

UNDER

THE INQUIRIES ACT 2013

IN THE MATTER OF

A GOVERNMENT INQUIRY INTO  
OPERATION BURNHAM AND RELATED  
MATTERS

Date of

Minute: 19 July 2018

---

MINUTE No 2 OF INQUIRY

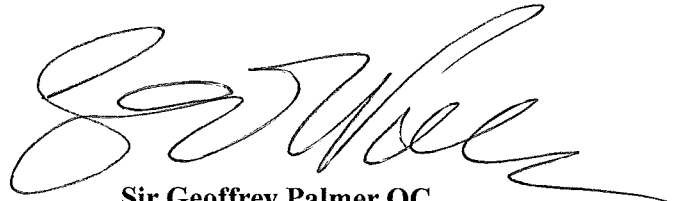
---

[1] We have received a memorandum on behalf of the three Afghan villagers named at para [5](d) of the Inquiry's Minute No 1 noting that the High Court made orders prohibiting publication of, and public access to, their names in their judicial review proceedings and asking the Inquiry to make a similar order under s 15(1)(a)(iii) of the Inquiries Act 2013. The application was based on the villagers' fears of retaliation in Afghanistan if their participation in court and inquiry processes in New Zealand became publicly known. Mr Radich QC has advised that NZDF has no objection to the making of the order sought.

[2] In the circumstances, the Inquiry is satisfied that the names of the three Afghan villagers should not be published and orders accordingly. Their names are to be redacted from Minute No 1 before it is published on the Inquiry's website, so that they are referred to only as AV1, AV2 and AV3.



Sir Terence Arnold QC



Sir Geoffrey Palmer QC

Parties:  
Richard McLeod for the Afghan Villagers  
Mr Radich QC for New Zealand Defence Forces  
Mr Hager  
Mr Stephenson