

UNDER THE

Inquiries Act 2013

IN THE MATTER OF

**a Government Inquiry into Operation Burnham and
related matters**

**MEMORANDUM OF COUNSEL FOR FORMER RESIDENTS OF KHAK
KHUDAY DAD AND NAIK REGARDING PARTICIPATION IN PUBLIC
HEARINGS**

Dated 7 May 2019

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- 1 This memorandum is filed in advance of the public hearings scheduled by the Inquiry on 22-23 May 2019 (“Module 2”) and 29-30 July 2019 (“Module 3”). Counsel have written today to the Department of Internal Affairs with a copy to the Inquiry about funding arrangements for Modules 2 and Module 3.
- 2 Counsel regrettably advise that it has not been possible to confirm funding arrangements for our clients’ participation in the Inquiry’s public hearings. In our view, the proposed grant of funding and basis of funding is insufficient to enable our clients’ adequate participation in these hearings.
- 3 In light of the above, counsel advise that our instructions are that our clients do not intend to actively participate in Modules 2 or 3, directly or through counsel. While counsel request to remain included in all Inquiry correspondence, disclosure and memoranda, our instructions at this time are that we will not be appearing at Modules 2 or 3.

Dated this 7th day of May 2019



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D A Manning / S H Lamain
Counsel for the Villagers