023². An interim report outlining current findings was intended to be delivered in December 2020, with a final report providing recommendations in January 2023.

The Royal Commission's functions and activities

Independent of the Government, the Royal Commission decides its own processes and course of action within the scope of its Terms of Reference (finalised 12 November 2018). It is currently operating three main means of investigation: holding public hearings, holding private hearings and undertaking research. Hui and round table meetings are also taking place as the inquiry approach evolves and community engagement continues.

The activities of the Royal Commission formally began on the 3rd of January 2019. During 2019 engagements with the public were held, a survivor advisory group was set up and policies and procedures for the inquiry were developed. In March 2019, the Government's Chief Archivist implemented a moratorium prohibiting the disposal of any information held by government agencies, NGOs and faith-based organisations that may be relevant to the inquiry.

Hearings began with private hearings beginning in May 2019. Private hearings involve survivors meeting one on one with a Commissioner and providing information in confidence. Survivors are not required to have legal representation or aid, although they are welcome to. They are also not required to present documentation such as historical records. Early indications show that less than half of survivors have brought along historical records or evidence of past claims. Of those that presented information most held this information prior to the Royal Commission being established.

² All information noted in this section about the Royal Commission has been sourced from the Royal Commission's official website <https://www.abuseincare.org.nz/> and/or from the Royal Commission staff we met with (unless otherwise referenced).



Two informal public hearings were held in 2019. A preliminary hearing on 25 June was held to provide more information about the Royal Commission, and its processes and activities. A procedural hearing in August 2019 was held to provide information about the upcoming contextual hearing, the first formal public hearing, which was held for two weeks in October/November 2019.

The Royal Commission's work programme

Current activity includes private hearings and an investigation into the Lake Alice Psychiatric Hospital with the intention of holding a public hearing on this in late 2020. Upcoming activity includes a State redress hearing to investigate survivors' experiences of redress processes and how these processes can be improved. This was intended to be held in two phases between 23 March to 3 April and 12 to 22 May 2020 but has since been deferred.

As the Royal Commission's lines of inquiry are based primarily on themes that emerge from survivors' stories, its work is evolving and uncertain in nature. There are, however, some ongoing and expected areas of focus that have been identified through the Royal Commission's communications. One clear focus of the Royal Commission is investigating the experiences of Māori, Pasifika, and disabled people in care. The Royal Commission also expects to investigate individual churches, already stating it is likely to carry out an investigation focused on the Catholic Church.

The Royal Commission has indicated that it is aiming to hold approximately 15-20 investigations covering specific care settings (organisations) or topics as themes emerge. Including what has been covered or indicated to date this would mean at least 10 more topics to be investigated over the next 3 years. The Royal Commission also aims to meet with 2,400 survivors over the lifetime of the inquiry, mainly in private sessions. As of March 2020, the Royal Commission had met with approximately 320 survivors. It expects to hold over 700 private hearings in 2020³.

Support available from the Royal Commission

There is some support for witnesses and survivors participating in the Royal Commission, which NGOs and faith-based organisations may be able to access. Survivors can receive psychosocial support from the Royal Commission. The Royal Commission also has two expense policies that enable witnesses to claim certain expenses related to their participation:

- **Witness expense policy:**⁴ a witness could be a faith-based organisation or an NGO and/or their staff members. If they have been asked to provide evidence at a hearing they may be able to claim for food, accommodation, travel and loss of income. If they are deemed to be an expert witness, a staff member could also apply for their time spent preparing, travelling and participating in the hearing to be reimbursed at their hourly rate (to a maximum of \$200 plus GST per hour, or in the case of travel at \$63 per hour plus GST). The final decision for reimbursement rests with the Commissioners.

³ Pānui – January 2020. The Royal Commission's monthly newsletter <https://www.abuseincare.org.nz/library/v/94/panui-january-2020>

⁴ Royal Commission, Witness Expenses Policy <https://www.abuseincare.org.nz/library/v/50/witness-expenses-policy>



- **Costs of legal assistance:**⁵ for legal assistance to be granted by the Royal Commission the participant must prove that they would suffer financial hardship if they had to pay for their own legal assistance. While NGOs and faith-based organisations may be eligible for financial assistance under this policy, it appears to be aimed at personal witnesses/survivors as it is very unlikely an organisation would be deemed to meet the hardship criteria. This is because organisations are often seen to be able to absorb costs more readily than an individual.

International inquiries and precedents

Inquiries in Australia and Scotland may provide insight into how the Royal Commission will approach its inquiry. The Royal Commission has indicated that they are drawing learnings from these inquiries⁶. These international examples show:

- **Importance of being led by survivor accounts:** both the Scottish and Australian inquiries evolved overtime. Public hearings and investigations are/were based on case studies of specific organisations or arising themes that had been identified through personal accounts and research.
- **Use of public and private hearings:** like the New Zealand Royal Commission, the Scottish and Australian inquiries are also conducting/conducted public hearings, private hearings, and research as their main inquiry activities. They also provided some financial support and legal assistance to witnesses and participants to minimise barriers to participation^{7,8} as well as links to psychological support (at a minimum).
- **Differences in scope and focus for inquiries:** unlike the New Zealand Royal Commission, the Australian inquiry was focused on sexual abuse, but this inquiry did not limit the types of organisations within scope and did not provide a specific time frame under investigation. The Scottish inquiry is focused on State and non-State long term residential care and covers the period in living memory of any person up until 17 December 2014.⁹
- **Significant amount of work involved to investigate abuses:** the Australian inquiry was extended by two years and over its five-year held private hearings with around 8,000 survivors and 57 public hearings. It also built a policy and research program which published 59 research reports covering eight key research themes. The Scottish inquiry started its work in October 2015 and was expected to run for approximately 4 years, but is ongoing, with flexibility allowed

⁵ Royal Commission, Practice Note 1 – Legal Assistance funding for activities set out in Schedule 1 <https://www.abuseincare.org.nz/library/v91/practice-note-1-legal-assistance-funding-for-activities-set-out-in-schedule-1>

⁶ Mervin Singham, Royal Commission Executive Director noted in *Sir Anand Satyanand on why he's leaving the Royal Commission into Abuse in Care*, New Zealand Herald, article dated 6 August 2019. https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12255975

⁷ Royal Commission into Institutional Responses to Child Sexual Abuse, Practice Guideline 1 <https://www.childabuseroyalcommission.gov.au/sites/default/files/practice-guideline-1.pdf>

⁸ Scottish Child Abuse Inquiry, Protocol and form - Expenses - <https://www.childabuseinquiry.scot/procedures/protocols/expenses/> Cost of legal representation for witnesses-protocol and application form <https://www.childabuseinquiry.scot/media/2116/protocol-and-form-cost-of-legal-representation-witnesses-190516.pdf> and Factsheet - Compensation For Loss of Time - <https://www.childabuseinquiry.scot/media/1199/factsheet-compensation-for-loss-of-time.pdf>

⁹ Scottish Child Abuse Inquiry, Terms of Reference - <https://www.childabuseinquiry.scot/about-us/terms-of-reference/>



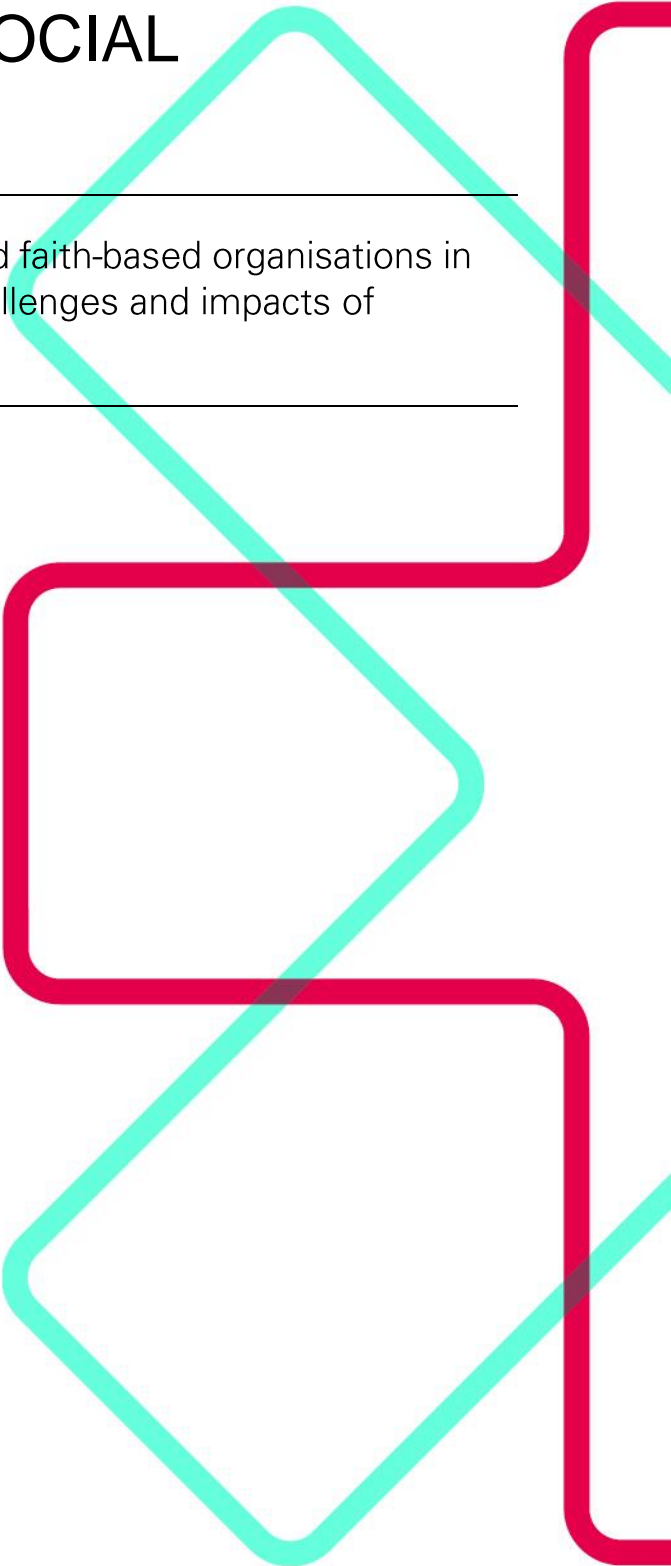
in its timeline. It currently has 96 organisations under investigation relating to 10 themes, and appears to be taking 4-6 months to cover each investigation theme.

