



## **Government Inquiry into matters relating to Phillip John Smith / Traynor**

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### **Minute 5**

1. The Inquiry delivered its report to the Minister on 25 August 2015.
2. The Terms of Reference for the Inquiry formally established "the Government Inquiry into matters concerning the escape of Phillip John Smith / Traynor", and referred to Mr Smith's "escape" in the background preamble paragraph.
3. In part because of the language in the terms of reference, the Inquiry refers to the "escape" of Mr Smith throughout the report.
4. Such references do not indicate any view on the legal question whether Mr Smith is guilty of the criminal charge of escaping lawful custody, which he currently faces. The Inquiry has no power under the Inquiries Act 2013 to determine Mr Smith's criminal liability, and has not attempted to do so.

A handwritten signature in black ink, appearing to read "P. Smith" followed by a large flourish.

3 September 2015 at Wellington