



THE KIWIFRUIT CLAIM

MEDIA STATEMENT

Monday 29 September 2014

EMBARGOED UNTIL 2PM

KIWIFRUIT CLAIM TO HOLD OFFICIALS ACCOUNTABLE FOR 2010 PSA OUTBREAK

Kiwifruit growers have today joined forces to hold Biosecurity NZ accountable in the courts for its negligence in allowing 2010's Psa outbreak that devastated New Zealand's kiwifruit industry and exports.

Foundation claimants representing well in excess of 10% of the kiwifruit industry have today announced they will be filing "The Kiwifruit Claim" class action at the High Court in Wellington. The claim seeks compensation for the effects of the disease that cost the country at least \$885 million and climbing, according to an [independent report](#) commissioned by the [Ministry for Primary Industries \(MPI\)](#).

The foundation growers are represented by a committee consisting of prominent Te Puke grower Bob Burt, dairy farmer and kiwifruit and avocado grower John Cameron (chairman), Aongatete Managing Director Allan Dawson and Te Puke accountant Murray Gibson. The claim's legal team includes Alan Galbraith QC, Matthew Dunning QC and Parker & Associates.

All kiwifruit growers and post-harvest operators have been invited to join the class action, which is being supported by litigation funders, [LPF Group Ltd](#). A website with more information has been launched at www.thekiwifruitclaim.org and advertising in newspapers will begin tomorrow. A first round of grower meetings will begin next week. Growers and post-harvest operators have until 5pm Friday 24 October to sign up to the claim.

"All New Zealanders have an interest in the success of The Kiwifruit Claim because everyone has an interest in government officials being found to owe a duty of care when carrying out their official roles," The Kiwifruit Claim chairman John Cameron said today.

“In particular, all New Zealanders have an interest in government officials properly protecting our borders from pests and diseases that could devastate not just our agriculture and horticulture industries, but the native flora and fauna that we all cherish.

“There is no doubt in our minds that Biosecurity NZ was negligent in how it was protecting New Zealand from Psa and other risks from as far back as 2004.

“Negligence by Biosecurity NZ is a key finding of an independent report into the outbreak by international consultants Sapere, commissioned by the Ministry of Primary Industries (MPI).”

Mr Cameron said the growers initiating The Kiwifruit Claim were grateful to the current government for addressing many of the issues identified by Sapere in its report when establishing the new integrated Ministry for Primary Industries, which includes the old Biosecurity NZ.

He said the growers had earlier notified the caretaker Minister of Primary Industries, the caretaker Attorney-General, local MPs, the Solicitor-General, Zespri, New Zealand Kiwifruit Growers Incorporated (KGI) and Kiwifruit Vine Health (KVH) of their claim.

“We hope to work constructively with the Attorney-General and Solicitor-General to find a way to manage the matter in a timely and non-confrontational way,” Mr Cameron said.

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The Sapere report can be found at <http://www.biosecurity.govt.nz/files/pests/psa/psa-v-review-2012.pdf>

Inquiries: Matthew Hooton
 Exceltium Ltd
 021 766031

Vanessa McKee
Exceltium Ltd
021 2226628