ANNUAL REPORT

DISPUTES TRIBUNAL

TE RANGA WHAKAWĀ TAUTOHE

For the year ended 31 December 2024

Published 29 August 2025

Contents

Foreword

On a busy day in the Disputes Tribunal, approximately 45 out of 66 Referees are working across a range of 50 District Courts hearing as many as 150 civil claims. These claims could be very small value in terms of the sum at stake, or they could be complex commercial disputes seeking orders up to the value of $30,000.00. Every dispute is important to resolve, whether it be for personal or community wellbeing, or cash flow, commercial certainty and business confidence. In 2024, the Tribunal provided a resolution service for 13,550 claims valued at $116 million.

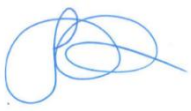
This Annual Report is the story of how the service is transitioning to make it easier to access, able to handle higher volumes of claims and poised to provide faster resolution for those claims. In 2024, the Tribunal faced significant challenges keeping up with rising claim numbers and lacking a full complement of Referees. However, by the end of 2024, the Tribunal had increased its capacity on the team and was making traction with new ways to deliver the service more efficiently. It is now simpler than it has ever been to file a claim and get the assistance of a Referee who will conduct a hearing to explain the law, facilitate a resolution by agreement, or decide the case by issuing a District Court order. Whilst paper applications can be made at a Court, more than 90% of participants now choose to file online. The time it takes to resolve a matter is reducing, and there is more flexibility in how a hearing is conducted. Today, most proceedings start with a teleconference. This enables the Referee and parties to have input into whether a matter is best dealt with in-person at a Court, or whether it can be resolved remotely. Whilst not suitable in every case, remote participation can reduce the time and cost of proceedings, and for those who are not used to the court environment, can be less daunting.

At the time of writing this, the Disputes Tribunal Amendment Bill is awaiting its third reading, the final parliamentary stage required to amend the Disputes Tribunal Act 1988. If enacted, this amendment will increase the jurisdiction of the Tribunal to $60,000.00. The Tribunal worked hard throughout 2024 to be ready, should this decision be made.

I am incredibly proud of the commitment and care that my 65 colleagues have shown to their parties, and their pursuit of timeliness, accuracy and good judgement in their facilitation and adjudication. I am very grateful to the Chief Justice, Helen Winkelmann, for her unwavering support of all Tribunals, and to the Chief District Court Judge, Chief Judge Heemi Taumaunu, for his essential and wise counsel in the development of the Tribunal's vision and operations. I also wish to thank Kevin Gardner, the Disputes Tribunal Registrar, and all Ministry management and staff for their endeavours, whether supporting the Tribunal strategically or operationally. The Tribunal has been shaped and uplifted through the valued contributions of many.

We have a clear mission as Referees, to continue the journey of the Disputes Tribunal into becoming a trusted, fast and effective resolution centre for a growing number of claims. In doing so, we work hard to ensure that the service retains its fundamental nature as a welcoming and facilitative process that is equally easy for everyone to connect with, no matter where they live, who they are and how much is at stake.

Kia ora rā,



Janet Robertshawe
Principal Disputes Referee

About the Disputes Tribunal

This section provides a summary of what the Tribunal does and how it operates. There are more detailed tables with supporting information on jurisdiction in Appendix 1.

What types of claims are heard in the Disputes Tribunal?

The Disputes Tribunal is a division of the District Court. It was set up in 1988 to replace the Small Claims Court, and initially heard civil claims up to the value of $3,000.00.[1] Today, the Tribunal can hear claims up to the value of $30,000.00.

The work of the Tribunal reflects the everyday interactions and transactions of New Zealand. The Tribunal can deal with many of the conflicts that can arise when things do not turn out as planned, whether in business dealings, leases, property sales, Trade Me or Facebook purchases, consumer goods and services, home improvement, travel arrangements and holiday plans, loans, car accidents, neighbour disputes and fencing issues. A day in the Tribunal could cover anything from horses, baleage, cows, tractors and sharemilking contracts, or could just as easily cover cars, jet skis, bikes, caravans, RVs, or building, concreting, tiling, painting, roofing, plumbing or electrical work. There is no shortage of potential fact scenarios, such as sprinklers coming on during a garden wedding, a suburban deal for a suitcase of silver bullion going awry and a purchaser in the provinces who mistakenly bought the wrong building in the main street.