The New Zealand Royal Commission could be expected to follow similar processes, structuring investigations and supporting activities around themes that emerge from research and witness stories. Similar themes to these inquiries are likely and the time to investigate each theme of 4-6 months in the Scottish Inquiry could be similarly expected. It is also possible that timeframes might need to be extended if the Royal Commission is not in a position to deliver its final report to the Government in January 2023, with COVID-19 disruption not helping current timelines.



SECTION 3: ROLE OF SOCIAL SERVICE PROVIDERS

This section discusses the role of NGOs and faith-based organisations in the Royal Commission and explores the challenges and impacts of participating in the Royal Commission.



Role of NGOs and faith-based organisations

Since the late 1880s the State has assumed responsibility for children, young people and vulnerable adults that have been neglected or are unable to be cared for by their families. The State provided foster and adoption services, institutional and residential care, and sent children to health and training camps. Today this responsibility largely sits with Oranga Tamariki – The Ministry for Children.

Historically much of the responsibility of care for vulnerable children and adults was devolved to NGOs and faith-based organisations across New Zealand. Many of these organisations ran children's homes and organisations until the 1980s. Some of these providers are no longer in existence, some are but no longer offer all these types of care, while others still provide care services on behalf of the State.

The remit of the Royal Commission extends to hundreds of social service providers across New Zealand that have previously and/or do currently provide care services under the care settings covered by the Royal Commission. These organisations either provided care on behalf of the State and/or provided care as a faith-based organisation.

The most obvious and current State care providers are those contracted under Section 396 in the Oranga Tamariki Act 1989, who provide iwi social services, cultural social services, and child and family support services. Currently there are 116 providers approved to deliver care services under section 396, with around 50 of these currently contracted to deliver these services. These providers are NGOs, some faith-based.

Other service providers contracted by the State include Section 403 providers who deliver wider community services. Although these services fall within scope, they do not appear to be the immediate focus of the Royal Commission. The focus of this report reflects this, with the analysis informed by those organisations who currently provide care and/or provided mostly residential and other longer-term care between 1950 and 1990.

Importance of and desire for effective participation

NGOs and faith-based institutions with a link to providing care services have a key role to play in the Royal Commission. These organisations recognise the underlying importance of the Royal Commission's work to protect and nurture those in care. They have a strong desire to fully engage in the activities of the Commission so this high-level outcome can be met.

The Royal Commission also recognises that effective participation from NGOs and faith-based organisations is necessary to complete a robust inquiry. Previous work with SSPA and NZCCSS members, by the Crown Secretariat, found that strong participation from NGOs and faith-based organisations in the Royal Commission's process is important for:

- Providing the Royal Commission with the information that it needs to understand the policies and procedures in place historically, reach conclusions, and make the best decisions and recommendations.
- Helping survivors to have all parts of their stories told by providing access to important pieces of information about what happened.



- Ensuring NGOs and faith-based organisations are adequately represented and able to tell their part of the story.
- Supporting continued sustainability of the NGO sector, particularly given the current volume of services NGOs and faith-based organisations provide to children and young people, and their key role as part of the current government care system.

Above and beyond business as usual

It was clear through discussions with NGOs and faith-based organisations that the activities an organisation may be required to undertake because of the Royal Commission are not activities they would have typically anticipated nor undertaken, especially in such compressed timeframes. These activities are above business as usual work, sometimes significantly for these organisations. They are not part of contracted (i.e. paid) work for the government, so organisations are funding these activities themselves. This, along with the short timeframes, has direct impacts on organisations as they strive to participate as effectively as possible.

The Royal Commission has already had a direct impact on a few organisations that have been asked to give evidence and have been preparing for this. This activity is clearly above business as usual for providers and is very resource and time intensive. More organisations will be asked to provide evidence at a hearing and/or have an interest in attending these hearings over the life of the Royal Commission.

Organisations which have not yet had direct engagement with the Royal Commission have started to prepare to participate. These activities can be quite wide ranging, from researching history to better understand their historical policies and procedures, to putting record management systems in place.

A few organisations have seen an increase in requests for personal information by about 2-3 per month since the establishment of the Royal Commission. Others have not experienced a noticeable increase. For some organisations this is because they have experienced a large influx of information requests in the past, already manage many requests and/or are not seen as being a participant in the Royal Commission. In general, organisations expect requests in the 2020 financial year to be greater than other periods, whether this is by a few requests or many.

Section three explores these beyond business as usual activities in more detail. These activities form the basis of our analysis in section four.

Variable capacity to participate

While there is a strong desire to participate effectively in the Royal Commission, the capacity of NGOs and faith-based organisations to be able to prepare for, participate in and respond to the Royal Commission's activities varies significantly. Some organisations have available and dedicated resources (including staff and finances) to participate in the Royal Commission but many do not.



Factors which affect the capacity of organisations to participate include:

- **Current resourcing:** some organisations are very lean, employing only a few full-time staff with volunteers allowing them to complete the work they do, whereas a small number will have dedicated staff to prepare for the Royal Commission.
- **Past activity:** organisations that have had to prepare and respond to historical claims previously are likely to be more prepared for the Royal Commission. However, there are large variations in the current level of preparedness of organisations.
- **Level of coordination:** organisations with a national presence have different organising structures and not all are well placed to support coordinated or centralised approach to participation.
- **Availability and state of records:** most organisations have a very basic level of record keeping and basic information management systems. Historical records are often handwritten and difficult to wade through, and some care records are held by multiple organisations (particularly where care was provided for on behalf of the State).

Overall, it appears that faith-based organisations are generally better resourced and prepared to respond to the Royal Commission, although this is not true for all and some organisations appear to have taken quite different approaches to preparedness. The organisations that are better prepared tend to be in this position because they have already spent a considerable amount of time organising records and centralising historical claims processes. They have a dedicated team for responding to requests for information and may have a team dedicated to preparing for the Royal Commission itself.

Many NGOs do not have these dedicated resources. As a sector, NGOs are generally underfunded and under resourced. As charities and/or not-for-profits, they are highly reliant on public donations and volunteers to operate their services. A recent MartinJenkins report estimated the funding shortfall by government to social service providers to be \$630 million dollars per year¹⁰. Of the NGOs and faith-based organisations that do not have the dedicated resources to participate, Royal Commission activities are primarily undertaken by the Chief Executive or a senior leader. This comes at the cost of other activities these leaders would otherwise be undertaking.

While contributing to this work, a few faith-based organisations that have better capacity to participate in the Royal Commission have signalled that they would not feel comfortable accepting financial support to assist with their participation.

Added challenge anticipating activities

While there are benefits to the evolutionary approach the Royal Commission is taking, the uncertainty that this causes makes it difficult for already tightly resourced organisations to plan ahead and prepare to respond to the Royal Commission. This includes organisations making provisions to ensure they can complete their usual activities while still participating in the Royal Commission.

¹⁰ Social Service System: The Funding Gap and How to Bridge It. https://www.sspa.org.nz/images/Social_Service_System_-_The_Funding_Gap_and_How_to_Bridge_It_-_FULL_REPORT_FINAL.pdf



Many organisations are speculating as to whether they will need to participate in the Royal Commission's activities based on historical claims made and their care history, on similar international inquiries, and on indications from the Royal Commission (including names that have been mentioned in hearings and released information). There is also some uncertainty around the volume of personal and other information requests that an organisation may experience.

If supports and funding were in place to help organisations prepare and respond to evolving Royal Commission activities, organisations may be in a better position to be able to respond to and participate in these activities. While the Royal Commission has sought to ensure it is regularly communicating its activity, greater direction from the Royal Commission (where possible) would assist with preparedness.

Heavy dependence on legal expertise

The need for legal assistance quickly emerged as a key theme in this work. While there are exceptions, most organisations appear to be heavily dependent on legal assistance to support their participation in the Royal Commission. Some organisations will be supported by in house counsel, but most either do not have an in-house counsel or have chosen to source specific legal expertise.

