



## First Quarterly Report: January - March 2023

### Purpose

1. The purpose of this report is to provide a high-level summary of activities of the Royal Commission of Inquiry into Lessons Learned from Aotearoa New Zealand's Response to COVID-19 That Should Be Applied in Preparation for a Future Pandemic (the Inquiry).

### Establishing the Inquiry

2. The Inquiry was established 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.
3. The Inquiry was established by Order in Council on 5 December 2022. The Order specified that the Inquiry may begin considering evidence from 1 February 2023 and must deliver its report by 26 June 2024.
4. As this is the first quarterly report of the Inquiry, it will also cover the period prior to the beginning of the first quarter.
5. Following the appointment of the three Commissioners, the Solicitor-General appointed Jane Meares as Counsel Assisting the Inquiry on 20 December 2022, and the Executive Director commenced in post on 1 February 2023.

### Initial activities and engagement undertaken

6. During the reporting period, the Inquiry has focused on establishment activities such as detailed planning of what is required to deliver the report as set out in the Inquiry's Terms of Reference and refining an approach to communicating and engaging with stakeholders and the wider public. This work has allowed the Inquiry to identify broad phases of work that will be required to deliver its report by 26 June 2024 (set out below at paragraph 25), as well as start to identify the critical points of challenge in this delivery programme, such as the period around the General Election in October 2023.
7. The Inquiry has also commenced gathering information and evidence from publicly available sources, as well as carrying out the first engagements with stakeholders (starting with public sector agencies).
8. In February, the Commissioners had an introductory meeting with the Public Service Leadership Team, where they discussed the non-adversarial, future-focused nature of the Inquiry. The Commissioners have also held initial relationship meetings with the three central agencies (the Department of Prime Minister and Cabinet (DPMC), the Treasury, and the Public Service Commission), plus the Ministry of Health, the Ministry of Business, Innovation and Employment, and Education sector chief executives.

9. In line with the procedure set out in our Terms of Reference, the early focus for the Inquiry is on identifying and analysing the significant amount of relevant information that is already publicly available. Following on from the Commissioners' meeting with Public Sector chief executives, the Inquiry has started its information gathering by requesting relevant material from each agency. Chief executives have also been asked to respond on behalf of any sector or system groups they lead.
10. The Inquiry is also in the process of developing its high-level approach to communication and engagement, with a particular focus on the type of engagement to be undertaken, and when. In addition, a priority has been to ensure that stakeholders and the public are kept up to date about the work of the Inquiry and its current priorities. This is currently being done via 'Progress Updates' that are published on the Inquiry's Department of Internal Affairs (DIA) website pages. The Inquiry is working on establishing key communication channels for its ongoing communication, in particular a dedicated website.
11. The Inquiry notes that at this stage it has determined that no person is expected to be designated as a core participant under section 17 of the Inquiries Act 2013.
12. On 15 March 2023, DIA proactively published the Cabinet papers and associated documents that established the Royal Commission. The Inquiry has updated its DIA web page to include information about, and a link to the publicly released Cabinet papers.
13. Also during this time, the secretariat for the Inquiry has focussed on establishment, staff recruitment and supporting the Commissioners to plan the Inquiry approach, associated work programme and their initial engagement activities. Key positions have been filled, including: the Heads of Policy and Research, Communications and Engagement, and Advisory and Programme Support; Human Resources lead; Chief Advisors (Establishment and Policy); Information Management Manager; and Programme Management.

## Finance

14. The Inquiry has incurred costs to date of \$0.569 million across its controllable expenditure and Commissioner fees. As at 24 April 2023, we are forecasting an underspend of around \$0.73 million for the FY2022/23 year.

	2022/23 Spent YTD \$Ms	2022/23 Budget \$Ms
Controllable expenditure - operations	\$0.249	\$ 3.118
Commissioner Costs	\$0.320	\$ 0.811

15. This forecast underspend is primarily due to differences between assumptions made in initial planning in November 2022 and the actual timing of some establishment activities. In particular, the initial budget envisaged a rapid recruitment process enabling a significant portion of the Inquiry Secretariat staff to be in place from February/March 2023. However, due to the very competitive job market and competing demands on public sector staffing (such as the coordinated government response to the summer cyclones) this pace has not proven realistic.
16. The Inquiry is now on track for most of the required staff appointed and resources to be in place by May 2023.

