



THE KIWIFRUIT CLAIM

MEDIA STATEMENT

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FOR IMMEDIATE RELEASE

KIWIFRUIT CLAIM TO BE HEARD IN 2017

The \$375 million plus Kiwifruit Claim against the government will be heard after 1 June 2017, the High Court at Wellington has ordered.

The date is later than that sought by The Kiwifruit Claim, with the plaintiffs wanting to get the trial out of the way well before the 2017 general election campaign. The Crown Law Office sought the later date for a trial that is expected to take three months.

The chairman of The Kiwifruit Claim, John Cameron, said its lawyers planned to present evidence to the court which it is alleged shows officials negligently approved the importation of pollen, later discovered as Psa-v infected, against the government's own policies and procedures, as well as the date and time it arrived in New Zealand.

This information has led Auckland University legal expert Professor Bill Hodge to say The Kiwifruit Claim has a "smoking gun" of evidence against the government. Professor Hodge suggested that if the claim has "chapter and verse of the specific entry" then, in his view, it has a very strong prima facie case.

Over the three months of the trial, the Claim plans to call evidence from the kiwifruit growers and their families whose livelihoods were devastated by Psa-v, plus many other witnesses and experts. The Court will also hear evidence from current and former officials from the Ministry for Primary Industries.

The court's order was made after a hearing earlier this month, determining the 2017 trial will be to confirm whether a duty of care is owed by the Ministry for Primary Industries (MPI) to kiwifruit growers.

The Kiwifruit Claim was launched in September 2014, with legal documents filed in November of that year. Losses for the 212 plaintiffs as a result of the 2009 introduction of Psa-v into New Zealand have been estimated at \$376 million.

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