Legal assistance appears to be necessitated by the approach and processes put in place by the Royal Commission. These processes are very legalistic in nature and public facing, raising organisational risk. Organisations have signalled that they would be unable to, or very uncomfortable, participating in a hearing without legal assistance. Legal assistance is also often needed when survivors request personal information and complex redactions may be required.

Support for organisations currently in place

To assist organisations to prepare for and participate in the Royal Commission, SSPA, NZCCSS and the Crown Secretariat have been active in supporting ongoing information exchange. SSPA and NZCCSS have been central to efforts to facilitate this coordination, including reaching out to non-members. Organisations value the opportunity to learn from each other's approaches.

While primarily focused on working with government agencies to prepare the Crown's collective response, the Crown Secretariat has also shared with organisations how the Crown is preparing to respond to the Royal Commission. From these discussions and other publicly available documents we know the Crown Secretariat has:

- Worked with agencies to understand their past policies, practices and historical records and how these could be shared and collated if requested from the Royal Commission.
- Developed a programme of support for staff involved with the work of the Royal Commission, which details how the personal safety, security and wellbeing of staff will be looked after. It also provides guidance on the use of legal advice by agencies in respect of the Royal Commission.
- Developed a communications and engagement strategy for agencies to ensure staff are kept informed as to Royal Commission activities and have clear guidance as to how respond to these.



The Crown Secretariat also arranged an information session for NGOs with Archives New Zealand on the expectations and responsibilities around managing public records.



SECTION 4: FORMS OF PARTICIPATION

The section outlines the current and anticipated activities required of NGOs and faith-based organisations to effectively participate in the Royal Commission.



Participation activities

Effective participation by NGOs and faith-based organisations in the Royal Commission is important for building an accurate picture of the experiences of abuse in care in New Zealand, and for informing recommendations to prevent future abuse occurring in care. This participation is not without cost and impact on an organisation's day-to-day operations.

In this report we have sought to identify and understand the cost and impact of a range of participation activities on organisations. These activities can be classed into three forms: facilitating access to information, participation in hearings, and preparation and support.

Facilitating access to information

The first form of participation we looked at focused on organisations needing to facilitate access to information, with organisations likely to experience an increase in the number of requests for information.

These requests include:

- **Personal requests for information:** requests from those who were or are in care for records relating to their own care.
- **Requests to assist government agencies:** where an organisation has provided services on behalf of a government department, they may receive requests for information from that government department.
- **Requests from the Royal Commission:** the Royal Commission may request information from organisations to investigate cases and organisational policies and practices from as early as 1950.

Of the three different request types organisations were more likely to have experienced an increase in personal requests for information as a result of the Royal Commission. Likely due to the early stage of the Royal Commission, very few organisations have received requests directly from the Royal Commission so we were unable to gather much evidence of the cost and impact of these requests on organisations.

Requests to assist government agencies are uncommon but are possible. It is more common for organisations to need to request information from Oranga Tamariki to assist survivors in getting access to records held by both the organisation and government.



Impact of requests for information

The impact of an increased volume in requests is likely to vary between organisations, and is dependent on factors including:

- **The state and availability of records:** most organisations do not have sophisticated information management systems. Records tend to be handwritten, stored in boxes, and are often poorly organised. Extra time can be needed to transcribe and organise records before copying, compiling and, when needed, making redactions. There can be costs to accessing records when records are in external storage facilities or in regional bases. Some records might not have been kept at all. Regardless, it is likely that some searching and communications will take place to confirm records are in fact missing or were not required to be kept.
- **The level of legal and senior executive review required:** redactions must ensure the privacy of others is protected. They are almost always required when fulfilling a personal information request. This can be a very time-consuming process and necessitate the involvement of legal expertise and senior executive oversight. This can be substantial, particularly where records consistently mention other children. There may also be employment relations and organisational risk aspects to consider. For all information requests, it is likely the Chief Executive and/or senior staff member will review documents before they are sent out, which also incurs costs.
- **Support to survivors (who make a personal information request):** organisations generally offer pastoral, cultural and spiritual support to those who are learning about their care history. This often involves time simply to understand the supports that may be needed for the individual and communicating that these are available for them to access. A cultural and/or spiritual advisor may be involved in this process. (Note that this report does not consider the cost of redress and activity associated with redress).

Activities involved in facilitating access to information

In summary, the tasks that fall under the activity of facilitating access to information can include:

- **Information provision:**
 - Identifying whether records exist, this might involve talking to past staff members or broadly scanning filing rooms and archives.
 - Searching for and organising documents, which likely involves many hours of reading and sorting through physical archives with handwritten files.
 - Photocopying, scanning and/or sending documentation, to deliver information to external stakeholders who have requested it and internally when collating information.
 - Redacting documents in preparation for release.
 - CE/senior member review of documents, in preparation for release to the requestor.
- **Communications:**
 - Phone calls, emails, and meetings with those requesting information, externally with other providers and government, and internally to query and seek information.



- **Legal assistance:**
 - Legal support and advice from a legal advisor and/or solicitor if providers need to seek external advice on what information they must and should provide, and how to present this, especially with regards to redactions.
- **Cultural and/or spiritual support:**
 - Cultural and/or spiritual support and guidance is provided by a current staff member either to other staff members or to the requestor during the communications and delivery of information.

These activities may be required due to a request for information from an individual, an information request from the Royal Commission or a request from government. They do not include activities associated with redress such as counselling for survivors.



Participating in a hearing

The second form of participation we looked at focused on the role that some organisations may have participating in a hearing, either as the subject of an investigation or as part of a thematic hearing.

Impact of participating in a hearing

The impact on these organisations participating in a hearing is likely to be high as participation requires large resourcing commitments. This impact depends on:

- **Time commitment for the hearing:** public hearings require very high levels of preparation. While a typical public hearing lasts two weeks, preparation and response time could be extended to months before and after the hearing takes place. This timeframe could be extended further if the hearing is part of a wider ongoing investigation into a topic or a specific organisation.
- **Organisational effort to compile evidence:** preparation for a hearing is likely to involve searching and organising documents and preparing evidence briefs. Typically, the Chief Executive and/or a senior staff member will commit large amounts of time to support this.
- **Legal advice and representation:** an organisation is likely to seek legal advice and/or representation before, during and after a hearing. Additional to an organisation's efforts to compile evidence, organisations will tend to seek legal assistance to compile evidence briefs. They will require expert legal advice when a potential organisational or legal risk is identified.
- **Staff attendance:** multiple senior staff members are likely to attend a hearing to represent their organisation. In attending the hearing there may be travel, food and accommodation costs, in addition to the staffing costs for the time in attendance.
- **Communications:** before and after a hearing an organisation may plan for and carry out communications, with many organisations acutely aware of the need to inform those that they currently serve. A communications advisor may be hired to communicate and support the organisations involvement in a hearing.
- **Health and safety:** participating in a hearing is also likely to have wellbeing implications for staff. These staff members are typically senior staff members who already carry heavy workloads and pressures. Additional supports such as leave and counselling, especially for those who are presenting information at a hearing, may be needed. Support from other staff, spiritual healing and cultural support, may also be needed to help staff work through any impacts on their wellbeing as a result of their (or their organisations) participation the hearing.



Activities involved in participating in a hearing

A full range of specific activities required for participating in hearings include:

- **Information provision activities:**
 - Searching and organising documentation, which may involve looking through past files and records.
 - Photocopying, scanning, and/or sending documentation to the Royal Commission and/or internally for information gathering purposes.
 - CE/senior management review of documents, as senior leaders are often the ones presenting information at a hearing.
 - Preparing evidence briefs to present to the Royal Commission at a hearing, which is mainly completed by the CE or another senior staff member (or in some cases a lawyer).
- **Communications:**
 - Phone calls, emails and meetings both internally and with the Royal Commission to organise hearing related logistics and general preparation, and to seek clarity on what and how evidence must be presented at the hearing.
 - Specialist advice on communications, resourced either internally or externally to ensure the organisation is clear in its communications that relate to the hearing and is proactive in expressing its commitment to the Royal Commission's purpose.
- **Legal assistance:**
 - Support and advice from a solicitor, if providers wish to seek their own advice on what information they must and should provide, and how to present this.
 - Support, advice and representation from a barrister, as providers are likely to need a lawyer present at the hearing.
- **Attending hearings:**
 - Traveling to and from the hearings.
 - Presenting information at the hearing, including the evidence briefs, which is likely done by the chief executive, or equivalent head of the organisation or in some cases a lawyer.
 - Being otherwise present, which includes time spent at a hearing listening to proceedings.
- **Cultural and/or spiritual support:**
 - Support either internally (e.g. through the support of another staff member or by taking leave), or externally (e.g. counselling) which may be needed to care for the wellbeing of those who have been impacted by the organisations' involvement in the hearing.

Itemised costs associated with these activities include photocopying and filing of documents, the costs for food and accommodation throughout the hearing, and flights, taxis or other transport costs to get to and from the venue of the hearing.



Preparation and support

The third form of participation we looked at was the preparation and support activities that most organisations with a history of providing care are likely to carry out to be in a position to effectively respond to the activities of the Royal Commission.

