



PRACTICE GUIDELINE 5

EXPERT REPORTS, WITNESS STATEMENTS AND POST-HEARING SUBMISSIONS

Part A

Introductory matters

1. This Practice Guideline relates to the conduct of the Royal Commission into Aged Care Quality and Safety (**Royal Commission**). It should be read in conjunction with the *Royal Commissions Act 1902* (Cth) (**Act**) and the terms of reference contained in the Letters Patent establishing the Royal Commission dated 6 December 2018.
2. This Practice Guideline provides detailed guidance about the production of certain documents to the Royal Commission.
3. Where the Royal Commission considers it appropriate, this Practice Guideline and any future practice guidelines may at any time be varied, changed or replaced.

Part B

Providing expert reports, witness statements and post-hearing submissions

4. Unless otherwise agreed with the Solicitors Assisting the Royal Commission, each expert report, statement and post-hearing submission should be provided in accordance with the timetable requested by the Royal Commission.
5. Each document referred to within an expert report or statement or post-hearing submission will be assigned a Document ID in accordance with the Document Management Protocol, and must be referenced in the report or statement by use of this Document ID. If exhibit numbers are used (e.g. Exhibit JS-1, Exhibit JS-2) these must be used in conjunction with the Document ID in parentheses.
6. An expert report or statement or post-hearing submission shall not be assigned a Document ID by the person¹ producing the document.
7. Witness Statements or Expert Reports are required to be produced by way of a USB drive or other electronic format, containing the following items or sub-folders:
 - a. a copy of the signed statement in PDF format;

¹ 'Person' in this Practice Guideline includes a body politic or body corporate as well as an individual.

- b. a copy of the finalised (but not signed) statement in its native electronic form (for example, in Microsoft Word format);
 - c. a subfolder named 'Exhibits', containing all documents referenced within the statement in a format that complies with the Document Management Protocol, with an accompanying load file in accordance with Schedule 1A or 1B (as applicable) of that Protocol. This folder should not include a copy of the statement or report; and
 - d. an 'Index of Documents' in Microsoft Word or Excel format (PDF indices will not be accepted). The index must list all documents referred to in the statement, and must contain, at a minimum, the following columns:
 - i. the Document ID;
 - ii. the corresponding Exhibit number (e.g. JS-1), if adopted;
 - iii. the date of the document; and
 - iv. a description of the document. This must be a plain English description and should not simply contain the document's electronic file name.
8. For the avoidance of doubt, a statement or report may not be produced via email unless approved by the Commission.
 9. The method for submitting post-hearing submissions will be published on the Royal Commission's website in due course.

The Honourable Richard Tracey AM RFD QC
Commissioners

Ms Lynelle Briggs AO

17 January 2019