Despite the vast array of scenarios the Tribunal can deal with, the jurisdiction is limited to specified areas, which can be grouped into six central types:

- contract disputes
- claims made in quasi-contract where there is no contractual entitlement, e.g., for mistaken payment or work done in expectation of a contract
- consumer disputes arising under the Consumer Guarantees Act 1993 or Fair Trading Act 1986
- property loss or damage (most commonly, but not limited to, car accidents)
- Fencing Act disputes between neighbours
- financial/lending disputes under the Credit Contracts and Consumer Finance Act 2003 (many of which are now dealt with today by the financial services industry disputes resolution schemes).

Appendix 1 contains a more detailed list of the claims the Tribunal can hear, claims the Tribunal cannot hear, and further information about jurisdiction generally.

How does a claim begin?

Applications can be made in two ways:

- Filing online; or
- Completing a paper application and delivering this to a District Court.

In 2024, over 90% of claims were filed online.

From 1 July 2025, the filing fees range from $61.00 (for claims less than $2,000.00), $121.00, for claims less than $5,000.00 and $243.00 for claims up to $30,000.00.

When a claim is filed, it is received by a Central Registry in Wellington, and set down for a hearing at the Court nearest the applicant. The first hearing may take place 4-6 weeks after the claim is filed. Most hearings begin

[1] The history of the Tribunal and jurisdiction changes can be found in "*Bridging the Justice Gap*", Submission to the Rules Committee project on Improving Access to Civil Justice, November 2021 Disputes-Tribunal.pdf

as a phone call with the Referee. Second or subsequent hearings could take place in person or by video conference, as needed.

What is the role of a Referee?

By the end of 2024, there were 66 Referees in the Tribunal. Referees (including the Principal Disputes Referee) are appointed under warrant from the Governor General for a maximum term of five years. Referees may be reappointed for further terms. Both the process for appointment and the criteria for candidates are prescribed in the Disputes Tribunal Act 1988 and the Disputes Tribunal Rules 1989. Warrants are widely advertised as statutory vacancies, both online and through community and legal interest groups.

The role of Principal Disputes Referee is a fulltime one. However, most Referees work part time, between 2-4 days a week. Cases are assigned to Referees by a Central Processing team based on their availability in a regionally created roster. The Referee's role is to conduct a hearing to resolve the dispute. The Referee has an inquisitorial role, being able to inform the parties of legal rights and responsibilities, and to seek and receive evidence considered necessary to resolve the claim. The Referee acts as both a facilitator and an adjudicator. Where appropriate, the Referee assists the parties to reach a settlement, and only decides the case if no agreement is reached. This merging of dispute resolution and adjudication is unique in the justice system and requires a careful approach, particularly in an inquisitorial setting.[2]

During the hearing, the Referee is required to assess whether it is possible to resolve matters by agreement.[3] Approximately 25% of claims are resolved in this way at a hearing. If it is not possible or appropriate to resolve matters by agreement, the Referee decides the outcome after the final hearing, issuing a written decision with reasons.

Every Referee is an independent judicial officer, not bound by the decisions of other Referees. Nonetheless, the Tribunal strives to provide a consistent approach to outcomes in similar cases.

What happens in a hearing?

A Tribunal hearing is less formal than a Court hearing. Lawyers are not permitted in the hearing, whether as a representative or support person (except where a lawyer is a party themselves). However, parties may bring a support person who is not a lawyer. Hearings are recorded for appeal purposes.

There are no prescribed rules on how a hearing should take place, which gives a Referee flexibility to design a process that best suits the needs of the parties and the dispute. However, a Referee must comply with principles of natural justice, and as the Referee has a dual role of facilitation and adjudication, there is a usual structure to hearings to ensure that parties are heard, and positions are identified and evaluated in a neutral and objective way before any settlement discussion takes place.

