

**Royal Commission on the Pike River Coal Mine Tragedy**

**Te Komihana a te Karauna mö te Parekura Ana Waro o te Awa o Pike**

**UNDER THE COMMISSIONS OF INQUIRY ACT 1908**

**IN THE MATTER OF THE ROYAL COMMISSION ON THE PIKE RIVER COAL MINE TRAGEDY**

**MINUTE NO 14:**

**new EVIDENCE/RELEASE OF FINAL REPORT**

3 JuLY 2012

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**Post 4 April witness statements**

1. On Friday 29 June 2012 counsel for certain former directors and officers of Pike River Coal Ltd applied to the commission to:
2. reconvene the phase 3 hearings to hear evidence from Messrs Renk, Moynihan and Borichevsky, and to recall other witnesses;
3. allow evidence in reply to the witness statements of Messrs Renk, Moynihan and Borichevsky;
4. cross examine them; and
5. file supplementary closing submissions.
6. The commission considers that this application highlights natural justice issues which apply to any evidence filed since 4 April 2012 which may have the potential to affect the interests of participants (not just Pike former directors and officers).
7. Accordingly, the commission has resolved to:
8. grant leave to participants generally to file reply evidence and/or final submissions by **noon Wednesday 18 July 2012** in response to evidence filed since 4 April 2012; and
9. consider and decide whether any further steps, including a reconvened phase 3 hearing, are required in light of the reply evidence and further submissions.
10. For completeness the commission notes that the adverse findings process described in Minute 13 will extend to findings, if any, based upon post 4 April 2012 evidence.

**Release of final report**

1. The 29 June 2012 application also sought orders which would enable the applicants to review adverse findings contained in the final report, respond to the commission and seek suppression orders to protect fair trial rights pending completion of any prosecutions.
2. The commission is required to provide its final report to the Governor-General by 28 September 2012. It may not disclose the report, or its purport, to anyone else and, accordingly, the commission cannot make orders of the kind sought by the applicants.

Produced by

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Dated 3 July 2012