## **GLOSSARY:** Court of Inquiry Terms



Armed Forces Discipline Act 1971 (AFDA)	The legislation relating to the discipline of the New Zealand armed forces and which provides for the discipline and administration of justice within those forces.
Assembling Authority	The Chief of Defence Force (CDF) or the officer in command of a part of the Armed Forces involved in the matter. The Assembling Authority appoints the Court, and details the time and place a COI must commence and the terms of reference which must be addressed by the Court.
Command Investigation	A simple informal investigation into matters, without statutory powers or privileges of a COI.
Coroner	Appointed under the Coroners Act to conduct an inquiry into the cause of a death.
Counsel Assisting	An officer who is a barrister and solicitor of the High Court appointed by the assembling authority to the inquiry to assist and advise the court.
Court of Inquiry	The president and least one other member, appointed by the Assembling authority to inquiry into the circumstances of a matter as directed by the terms of reference.
Cross Service Court	Members appointed to a Court from different Services.
Exhibit	Any document or real item produced in evidence to the court.
External Legal Assurance Panel	A panel of members comprising Queen's Counsel, appointed by the Judge Advocate General to provide an independent legal assurance of significant COI, upon request of the superior commander.
High Profile Inquiry	An inquiry which may be the subject of significant or sustained public interest.
Legal Advisor	NZDF Legal officer.
Member	A member of the court of inquiry and includes the President.
Next of Kin	The term is not a legal construct but concerns those nominated relative or relatives or family representative(s) appointed as Point of Contact with the COI/Command. (See casualty manual).
Preliminary Inquiry	A disciplinary investigation which precedes the recording of a charge under the AFDA to determine whether the allegation is well founded.
President	The President of the Court of Inquiry is the most senior officer and member of the COI with responsibility for directing the procedures of the court and ensuring the inquiry addresses its terms of reference.
Record of Proceedings	The record of the evidence collected by the COI and any court report or comment of findings and recommendations.
Redaction	The separation of disclosable from non-disclosable information by blocking out individual words, sentences or paragraphs or the removal of whole pages or sections (normally for privacy or security reasons) prior to any release of the document.
Summons	A legal notice issued by the President to compel a civilian witness to attend an inquiry and produce or provide a document or thing (item). Members of the Armed Forces are ordered to do so.
Superior Commander	CDF, VCDF, Chief of Service, Commander Joint Force NZ and any officer they appoint not below the rank of Colonel or the equivalent to act as a disciplinary officer. The Superior Commander of the respective Service is responsible for approving any release of the COI.
Terms of Reference	The direction from the Assembling authority to the court, stating the purpose and requirements of the inquiry that must be addressed.