In a multi-issue defended matter, there can be up several stages to a hearing. In the initial stages, the referee explains the process and gives each party an opportunity to explain their perspective. In the middle stages, the referee designs a set of issues that need to be addressed to resolve the dispute. These may be a mix of factual issues and questions of law. Each party then has an opportunity to address each issue and provide their best evidence to support their case. A case may be adjourned at this point if needed, to enable parties to obtain that evidence.

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[2] For further information on the role of Referee and the merging of facilitation with adjudication, see "*Bridging the Justice Gap*", Submission to the Rules Committee project on Improving Access to Civil Justice, November 2021 Disputes-Tribunal.pdf

[3] s18 Disputes Tribunal Act 1988

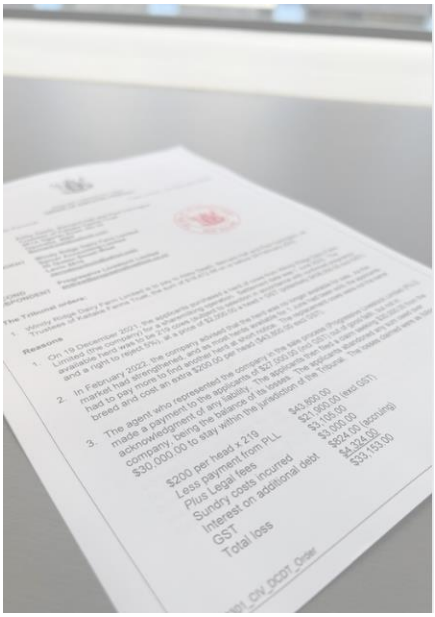
At the conclusion of the discussion phase, the Referee may then facilitate a settlement discussion, or, if a settlement is not reached, determine the claim. A written decision is sent to the parties, usually within 2-4 weeks of the final hearing. Disputes Tribunal orders have the status of a District Court Order.

How long does the process take?

A party receives a notice of hearing within 2-3 weeks of filing a claim. The first hearing is likely to be within 4-6 weeks from the receipt of the notice. Many claims are resolved at the first hearing. Second and subsequent claims are often 4-6 weeks apart.

The Tribunal and the Ministry of Justice have a longstanding and mutually agreed target for the Disputes Tribunal to resolve 75% of cases within 90 days. Whilst some cases take longer than this, and this target has not been achieved for some years, there is more data in the section below on Timeliness on the average age of claims in 2024, and the significant gains being made in reducing hearing times back to this 90-day target.

What happens at the end of the process?



After the final hearing, the Referee issues a settlement order or a written decision.

A decision is usually provided within 2-4 weeks. A party may apply for a rehearing if they consider there has been a miscarriage of justice, or they may apply for an appeal on the grounds that the hearing was conducted in an unfair manner that prejudicially affected the outcome.[4]

Any application for rehearing or appeal is required be made within 20 working days, although leave can be sought to apply late.

A complaints process is also provided for parties who are concerned about any aspect of Referee conduct in the hearing. However, unlike a rehearing or appeal process, a complaints process cannot alter the outcome of the proceedings.

Data on complaints and appeals is set out below.

Are orders published?

Hearings are required to be conducted in private,[5] which preserves the privacy of the parties and their willingness to discuss their situation openly and participate in settlement discussions. Decisions that are of interest to the public are published on the Ministry of Justice website.[6] However, to preserve the privacy of those involved, decisions are anonymised by the Judicial Libraries team in the Ministry of Justice before being released.

In its 2022 report on Improving Access to Civil Justice, the Rules Committee proposed that the Tribunal publish at least 600 decisions a year.[7] This target has been met or exceeded since that time. In 2024, the Judicial Libraries team published 812 decisions. This represents about 15% of all hearing outcomes. Settlements are

[4] s50 Disputes Tribunal Act 1988
[5] s39 Disputes Tribunal Act 1988
[6] Decisions | Disputes Tribunal of New Zealand
[7] Rules Committee Report on Improving Access to Civil Justice, November 2022 Improving Access to Civil Justice — Courts of New Zealand

not published, which accounts for another 25% of all outcomes. There are now over 2700 decisions published online.

