

under the Inquiries Act 2013
in the matter of the Inquiry into Operation Burnham

MEMORANDUM OF COUNSEL FOR JON STEPHENSON

13 March 2019

LeeSalmonLong

Barristers and Solicitors

LEVEL 16 VERO CENTRE 48 SHORTLAND STREET

PO BOX 2026 SHORTLAND STREET AUCKLAND NEW ZEALAND

TELEPHONE 64 9 912 7100 FACSIMILE 64 9 912 7109

EMAIL: davey.salmon@lsl.co.nz SOLICITOR ON RECORD: DAVEY SALMON

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MAY IT PLEASE THE INQUIRY

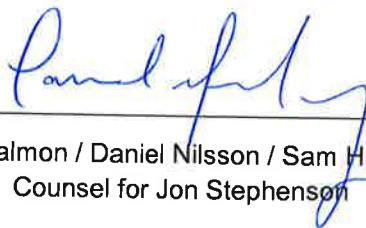
Participation in hearings 2 and 3

1. The Inquiry has requested that counsel advise how Mr Stephenson wishes to contribute to Hearings 2 and 3, currently scheduled for 22-23 May and 29-30 July 2019.
2. Mr Stephenson intends to file written submissions and appear and be heard through counsel at each of those hearings.
3. Both hearings 2 and 3 are principally directed at matters of law. These are matters on which it is important that there are challenges on these matters to the NZDF and wider Crown views of the applicable law.
4. To that end Mr Stephenson does not have a copy of the Rules of Engagement (**ROE**). In order to participate meaningfully in hearing 2 it is necessary that a copy of the ROE applying to the relevant operations be disclosed to counsel and to him.
5. An order that the relevant ROE be disclosed is therefore sought under s 22 of the Inquiries Act 2013.

Treatment as an individual core participant

6. Mr Stephenson has the status of a core participant in his own right.¹ He respectfully requests that he be allocated his own time for presenting oral submissions through counsel, separate from the time allocated to Mr Hager and the Villagers.

Dated 13 March 2019



Davey Salmon / Daniel Nilsson / Sam Humphrey
Counsel for Jon Stephenson

¹ Inquiry Minute No 1 at [5].