

The New Zealand Herald

Psa victims launch class action against Govt

2:00 PM Monday Sep 29, 2014

Kiwifruit growers have today launched a class action against the Government following the wake of 2010's Psa outbreak.

Foundation claimants representing more than 10 per cent of the kiwifruit industry announced this afternoon they would file "The Kiwifruit Claim" at the High Court in Wellington to hold Biosecurity NZ accountable for the devastation that followed Psa's arrival in Te Puke.



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 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, October 24, 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.

Negligence by Biosecurity NZ is a key finding of an independent report into the outbreak

...

John Cameron

"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.

– [BAY OF PLENTY TIMES](#)

Copyright ©2014, APN New Zealand Limited