Where does the Disputes Tribunal sit in the landscape of all Tribunals?

The Disputes Tribunal is one of 37 Tribunals that collaborated in 2023 to form Tribunals Aotearoa (TA). This organisation recognises that Tribunals fall into three different types: civil, administrative, and professional disciplinary.

The Disputes Tribunal is one of the 10 civil tribunals listed below.

CIVIL TRIBUNALS	
Disputes Tribunal	Consumer, contract, commercial, neighbour and property damage claims up to $30,000.00
Tenancy Tribunal	Residential tenancy issues and unit title disputes up to $100,000.00
Human Rights Review Tribunal	Claims regarding human rights, privacy matters and health and disability consumer rights, damages may be sought of up to $350,000.00
Employment Relations Authority	Disputes between employers and employees
Motor Vehicle Disputes Tribunal	Disputes between consumers and car dealers up to $100,000.00, or unlimited by consent
Canterbury Earthquakes Insurance Tribunal	Insurance disputes arising from Canterbury Earthquakes
Weathertight Homes Tribunal	Disputes regarding leaky homes
Copyright Tribunal	Disputes regarding copyright licensing schemes and file sharing infringements
Sports Disputes Tribunal	Disputes regarding anti-doping violations, non-selection and other sports issues
Victims' Special Claims Tribunal	Decides whether a victim of crime receives money awarded to an offender

TA works through an Executive that has representation from each sector of Tribunals. Tribunals Aotearoa is the New Zealand Chapter of COAT (the Council of Australasian Tribunals), liaising regularly with heads and members of Tribunals in Australia on projects of mutual interest and enabling Tribunals to collaborate on quality education programmes and best practice with the Australian Tribunal sector.

The Disputes Tribunal is the only Tribunal that is both a Tribunal and a division of a Court. This enables the Disputes Tribunal to act as a link point between Courts and Tribunals. To facilitate this, the Principal Disputes Referee is currently a member of the Chief Justice's Heads of Bench Committee, reporting on matters of interest within DT and TA. The Principal Disputes Referee is also the Deputy Chair of TA, enabling an efficient channel of communication between Courts and Tribunals, and to facilitate cooperation on projects of mutual interest, such as AI Guidelines for Courts and Tribunals[8], and the Digital Strategy for Courts and Tribunals.[9]

In November 2024, TA held its inaugural conference on the middle day of the Disputes Tribunal Conference in Auckland, with 170 members from 20 Tribunals attending. At the opening of the conference, the Hon Justice Matthew Palmer of the Court of Appeal delivered an address on the "half in-half out" status of the Tribunal sector and pointed to the argument for a systemic realignment to bring Tribunals within the judicial branch of government.[10]

[8] The AI Guidelines can be viewed here: 20231207-GenAI-Guidelines-Judicial.pdf
[9] The Digital Strategy can be viewed here: 20230329-Digital-Strategy-Report.pdf
[10] The address has recently been published in the New Zealand Law Journal: Hon Justice Matthew Palmer, "*Tribunals for the Future*" NZLJ, July 2025, p182

The other Tribunals in TA in the administrative and professional regulatory sectors are set out on the following page:

ADMINISTRATIVE LAW TRIBUNALS	
Immigration and Protection Tribunal	Appeals against decisions of Immigration NZ relating to residence class visa applications, deportation, and refugee and protected person status
Social Security Appeal Authority	Appeals against decisions made by Ministry of Social Development
Student Allowance Appeal Authority	Appeals from students on decisions made by the Ministry of Social Development
Taxation Review Authority	Appeals regarding tax assessments or decisions made by the IRD
Customs Appeals Authority	Appeals against decisions made by the NZ Customs Service
Legal Aid Tribunal	Review of decisions regarding the grant of legal aid
Review Authority (Legal Aid)	Review of Legal Aid provider approvals
Veterans' Entitlement Appeal Board	Veterans' entitlement appeals
Land Valuation Tribunal	Objections to ratings valuations and land taken under Public Works Act
Trans-Tasman Occupations Tribunals	Review of registration authority decisions under the Trans-Tasman Mutual Recognition Act
Film and Literature Board of Review	Reviews decisions of the Chief Censor

