



## Royal Commission of Inquiry into COVID-19 Lessons

### Minute 1: Interim non-publication – evidence and submissions received by the Royal Commission of Inquiry into COVID-19 Lessons

2 June 2023

1. The purpose of the Inquiry is to strengthen Aotearoa New Zealand’s preparedness for, and response to, any future pandemic by identifying those lessons learned from New Zealand’s response to COVID-19 that should be applied in preparation for any future pandemic. The Inquiry’s terms of reference direct it to use publicly available information, as well as any additional necessary information.
2. At this stage of its work, the Inquiry is preparing to meet with key organisations and decisionmakers to discuss information that has been provided to, or reviewed by, the Inquiry, along with their perspectives on the measures which were or were not implemented.
3. It is important that individuals and organisations can be free and frank with the Inquiry. Further, some of the evidence and submissions the Inquiry receives will be subject to privacy, confidentiality and natural justice considerations.
4. The Commissioners consider that publication of, or public access to, evidence, submissions and meetings of the Inquiry, as well as correspondence relating to these, would frustrate the Inquiry’s ability to properly ascertain the facts.

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#### Orders

5. Accordingly, and having considered the criteria under s 15(2) of the Inquiries Act 2013, the Commissioners consider it appropriate to order:
  - a. Under s 15(1)(a) that publication of evidence and submissions to the Inquiry is forbidden, pending further order of the Inquiry.
  - b. Under s 15(1)(b) that there be no public access to meetings of the Inquiry and correspondence relating to information requests and those meetings, pending further order of the Inquiry.
  - c. Under s 15(1)(c) that the Inquiry meetings will be held in private, pending further orders of the Inquiry.

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#### Exceptions to orders

6. The orders in [5] above do not apply to documents held by a public sector agency which were brought into existence independently, and not for the purposes, of the Inquiry. For example, if a report prepared by a department prior to the Inquiry is later given to the Inquiry as evidence, the orders in [5] above will not prevent release of that report under the Official Information Act 1982 (though there may be other grounds for withholding release).
7. Nothing in these orders prevents the Inquiry from publishing updates on its progress, including information about those with whom the Inquiry has met.

#### Future orders

8. These orders are made to support the current stage of the Inquiry’s work. Different orders will be necessary to support any future public submission process the Inquiry undertakes.
9. These orders and their application to particular evidence, submissions or correspondence, may be modified by the Inquiry on a case-by-case basis.



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10. The Inquiry's report will be public, and final decisions about what evidence and submissions may be published will be made at the conclusion of the Inquiry.
11. As noted in the Inquiry's meeting procedures guidance, individuals and organisations are expected to draw the Inquiry's attention to information which is regarded as particularly sensitive. In such cases, the Inquiry will consult with the sources of the information prior to making any final non-publication orders relating to evidence and submissions.