Impact of preparation and support

Organisations are likely to undertake preparation and support throughout the lifespan of the Royal Commission. The impact of this form of participation on organisations depends on:

- **Current preparedness:** whether these activities will have a low or medium impact will depend on how much preparation an organisation has already undertaken. This affects the state and availability of an organisations' records, the time commitment required by staff to complete activities (compared to current resourcing), and the amount of pastoral, cultural and spiritual support required.
- **Networking and environmental scans:** networking and ongoing environmental scans appear to be completed by almost all organisations with a link to providing care. These organisations wish to keep up to date with information and communications coming from the Royal Commission. They also look to learn from each other's experiences, spending time connecting and exchanging information and advice. The peak bodies have a key role in facilitating this networking and provide a coordination function, which comes at a cost to these organisations.
- **Communications:** organisations expressed the wish to be transparent about their involvement and are mindful of any impacts the Royal Commission may have on people currently accessing their services and care. This makes communications important with the public, staff and with those that currently receive services. Some organisations may seek communications advice from external agencies while others may use their own in-house resources to develop these communications.
- **Length of history:** the Royal Commission's remit dates back early as 1950. As part of their preparation to participate some organisations need to build up an understanding of their past policies and practices, including when, where and by whom care was provided, and the nature of this care. This involves considerable work searching for and organising records and files, going through historic files and claims, and interviewing past staff members. Some organisations have set up specific short-term focused projects to help them work through their history.
- **Coordination:** for some organisations, preparation requires coordinating the activity of multiple services and agencies. It can require considerable involvement of, and oversight from, the organisation's leadership and governance team.



- **Records storage and management:** a moratorium is currently in place on any agency (including NGOs and faith-based organisations) disposing of records that might be of interest to the Royal Commission. Not disposing of records (maintaining either onsite or offsite storage) and, where needed, retrieving records from storage may have additional financial implications for an organisation, particularly where an external provider is being used.
- **Health and safety:** when an organisation becomes involved in Royal Commission related activities, they may need to put in place additional supports to provide for the health, safety and wellbeing of all staff. This may involve developing support material, having more regular meetings and communications with staff and/or providing additional provisions for leave and counselling services.
- **Cultural competency:** for NGOs and faith-based organisations to be implicit in their commitment to acting sensitively, respectfully, and culturally responsively with all stakeholders (including survivors and others related to the Royal Commission), it is critical to ensure, hold and promote cultural world views, such as Mātauranga Māori which is Māori knowledge, a Māori worldview. While it is expected that NGOs and faith-based organisations have a level of cultural competency, some organisations and/or their staff may need extra support specific to cultural requirements in order to respond appropriately to conduct the flow on activities the Royal Commission creates.

Activities involved in preparation and support

A full range of activities that may be required for an organisation undertaking general preparation and providing supports to staff during this preparation include:

- **Environmental scanning:**
 - Reviewing Royal Commission related information releases, events and media as part of completing an environmental scan to understand the level of preparedness required and anticipate any Commission related activities the organisation may need to undertake.
 - Attendance at external networking and information meetings by the CE or another senior leader, such as meetings with other organisations to discuss Royal Commission events, or information sessions held by the Royal Commission.
- **Communications:**
 - General communications to stakeholders outside the organisation about the Royal Commission including other organisations, SSPA and/or NZCCSS, and those they currently provide services to.
 - Phone calls, emails, and meetings with internal staff and senior leaders to discuss Commission related events, work, and preparation efforts for participation in the Royal Commission.
 - Specialist advice either internally from a current staff member or externally from a communications advisor or public relations consultant, perhaps to advert any reputational damage that might arise.

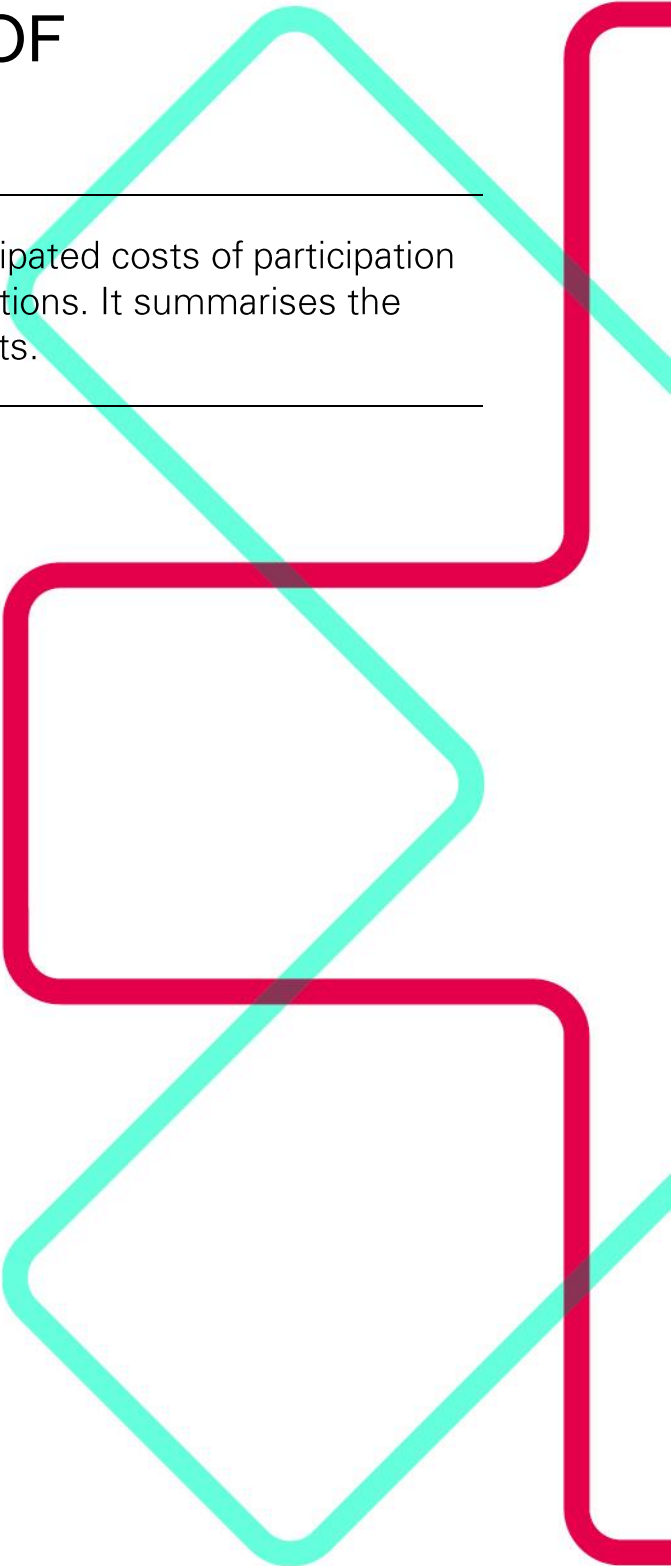


- **Information provision:**
 - Identifying whether records exist, this might involve talking to past staff members or broadly scanning filing rooms and archives.
 - Searching for and organising documents, which likely involves many hours of reading, sorting, and filing to prepare and understand past records.
 - Photocopying, scanning and/or sending documentation, this may include digitalising records and sharing them publicly.
 - CE/senior member review of documents, in generating an understanding of past care history and practices, and in preparation for potential release.
- **Legal assistance:**
 - Seeking support and advice from a legal advisor or solicitor when the need for legal advice arises. For example, providers may wish to seek their own advice on what information they should hold, prepare, and share, as well as what actions they may take to ensure their continued sustainability as part of the care sector.
- **Staff support (including for the leadership and governance team):**
 - Counselling, this could be provided internally but is likely to be provided externally (e.g. EAP).
 - Time with manager/CE or other staff member – this may involve holding frequent meetings or simply being able to sit and talk with fellow staff members. This is particularly useful to those who are bearing a large physical and mental workload as the organisation prepares for and participates in the Royal Commission.
- **Cultural and/or spiritual advice, support and training:**
 - Either internally (e.g. through the support and advice of another staff member or by taking leave), or externally (by hiring an external advisor), which may be needed to guide and train staff in their participation in Commission related activities or to support the wellbeing of staff involved in these activities.



SECTION 5: ANALYSIS OF PARTICIPATION COSTS

This section estimates the current and anticipated costs of participation activities for NGOs and faith-based organisations. It summarises the analysis undertaken to determine these costs.



Analysis methodology and limitations

Methodology

This analysis sought to capture the typical range of time and costs spent on activities under the three forms of participation: facilitating access to information, participating in a hearing, and preparation and support, and the costs associated with these activities.

Organisations provided figures for the time they had spent and the costs they had already incurred on Royal Commission related activities. A draft list of all identified types of participation was provided to organisations as a guide to providing financial details, with the final analysis based on the three participation forms and the detailed activities that sit within them.

From the evidence organisations provided, ranges for time and per hourly cost were calculated for the activities and then summed to provide a total typical time and cost range for the specific form of participation. To ensure the analysis reflected both actual and 'fair and reasonable' costs, these figures were sense checked against current market costs, existing public fees/reimbursement frameworks¹¹, and the Royal Commission's policies for the relevant activities.