PROFESSIONAL DISCIPLINARY TRIBUNALS	
Lawyers and Conveyancers Disciplinary Tribunal	Disciplinary hearings against lawyers and conveyancers
Legal Complaints Review Officer	Review of decisions made by Standards Committees of the NZ Law Society
Health Practitioners Disciplinary Tribunal	Complaints about health practitioners
Teachers Disciplinary Tribunal	Complaints about teachers
Real Estate Agents Disciplinary Tribunal	Licensing and disciplinary matters for real estate agents
Immigration Advisers Disciplinary Tribunal	Complaints against licensed immigration advisers
Alcohol Regulatory and Licensing Authority	Liquor licensing issues and appeals arising from district licensing committees and local alcohol policies
Private Security Personnel Licensing Authority	Licensing applications and objections for security personnel
Licensing Authority for Second Hand Dealers and Pawnbrokers	Licensing applications and objections for second-hand dealers and pawnbrokers
Cadastral Surveyors Licensing Board	Licensing, competency standards and disciplinary matters for surveyors
Plumbers, Gasfitters and Drainlayers Board	Registration and regulation of plumbers, gas fitters, drainlayers
Building Practitioners Board	Administers the Licensed Building Practitioners Scheme
Engineering Associates Registration Board	Standards and registration for engineers and associated professionals
Electrical Workers Registration Board	Standards, registration and disciplinary matters for electrical workers
Electricity Rulings Panel	Electricity industry code disputes
Veterinary Council of NZ Judicial Committee	Disciplinary matters for veterinarians.
Social Workers Complaints and Disciplinary Tribunal	Disciplinary matters for social workers

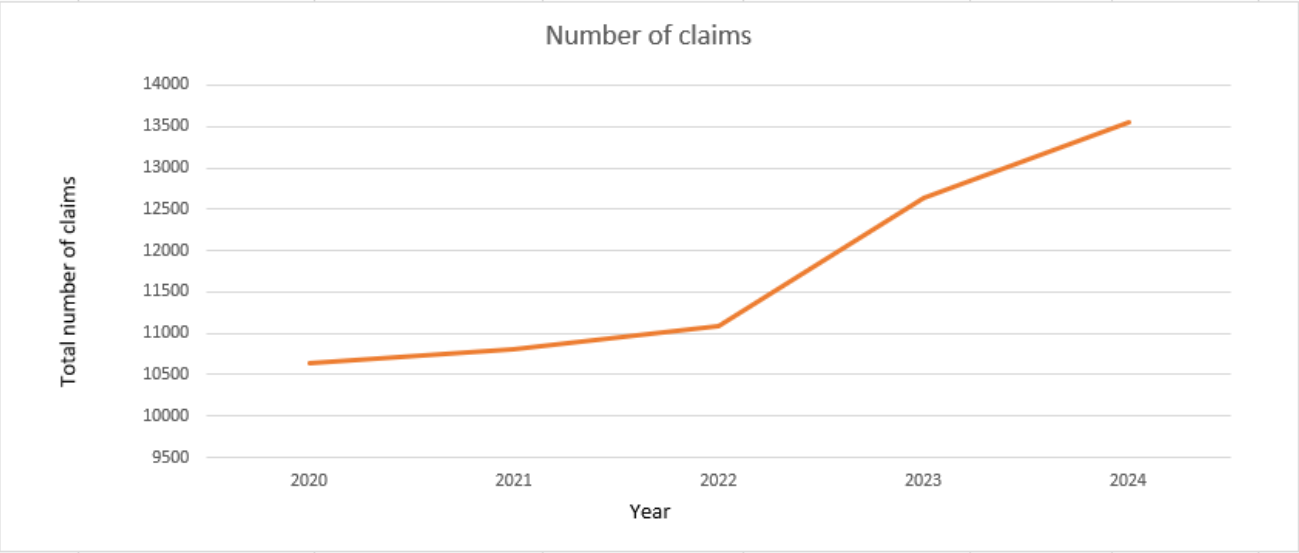
For further information or fact sheets on Tribunals Aotearoa, contact tribunalsaotearoa@justice.govt.nz.