## Challenges and risk

17. The way we manage input from, and expectations of, the New Zealand public is shaping up to be a key challenge for how the Inquiry operates.
18. The Order in Council specifies that the Inquiry should make recommendations on the public health strategies and supporting economic and other measures that New Zealand should apply in preparation for future pandemics. Particular clinical decisions and how and when strategies and measures were implemented or applied in particular situations or in individual cases during the COVID-19 pandemic are therefore out of scope, as are some specific decisions independent of Government, such as by the Monetary Policy Committee. The Inquiry will need to manage likely expectations from some of the public (and stakeholders) that go beyond the Inquiry's Terms of Reference and the best use of the Inquiry's limited time and resources.
19. At the same time, it is critical that stakeholders and the public are provided with an adequate opportunity for input to the Inquiry, recognizing this will both improve the quality of the Inquiry's final recommendations and build an environment that is more likely to be receptive to the Inquiry's final recommendations. The Inquiry is actively considering and planning appropriate ways to engage with the wide range of individuals, groups and the public as part of its communications and engagement strategy. This planning will need to take into account the timing of the New Zealand General Election and need to exercise caution during the pre-election period (14 July to 14 October 2023).
20. The unprecedented nature and evolution of COVID-19 has resulted in a wealth of information, briefings, reviews, and evaluations, both in the New Zealand context and internationally. The Order in Council specifies that the Inquiry should review investigations, reports, and reviews (both domestic and international) and any other publicly available material. It will be challenging to ensure all relevant documents are considered, and a risk that due to the sheer volume of information key documents may be overlooked. The Inquiry is developing an analytical framework to assist with the rapid assessment of documents, as well as other information management tools.
21. Cyclone Gabrielle has challenged the public and policy makers. The Inquiry has been careful to not over-burden the public sector with requests for information in the period they were dealing with a new and live emergency. The cyclone has also impacted our Inquiry directly, with Commissioner Parata being asked by the Government to chair a Ministerial Inquiry into Land Use in Te Tairāwhiti, Tūranganui-a-Kiwa and Te Wairoa regions – with resultant less time for the COVID-19 Inquiry from March to May 2023 inclusive.

## Next Quarter – expected activity

22. Over the April to June quarter, the Inquiry will continue with the substantive information gathering and analysis of publicly available information that will allow the Inquiry to form initial themes, form new lines of inquiry and generate targeted areas which require deeper exploration and evidence gathering.
23. As a result of this, the Inquiry will also be commencing initial rounds of stakeholder engagement. The Inquiry expects this initial engagement will be heavily shaped by areas of interest identified from analysis of the publicly available information, before moving into wider sets of stakeholders later in the second and third quarters of 2023.

24. Alongside the substantive work programme, the Inquiry will also look to conclude its major establishment activities, including the completion of detailed delivery planning, completing recruitment for secretariat staff, establishing the Inquiry's internal processes, and developing communications channels.
25. While this delivery planning is ongoing and rapidly evolving as the Commissioners make significant decisions on how the Inquiry will approach its work, to deliver the Inquiry's report by 26 June 2024 will require it to work through the following broad phases of work:
- January to April 2023 – establishment of Secretariat and start of collection of public information
  - April to Dec 2023 - collect information (publicly available information, specific requests and engagement with identified groups and stakeholders, public engagement seeking broader public input), early drafting of report
  - January to Mar 2024 – finalise report drafting, fact checking, natural justice process
  - April to June 2024 - report production, translation, delivery of the report by 26 June
  - Post June 2024 - close down activities.
26. The Inquiry is continuing to refine this initial view, in particular assessing key points of challenge and whether sufficient time can be made available at those points to meet both the ambitious scope of the Inquiry's Terms of Reference and the New Zealand public's expectations about the breadth and depth of outcome and process a Royal Commission should deliver.