Finally, these figures were sense tested with a small number of NGOs and faith-based organisations, which vary in their actual and likely participation level. The data was extrapolated, based on likely upcoming activity and the number of organisations participating, to produce an estimate of the total costs of future participation. This estimate is conservative as not all identified activities were able to be costed due to the Royal Commission activities being at an early stage and due to uncertainty about the number of organisations with a link to providing care in New Zealand that may need to participate.

Limitations

This analysis has sought to be as sound as possible but there are limitations in the methodology and analysis undertaken. Limitations include:

- The analysis is based on evidence provided by a relatively small number of organisations. Many organisations provided information in a narrative form, but quantitative information was limited. Market costs and other fees frameworks have been integrated to overcome this. Testing draft figures and assumptions with organisations also sought to overcome this limitation.
- Only historical information was available to be collected and there is uncertainty around the future activities of the Royal Commission. Discussions proved useful in identifying the activities an organisation may undertake in their participation and how significant these might be, but this is mostly based on anticipated not confirmed events.
- The limited visibility over all current and historic NGOs and faith-based organisations in New Zealand means a definitive list of those likely to be involved in the Royal Commission is speculative and has not been determined. Instead some assumptions have been made about the minimum number of organisations that may participate in Commission related activities, based

¹¹ Including Ministry of Justice charging guidelines for Official Information Act 1982 requests, Privacy Act codes, and ACC fees schedules



on anticipated and indicated Royal Commission activities and our understanding of the NGO and faith-based sector.

Other notes

- This analysis only focuses on active participation during the lifetime of the Royal Commission. It does not include the costs and time required for organisations to implement the recommendations and outcomes of the Royal Commission.
- Itemised costs such as travel, accommodation, food, filing systems and printing, are not included in this analysis, as these are extremely variable across organisations and activities.
- ‘Organisation’, in this document, refers to the organisation as a collective body. While an organisation may have many regional branches, or member organisations all participating in some form, only the main body has been accounted for in this scaling and analysis. It is assumed that most participation activities will be coordinated by or involve the main body of the organisation.

Total costs for participation

While it is difficult to anticipate the full scale of participation in the Royal Commission, some assumptions can be made to provide an example of what the total costs for all organisations may look like at a minimum across the remaining life of the Royal Commission (from June 2020 until December 2022). These are summarised in Table 3 below.

Table 3: Scaling – total activity for remaining lifetime of Royal Commission

Activity	Total estimated costs (all organisations)
Facilitating access to information	\$0.420 - \$1.7 million
Participation in hearings (10 organisations)	\$0.334 - \$1.1 million
Preparation and support (minimum estimates)	\$1.6 - \$4.9 million
Total activity for lifetime of Royal Commission	\$2.3 - \$7.6 million

These estimates are conservative. There are a few activities that have not been costed: information requests from the Royal Commission, information requests from government, and some itemised costs. There may also be other activities that have not yet been identified but may be required in the future. The full extent of participation activity is also likely to be underestimated as this analysis has only been able to gather evidence on the current response from the perspective of organisations.

This overall scaling is based on the costs to complete activities under the three participation forms which were identified in discussions and analysis. Table 4 provides a summary of the typical range of time spent on, and cost of, each of the three forms of participation for an organisation.



Table 4: Summary of participation costs

Activity	Typical hours spent	Total range cost
Facilitating access to information (per personal information request, any organisation)	17 – 41 hrs	\$678 - \$2,715
Participation in a hearing (per hearing, any organisation)	492 - 840 hrs	\$33,385 - \$109,510
Preparation and support activities (per month) ¹ :		
• All organisations, baseline/minimal activity	8 – 32 hrs	\$420 - \$2,330
• Organisations completing ad hoc preparation projects	120 – 228 hrs	\$5,400 - \$15,060
• Organisations with dedicated and ongoing preparation activity	323 – 441 hrs	\$13,950 - \$28,770

1 These activities are dependent on the organisation undertaking them

More information on the analysis and assumptions that underpin this summary are provided in the following sections which details the analysis for each of these participation activity areas.

Costs for facilitating access to information

Facilitating access to information includes fulfilling requests for personal files from individuals, requests from the Royal Commission, and requests from government departments. This analysis focuses on the cost of facilitating access to personal files for individuals. As very few organisations had received information requests directly from the Royal Commission or government departments at the time of this report, these activities were not able to be included in our cost estimates. However, these requests are likely to require much higher time and cost commitments than an individual's request.

Combining evidence from organisations including information on past historical claims processes, with market costs and existing public sector fee schedules for the detailed activities, it is estimated that filling a typical personal information request costs an organisation between \$678 and \$2,715. This is a time commitment of 17 - 42 hours of time (rounded to the nearest hour).

In some cases, these costs can be much higher depending on the number of redactions that need to take place and the extent to which legal advice is engaged. Evidence provided for this analysis showed that in one-off cases an organisation could experience legal costs as high as \$10,000 for fulfilling a personal request. As these legal fees are very case specific the analysis here has provided a baseline for legal costs.

The costs and activities associated with redress have not been included in this analysis as it is out of the scope of this work. Some small amount of cultural or spiritual support has been accounted for as often communications with those seeking their personal records and trying to understand them involve this initial level of support. However, the focus is on facilitating access to personal information itself and not on these additional services, as seen in Table 5 below.



Table 5: Cost of facilitating access to personal information

Activity	Typical cost per hour	Typical hours spent	Total range cost
Information provision (staff time):	\$35 - \$55	12 – 30	\$420 - \$1,650
<ul style="list-style-type: none"> Identifying whether records exist Searching for and organising documents Redacting documents Photocopying, scanning and/or sending documentation CE/senior member review of documents 	\$60 - \$85	3 – 5	\$180 - \$425
Communications (staff time):			
<ul style="list-style-type: none"> Phone calls, emails, meeting with those requesting information 	\$60 - \$85 ¹	1 – 4	\$60 - \$340
Legal assistance:			
<ul style="list-style-type: none"> Legal support and advice – legal advisor, solicitor 	\$150 - \$250	0 – 1	\$0 - \$250
Cultural and/or spiritual support:			
<ul style="list-style-type: none"> Internal (i.e. staff member) 	\$35 - \$50	0.5 – 1	\$18 - \$50
Total per personal information request (to the nearest hour and dollar)		17 – 41 hours	\$678 - \$2,715

1 Assumes only a senior staff member carries out communication and attends meetings

Future costs of facilitating access to information

Facilitating access to information will be an ongoing activity throughout the life of the Royal Commission (and likely after). Many organisations could receive a greater number of requests for personal information than usual because of the activity of the Royal Commission. More requests are typically experienced before and after a public hearing.

If even 20 organisations (approximately 40% of all currently contracted section 396 providers¹²) experience an increase in requests above business as usual by 1 per month (which is in line with providers' initial evidence) this is approximately 620 requests (from June 2020 – December 2022, 31 months). The total time and cost for this is between 10,230 and 25,420 hours and \$420,050 and \$1.7 million over the remaining lifetime of the Royal Commission, as detailed in Table 6 below.

Table 6: Scaling – cost of facilitating access to information – requests from individuals

Number of requests	Total time committed	Total cost committed
620 (total)	10,230 – 25,420 hours	\$420,050 - \$1,683,300

¹² Oranga Tamariki list of s396 contracted service providers as at 1 April 2020



Costs for participation in a hearing

Participating in a hearing is the single highest cost an organisation will experience during the Royal Commission. A standard hearing is completed in 10 working days over a two-week period. For an organisation it is likely to involve at least 2-3 months of preparation in advance of the hearing and approximately 1 month of response time after the hearing. Wider preparation and support activities are likely required to complement this and have been captured in the analysis for preparation and support activities.

Initial evidence suggests that an organisation involved in a hearing requires a dedicated resource for at least 3 full days per week to prepare and respond over the 3-4 months. Often this takes the time of the chief executive or another senior leader and comes at the cost of business as usual activities these senior leaders would complete during this time. Lawyers are also likely to be heavily involved in hearing-related activities throughout this time. This significantly increases the costs and impacts on organisations.

It is assumed in this analysis that lawyers are engaged to prepare evidence briefs and will support the CE or another senior staff member to do this. A senior staff member or CE commits at least 200 hours to preparing material for the hearing with about 56 - 80 hours of a lawyer’s time to assist. It was noted that many of the individuals who would put together the briefs for their organisation had legal experience or were trained lawyers. For organisations that did not feel they had this experience, they signalled that they will likely involve lawyers in the hearing preparation, and it is possible that the lawyer could require more than the 10 days assumed in this analysis to pull together this information.

Some organisations also signalled that they would hire lawyers to represent them at the hearing. This range has been captured below with either no lawyer present at the hearing, or one lawyer present for the entirety of the hearing.

Two senior members of the organisation will attend the 10-day hearing. This equates to a maximum of 168 hours spent travelling to and attending the hearing for each person. Itemised costs associated with these activities, such as food and accommodation, and flights, taxi’s or other transport costs are in addition to these costs. They have not been accounted for in this analysis.

With these assumptions and averaging and integrating current market costs and existing public sector fee schedules with information from providers, participating in a hearing is estimated to cost an organisation between \$33,385 - \$109,510. A total of 492 – 840 hours is dedicated to participating. Full details, which summarise the analysis undertaken, are provided in Table 7 below.