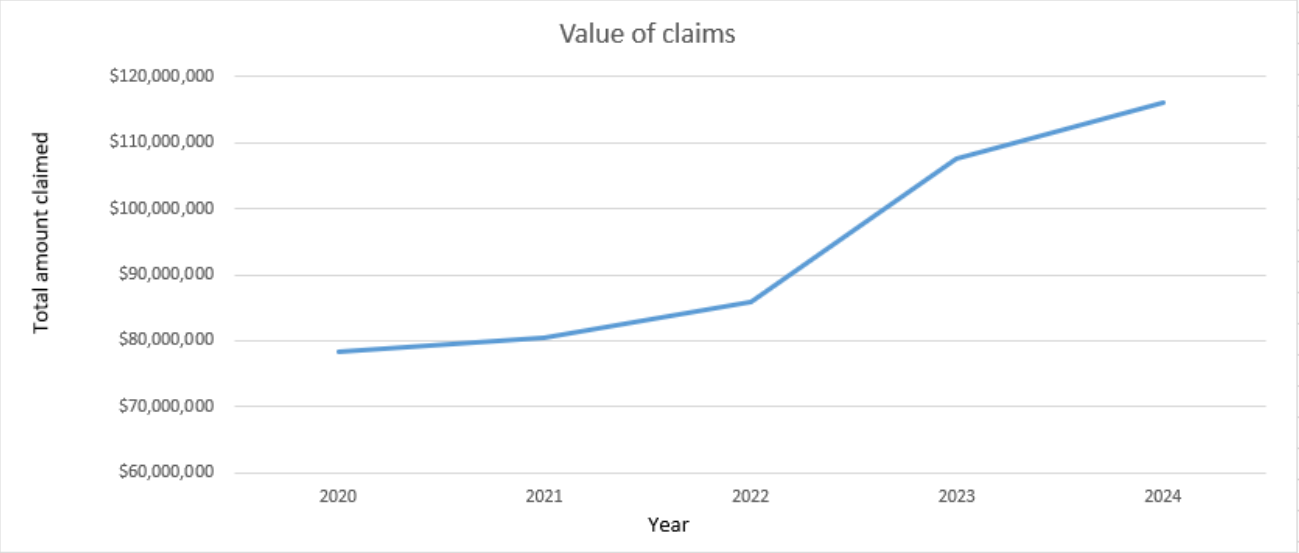
2024 Workload at a glance

Number of claims

The number and value of claims filed in the Tribunal in 2024 continued to increase, with a 7% increase in claims (909) and an 8% increase in value ($9m) compared to 2023.

Year	Total number of claims	Total amount claimed
2020	10638	$78,430,650.58
2021	10802	$80,548,476.90
2022	11089	$85,989,336.47
2023	12641	$107,687,481.30
2024	13550	$116,151,309.65

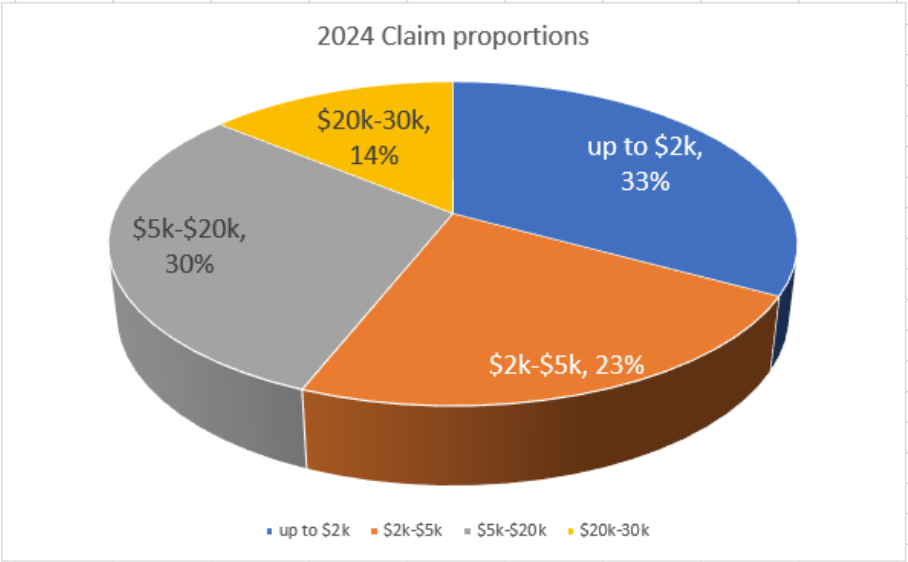


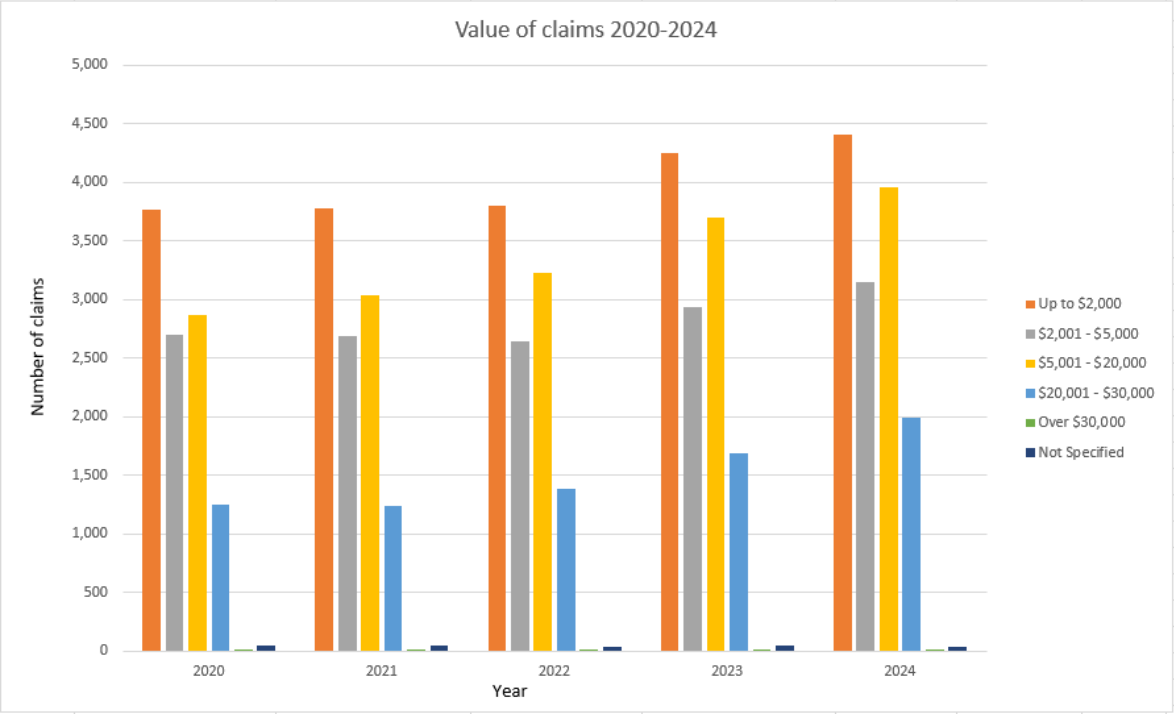


Value of claims

The proportionate value of claims in each band remains stable. As was the case in 2023, claims filed under $5,000 still make up 56% of all claims (the two sectors labelled in white on the pie chart below). It is important that as the Tribunal grows, small claims are not compromised. The data confirms that small claims remain a dominant aspect of the work.