Table 7: Cost for participation in a hearing

Activity	Typical cost (per hr)	Typical hours spent	Total range cost
Information provision (staff time):	\$35 - \$55	30 – 40	\$1,050 - \$2,200
<ul style="list-style-type: none"> • Identifying whether records exist • Searching for and organising documents • Photocopying, scanning and/or sending documentation 			



Activity	Typical cost (per hr)	Typical hours spent	Total range cost
CE/senior staff member information provision time: <ul style="list-style-type: none"> Review of documents Preparing submissions Preparing evidence briefs 	\$60 - \$85	200 – 350	\$12,000 - \$29,750
Communications (staff time): <ul style="list-style-type: none"> Email and phone meetings, internally and with the Royal Commission regarding hearing preparation Specialist advice <ul style="list-style-type: none"> Internal External 	\$60 - \$85	40 – 60	\$2,400 - \$5,100
	\$35 - \$65	30 - 40	\$1,050 - \$2,600
	\$150 - \$300	4 - 8	\$600 - \$2,400
Legal assistance: <ul style="list-style-type: none"> Support and advice – legal advisor, solicitor etc. (likely preparing evidence briefs) Support, advice and representation – barrister 	\$150 - \$300	56 – 80	\$8,400 - \$24,000
	\$200 - \$350	0 - 80	\$0 - \$28,000
Attending hearings and round tables (staff time): <ul style="list-style-type: none"> Travel time Presenting information Being otherwise present 	\$60 - \$85	128 – 176	\$7,680 - \$14,960
Cultural and/or spiritual support and advice: <ul style="list-style-type: none"> Internal (i.e. staff member) External 	\$35 - \$50	3 – 4	\$105 - \$200
	\$100 - \$150	1 – 2	\$100 - \$300
Total range time and cost to participate in a hearing		492 – 840 hours	\$33,385 - \$109,510

Future costs for participating in a hearing

The Royal Commission has indicated that it is aiming to complete 15-20 investigations over the lifetime of the inquiry. Of these it is assumed approximately 6-10 NGOs and faith-based organisations will be the subject of investigation or will be expected to provide a substantial contribution to a hearing.

If 6 organisations participated in a hearing, total hours would range from 2,952 to 5,040, costing approximately \$200,310 - \$657,060. If 10 organisations participated in a hearing, total hours would range from 4,920 to 8,400, costing between \$333,850 and \$1,095,100 over the remaining life of the Royal Commission. Table 8 gives an overview of this scaling.

Table 8: Scaling – cost for participation in a hearing

Number of organisations	Total time committed	Total cost committed
6	2,952 – 5,040 hours	\$200,310 - \$657,060
10	4,920 – 8,400 hours	\$333,850 - \$1,095,100



Costs for preparation and support

Baseline preparation and support

The analysis revealed that not all organisations are dedicating large amounts of time to preparation and support activities. However almost all organisations with a link to providing care continue to keep up to date with Royal Commission activity. We expect this activity to be greatest for those organisations that have core participant status with the Royal Commission.

This analysis estimates that organisations with both low and high levels of preparation and support spend between 8 and 32 hours per month completing some environmental scanning. For an organisation this is, at a minimum approximately 30 minutes per week on average over the life of the Royal Commission for reviewing Royal Commission related information, and a quarter of a day per month in external meetings. Between 4 and 18 hours are spent per month on communication activities related to the Royal Commission.

Note that these time commitments are average time commitments over the remaining life of the Royal Commission. At different times throughout the Royal Commission’s lifetime more or less of this activity may be occurring. The time commitment captures the activity of two staff members.

Details on the preparation activities, that almost all organisations with a link to care are undertaking, are provided in Table 9.

Table 9: Baseline cost for preparation – almost all care-related organisations per month

Activity	Typical cost per hour	Typical hours spent per month ¹	Total range cost per month
Environmental scans (staff time):			
• Attendance at external networking and information meetings by CE/senior management	\$60 - \$85	2 – 6	\$120 - \$510
• Reviewing Royal Commission related information releases, events and media	\$50 - \$70 ²	2 – 8	\$100 - \$560
Communications			
• General communications to stakeholders outside the organisation	\$50 - \$70 ²	2 – 6	\$100 - \$420
• Phone calls, emails, and meetings with internal staff and senior leaders	\$50 - \$70 ²	2 – 12	\$100 - \$840
All organisations preparation per month		8 – 32 hours	\$420 - \$2,330

1 Time commitment for these activities captures the total time two staff members would spend on these activities per month. This is likely to be much higher if more people are involved in these activities, especially if there are a greater number of people attending internal meetings.
 2 These figures are a blend of CE and administrative staff member per hour rates. It is assumed that this activity will be completed by the Chief Executive or equivalent senior leader half of the time and an administrative or supporting staff member for the other half of this time.



Proactive preparation and support efforts

Some organisations appear to be more active in undertaking preparation and support activities. These organisations are making efforts to organise, centralise and file past records and information relating to their care history. In some cases, documents are being made digital and general information about the organisation’s care history is being released publicly.

These organisations are being proactive in their response to the Royal Commission, realising that a significant portion of their records and files are difficult to access quickly should the Royal Commission need information. They are completing this activity either:

- **In a series of small ad hoc projects**, typically 3-6 months per project OR
- **On an ongoing and typically fulltime basis as part of a dedicated resource** that has been set up to help their organisation participate in and respond to the Royal Commission.

Ad hoc project based approach

For those organisations taking a project-based approach, preparation activities are being completed in waves with a specific focus for each small project. These projects require resources to be temporarily shifted from business as usual activities or additional people to be employed (or at the very least volunteer) and are usually completed in 3, 6, or 12-month blocks.

It is mainly NGOs and smaller faith-based organisations that are taking this approach. This appears to be due to resourcing constraints and an attempt to avoid this activity impacting other functions and operations over a longer period.

For comparisons between time commitments, and to enable the ability to scale time and costs to fit a project, time and costs have been provided on a per monthly basis. These per monthly time and costs consider the average commitment per month to a project whether the project is 3, 6 or even a 12-months in length. It is assumed in these figures that one staff member and a senior leader will complete a project. For some organisations, the project team will likely be larger and/or include volunteers above and beyond what has been costed here in Table 10.

Table 10: Cost of ad hoc preparation projects – per 1-month

Activity	Typical cost per hour	Typical time per month	Total costs of each activity
Information provision (staff time):	\$35 - \$55	60 – 120	\$2,100- \$6,600
<ul style="list-style-type: none"> • Identifying whether records exist • Searching for and organising documents • Photocopying, scanning and/or sending documentation 	\$60 - \$85	30 – 60	\$1,800 - \$5,100



Activity	Typical cost per hour	Typical time per month	Total costs of each activity
Communications (staff time):			
• General communications to stakeholders outside the organisation (e.g. govt departments)	\$50 - \$70 ¹	6 – 12	\$300 - \$840
• Phone calls, emails and meetings with internal staff and senior leaders	\$50 - \$70 ¹	24 - 36	\$1,200 - \$2,520
Total time and cost of preparation project per month		120 – 228 hours	\$5,400 - \$15,060

1 These figures are a blend of senior leader/managerial and administrative staff member per hour rates. It is assumed that this activity will be completed by a senior leader half of the time and an administrative or supporting staff member for the other half of this time.

Dedicated response – ongoing

A small number of organisations, mainly faith-based organisations, will complete preparation activities throughout the lifetime of the Royal Commission, with dedicated personnel preparing and responding to the Royal Commission.

Setting up these teams has required additional resources to be employed or removed from other areas within the organisation. The gathering of historical records and preparing files is above and beyond baseline environmental scans and communications, and is at a minimum undertaken by 3 mostly fulltime staff members, one at a senior level. This has been costed below in Table 11.

Table 11: Cost of dedicated response – per month

Activity	Typical cost per hour	Typical time per month	Total costs of each activity
Information provision (staff time):			
• Identifying whether records exist	\$35 - \$55	200 - 260	\$7,000 - \$14,300
• Searching for and organising documents			
• Photocopying, scanning and/or sending documentation			
• CE/senior member review and analysis of documents	\$60 - \$85	80 – 120	\$4,800 - \$10,200
Communications (staff time):			
• General communications to stakeholders outside the organisation (e.g. govt departments)	\$50 - \$70 ¹	8 - 16	\$400 - \$1,120
• Phone calls, emails, and meetings with internal staff and senior leaders	\$50 - \$70 ¹	35 – 45	\$1,750 - \$3,150
Total time and cost of dedicated team per month		323 – 441 hours	\$13,950 - \$28,770

1 These figures are a blend of senior leader/managerial and administrative staff member per hour rates. It is assumed that this activity will be completed by a senior leader half of the time and an administrative or supporting staff member for the other half of this time.



Ad hoc preparation and support activities

In addition to organising information, other preparation and support activities may be undertaken by organisations. These activities will only be completed if and when needed by the organisation, so a 'typical' time commitment has not been estimated for these activities.

Very few of these activities have been undertaken by organisations to date but organisations anticipate that they would complete them if participation in the Royal Commission required it. For example, communications advice may be used if reputational issues arise. Staff and/or cultural and spiritual support would be provided if someone completing a review of historical information requires some emotional support. Cultural and/or spiritual advice may be provided if this assists the understanding of past records or helps to guide other preparation and participation activities.

A list of these other preparation and support activities are provided in Table 12, along with the typical cost per hour to complete each of them.

Table 12: Ad hoc preparation and support activities

Activity	Typical cost per hour
Communications:	
• Specialist advice	
– Internal (i.e. staff member)	\$35 - \$65
– External	\$150 - \$300
Legal assistance:	
• Support and advice – legal advisor, solicitor	\$150 - \$300
Staff support (including for leadership and governance team):	
• Counselling	\$100 - \$150
• Time with manager/CE or other staff member	\$95 - \$170
Cultural and spiritual advice, support and training:	
• Internal (i.e. staff member)	\$35 - \$50
• External	\$100 - \$150

Future costs for preparation and support

Almost all organisations with a link to caring for children (on behalf of the State for NGOs and faith-based organisations, or in a private capacity as a faith-based institution) will undertake at least a low level of environmental scanning and communications. It is assumed at least 30 – 40 organisations (specifically their main bodies), will do this continuously throughout the remaining lifetime of the Royal Commission. Specifically, this is for the months between June 2020 and December 2022 (31 months).

This equates to a total time commitment per month of between 240 to 960 hours for the minimum of 30 organisations at a total cost of \$12,600 - \$69,990. Leading to a total cost, over the remaining life of the Royal Commission, of \$390,600 to just over \$2.1 million.



In addition to this, if even 10 organisations completed just two three-month projects this is an added cost of between \$324,00 and \$903,600. This is a very conservative estimate.

From our discussions, we know that at a minimum there are 2 organisations which have a full-time team dedicated to preparing and responding to the Royal Commission. These have not been factored into the number of organisations completing project-based work. We estimate that at a minimum these organisations will collectively spend 20,026 - 27,342 hours, worth \$864,900 - \$1,783,740 in total over the remaining lifetime of the Royal Commission. Note that for the total time and cost calculations across all participation forms, we assume activities such as responding to requests and participating in hearings are in addition to this full-time effort for these organisations.

Combining these lower end assumptions and estimates means preparation and support activities could cost a collective \$1.6 to \$4.9 million over the lifetime of the Royal Commission. This excludes itemised costs and activities that may also be required.

Table 13: Scaling – future costs for preparation and support

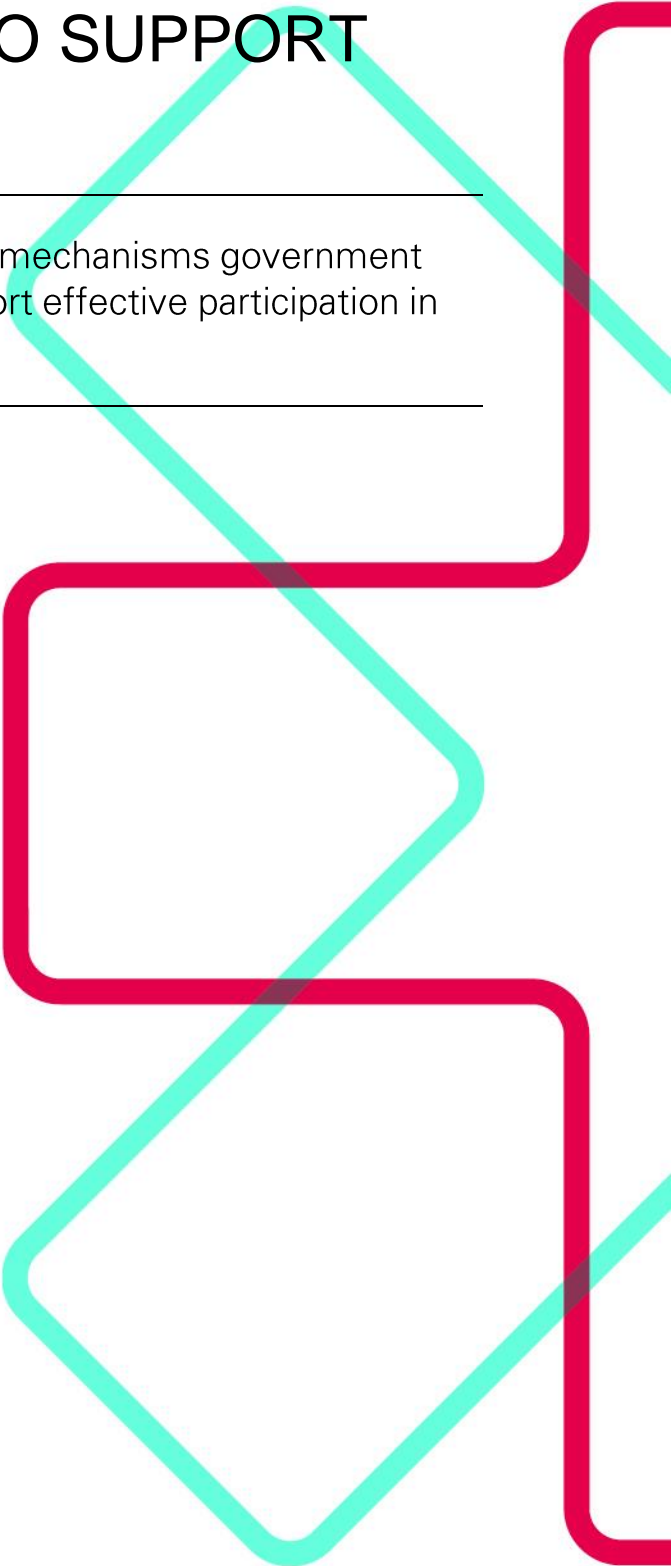
Type of preparation and support	Number of organisations	Total time committed	Total cost committed
Baseline	30	7,440 – 29,760 hours	\$390,600 - \$2,166,900
Project based	10 ¹	7,200 – 13,680 hours	\$324,000 - \$903,600
Dedicated response team	2	20,026 - 27,342 hours	\$864,900 - \$1,783,740
Total future time and cost		34,666 – 70,782 hours	\$1,579,500 - \$4,854,240

1 completing 2 x 3-month projects each



SECTION 6: OPTIONS TO SUPPORT PARTICIPATION

This section discusses funding and support mechanisms government and organisations could implement to support effective participation in the Royal Commission.



Supporting capacity to participate

Funding and support mechanisms are needed to help facilitate effective participation. However, it is important that this support is not a 'one size fits all' approach due to the different positions that organisations are in. While NGOs have signalled their need for support, a few faith-based organisations have made it clear that they would not accept financial support to assist with their participation.

Principles that could be useful in considering which mechanisms are best suited for supporting organisations to participate effectively include:

- **Effective:** supporting organisations to participate in Royal Commission activities, supporting the Royal Commission to make recommendations that better the life of those in care.
- **Flexible:** meeting the participation needs of organisations with differing structures, and anticipated impacts.
- **Optional:** recognising that not all organisations will wish to receive funding or support, without restricting access for others for whom this support is likely to be vital to their ability to participate in Royal Commission activities, and continue to provide the services they do.
- **Simple:** easy to administer, and easy to access by those receiving support.
- **Timely:** available when support is needed the most, reducing the length and severity of participation costs for an organisation.
- **Proportional:** reflecting the costs being incurred by participating in the Royal Commission, avoiding any perception of organisations benefiting financially from their participation.

The following sections provide a discussion of funding mechanisms (and other supports) that could be implemented to enable effective participation of social service providers in the Royal Commission. While the focus of this report and discussion is primarily on NGOs and faith-based organisations and their relationship with Oranga Tamariki, these mechanisms are widely applicable to all social providers and their respective government agencies.

Options for funding mechanisms

1. Advanced funding of reasonable costs

Advanced funding takes a proactive approach to ensuring organisations have the financial support they need to participate in Royal Commission activities. This mechanism would be suitable across all three activity types: facilitating access to information, participation in hearings, and preparation and support.

Organisations could apply ahead of time for a specific lump sum payment based on the costs for the activities they expect to undertake. For example, a lump sum could be paid per information request, per hearing or as a set base amount for preparation. This could be managed by assessing the details around a specific activity type and using the analysis summaries in the previous section as a basis for any time and cost calculations.



There are some variations as to how this could be implemented:

- 1 **Lump sum, direct to organisation:** organisations could apply to Oranga Tamariki using a predetermined fair and reasonable fees schedule or framework in which they estimate anticipated costs and make a simple case for funding. The funding request is assessed (ideally by using a very simple check box) and is paid direct as a lump sum to the organisation on approval. This lump sum could cover the full costs, a portion of costs or costs capped to a predetermined amount, but it is expected that this would be captured in the fair and reasonable fees schedule or framework. This mechanism would work for all types of activities but would work especially well for activities associated with facilitating access to information and for participating in hearings.
- 2 **Contract variation:** funding could be administered through existing contracts Oranga Tamariki holds with providers for all types of participation. It would work especially well for funding the costs of preparation, as a base rate for this could be determined and given as a blanket funding figure. This would be relatively easy to administer. One limitation is that a contract variation would only cover current section 403 and section 396 providers who hold service contracts with Oranga Tamariki.
- 3 **Subsequent funding:** as this is a proactive form of funding there may need to be the ability for organisations to apply for the reimbursement of reasonable costs that were incurred above the initially anticipated figure. There may be times where an organisation has needed or been asked to complete additional work related to the Royal Commission which is seen as an extension of the original work. This may work as outlined in the following section on reimbursement following participation.

Specific details that would need to be considered and worked through would include:

- What fair and reasonable activities and costs are.
- To what degree activities will be funded by Oranga Tamariki (full expenses or only partial expenses paid and whether this is variant on proactive or reactive arrangements).
- Whether funding is variant on the size of an organisation and/or their participation status/level and if yes, what proxies may be used to determine this as it relates to the amount of funding given.
- How long is 'in advance' and what form of costing and evidence (if any) may be needed to apply for funding.
- Who exactly is able to access this funding and when and how they can access it.
- If past expenses can be claimed for previous work undertaken by organisations.
- What reporting is required.

Proactive approaches provide the most benefit by being extremely timely. Being able to access funding in advance reduces the need for organisations to sacrifice resources or pause other lines of work in order to bear the upfront costs of participating. This reduces the length and severity of impacts participation may result in and enables all organisations to reach similar levels of effective participation in Royal Commission activities.



Proactive approaches when coupled with reactive approaches also create visibility as to how much work is anticipated and then actually incurred by NGOs and faith-based organisations through Royal Commission activities. Over time this could assist the Crown's own understanding of the response required to participate in the Commission.

2. Reimbursement following participation

Reimbursement following participation is an alternative funding mechanism, that is reactive in its approach. In this reactive mechanism, organisations would claim for expenses after they have been incurred. Organisations would need to apply with evidence of the expenses incurred (e.g. receipts) and get approval to be reimbursed for these.

A simple application and approval process could be administered against a predetermined 'fair and reasonable' fees schedule. This reimbursement mechanism could respond to expenses that are not able to be covered by the Royal Commission, and those above what was applied for in advanced funding if a combination of mechanisms is implemented.

If implemented the specifics of a reimbursement mechanism would need to be worked through with Oranga Tamariki. Specific details include those identified for advancing funding such as what costs and activities are deemed fair and reasonable, and who can access funding and to what levels. Some general guidance for reimbursement would also need to be developed. This would include what evidence is required for reimbursement (e.g. receipts, logbooks, and contracts).

This mechanism may not be effective as a proactive mechanism due to timeliness, flexibility and effectiveness limitations. As this approach is retrospective, organisations need to meet costs up front. This may require organisations to sacrifice and/or pause resources and lines of work and may impact their ability to meet current contractual obligations. It may impact an organisation's ability to participate effectively in the Inquiry.

Depending on how it is administered, and the amount of evidence preparation and review required, this mechanism could become resource intensive and complex for organisations and the implementing agency.

3. Panel of resources

Another proactive funding mechanism is for a panel of approved external providers that organisations could access to support their participation with the Royal Commission. This panel could deliver services that cover specific activities which fall under the three key activity types identified throughout this report, such as administration or records management needs, document redactions, communications advice, legal assistance, and cultural and spiritual support. Oranga Tamariki would meet the costs of organisations accessing the panel's services through providing the panel with set amount of funds to deliver services or by paying them upon completion of services in a typical billing cycle.

There would likely be significant administrative requirements to set up and monitor the panel and its administration. A large amount of time would be needed to determine the exact services on the panel, establish contracts and set guidelines on fair and reasonable costs and activities. It is also not very flexible for organisations who may wish to employ people, including internal staff, that know



their organisation well and whom they trust. Many organisations use internal staff to complete Royal Commission related activities and given that the costs of external service providers, experts and contractors are typically higher than internal staff time, this may also not be the most effective use of government finances.

Administration of funding mechanisms

When this work was commissioned, there was some consideration being given to channelling funding assistance through peak bodies (SSPA and NZCCSS). This option would create a new role and set of responsibilities for the organisations. In considering roles and responsibilities for administering any funding mechanisms, it is useful to consider:

- **Existing capability:** where there are existing systems and processes to support the administration of funding mechanisms. Currently these largely sit with Oranga Tamariki which administers contracts with a large number of providers, and with the Royal Commission who have some structures in place for survivors and witnesses to claim a small range of expenses.
- **Credibility:** there are a number of providers who are not members of either SSPA or NZCCSS peak bodies, and non-members may not feel comfortable working through these organisations to seek assistance.
- **Aligned purpose:** any administration of a funding mechanism is most aligned to the present work of the Crown Secretariat, with a shared focus on ensuring the best information and participation of those responsible for providing care.

The creation of new responsibilities and roles must be considered when deciding on what mechanism to implement. These few considerations are useful as a starting point. It is suggested that they are further developed to ensure the mechanisms implemented can be best aligned to the suggested principles. Especially in its administration and the responsibilities that are created through establishing the mechanism.

Options for other support mechanisms

1. Networking and information exchange

With the assistance of NZCCSS and SSPA, NGOs and faith-based organisations have been able to come together to share information, and to support each other in preparing to participate in the Royal Commission. The Crown Secretariat has also supported this. However, we understand that this has been relatively ad hoc to date.

All organisations that have been involved in these few meetings stress how valuable they have been. There is an opportunity to make this networking and information exchange more regular. Some organisations have also expressed an interest in having the opportunity to learn from different types of organisations – for example, NGOs expressing an interest in learning about the approaches taken by faith-based organisations.



Expanding networking and information exchange opportunities could also reduce the costs to each organisation doing individual environmental scans. Sharing learnings on preparation activities and experiences of participation in the Royal Commission could also lead to much more cost-effective approaches being taken by organisations.

Facilitating ongoing networking and meetings is a role that could be played by NZCCSS and SSPA. It is estimated that between 30 to 50 hours would be required by the peak bodies to organise and facilitate each meeting, with catering and travel as additional costs. The peak bodies would require additional resource if they were to take on this role.

The peak bodies could consider a joint staffing resource that supports networking and information exchange. In addition to helping facilitate regular meetings, this joint resource could work closely with the Crown Secretariat and Royal Commission to support good communications with organisations and help monitor activity levels and pressures on organisations as a result of participating in the Royal Commission.

As these activities would be beyond business as usual, funding support would be needed to assist the peak bodies to put this support in place for organisations.

2. Collaboration in record sharing

Because many organisations provided care on behalf of the State, there are overlaps and gaps in who holds care related information. This is especially true for personal records but also for agreements, policies, procedures and staffing information. Organisations will often need to report to and engage with a number of government departments to gather information on a particular area. It is often not clear who exactly an organisation should contact for a particular query. In place of this, organisations rely on fostering relationships with individuals to share information efficiently.

Some organisations discussed how they will seek to support an individual to request records from Oranga Tamariki, with their permission. It was noted that this process is not always straightforward or clear, and that a high level of redactions can occur in the process, diminishing value of the records for the survivor. There may be an opportunity to improve how these information sharing processes work.



RECOMMENDATIONS

This section provides fair and pragmatic recommendations to support organisations to participate effectively in the Royal Commission.



Recommendations

This work sought to develop a richer understanding of what participation in the Royal Commission involves for NGOs and faith-based organisations, and the cost and impact of this participation. It also identified potential options for support and funding mechanisms to support effective participation.

NGOs and faith-based organisations were among those who called for the establishment of the Royal Commission and want to see the Royal Commission meet its outcomes to help protect and nurture those in care. However, capacity across these organisations to effectively participate is variable. Where organisations are not well positioned to effectively participate, access to support and funding would help facilitate the work of the Royal Commission.

The following recommendations are focused on next steps for exploring costs and impacts of participation further, and options to put support and funding mechanisms in place. They are directed to both SSPA and NZCCSS who commissioned this work, and to Oranga Tamariki and the Crown Secretariat.

Recommendations to SSPA and NZCCSS

Leveraging and building on the findings and analysis in this report:

- 1 Engage with Oranga Tamariki and government to consider the recommendations in this report for support and funding mechanisms, determining what is practical, fair, and reasonable together.
- 2 Explore opportunities to work together to support improved and regular networking and information sharing that brings together faith-based organisations and NGOs participating in the Royal Commission and, as appropriate, the Royal Commission and the Crown Secretariat.
- 3 Identify what support and/or funding SSPA and NZCCSS may require to effectively carry out this coordination role, above and beyond usual coordination activity.

Recommendations to Oranga Tamariki and the Crown Secretariat

- 1 Note the activities, costs and time commitments required for organisations to participate effectively in the Royal Commission as outlined in this report, and that these impacts are in the context of an under-resourced social service sector.
- 2 With the Royal Commission, SSPA and NZCCSS actively monitor what is being asked of organisations (to the extent possible) to ensure a robust and up to date understanding of the impacts that Royal Commission related activities are having on organisations, particularly where organisations provided care on behalf of the State.
- 3 Work with SSPA and NZCCSS to consider the recommendations in this report for support and funding mechanisms, determining what is practical, fair and reasonable together.



- 4 Note that proactive or advanced funding mechanisms may be best suited for supporting organisations to participate effectively in the Royal Commission, allowing a timely and relatively easy to administer solution.
- 5 Seek and/or make available funding of at least \$2.3 million over the life of the Royal Commission to enable effective participation from NGOs and faith-based organisations in the Royal Commission processes.
- 6 Responsibility for establishing and administering funding should sit with Oranga Tamariki and not be devolved to SSPA and NZCCSS.