Year	Up to $2,000	$2,001 - $5,000	$5,001 - $20,000	$20,001 - $30,000	Over $30,000	Not Specified
2020	3,769	2,703	2,865	1,251	5	45
2021	3,779	2,690	3,042	1,239	6	46
2022	3,798	2,641	3,229	1,384	4	33
2023	4,251	2,943	3,699	1,689	10	49
2024	4,408	3,146	3,959	1,995	4	38



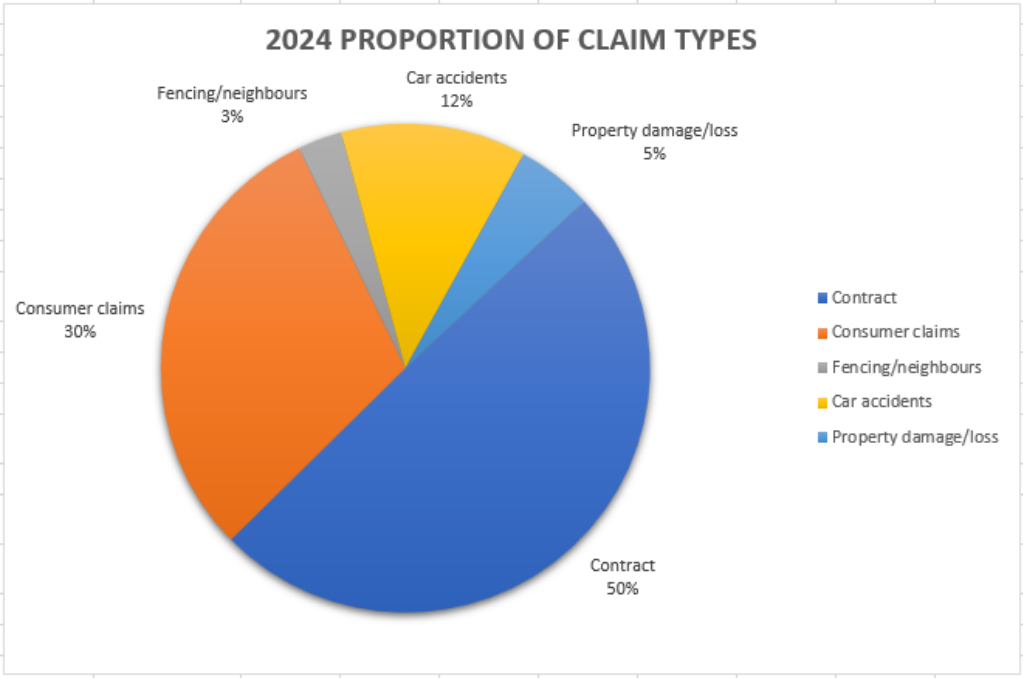


Types of claims

The proportion of claim types changed somewhat in 2023. Whilst contract and consumer matters still account for the majority of Disputes Tribunal work, consumer matters remained steady (+4%), whilst contract disputes increased 33%. Financial disputes regarding loans (financial/credit contract) continue to fall away almost to zero now that the financial markets industry dispute resolution schemes have become the frontline resolution service. In the property loss category, car accidents increased significantly, whilst general claims for property damage or loss reduced.

In the 2023 Annual Report, the Tribunal provided a feature on consumer claims and the proportion of different types of goods and services involved.[11] This Report includes a feature on car accident and flatmate claims. Work is already underway for the 2025 Annual Report to take the largest sector, "contract claims" and provide a deeper insight into the sources and categories of these disputes.

Claim type	2019	2020	2021	2022	2023	2024	% change
Contract	3,657	3,293	3,617	3,895	4,862	6,484	+33%
Fencing/neighbour	303	309	323	337	401	383	-4%
Consumer issues	3,348	2,951	3,047	3,293	3,801	3950	+4%
Financial/credit contract	129	108	70	47	35	18	-48%
Car accidents	1,416	1,349	1,253	1,243	1,134	1605	+41%
Property damage/loss	1,205	1,001	966	847	903	657	-27%

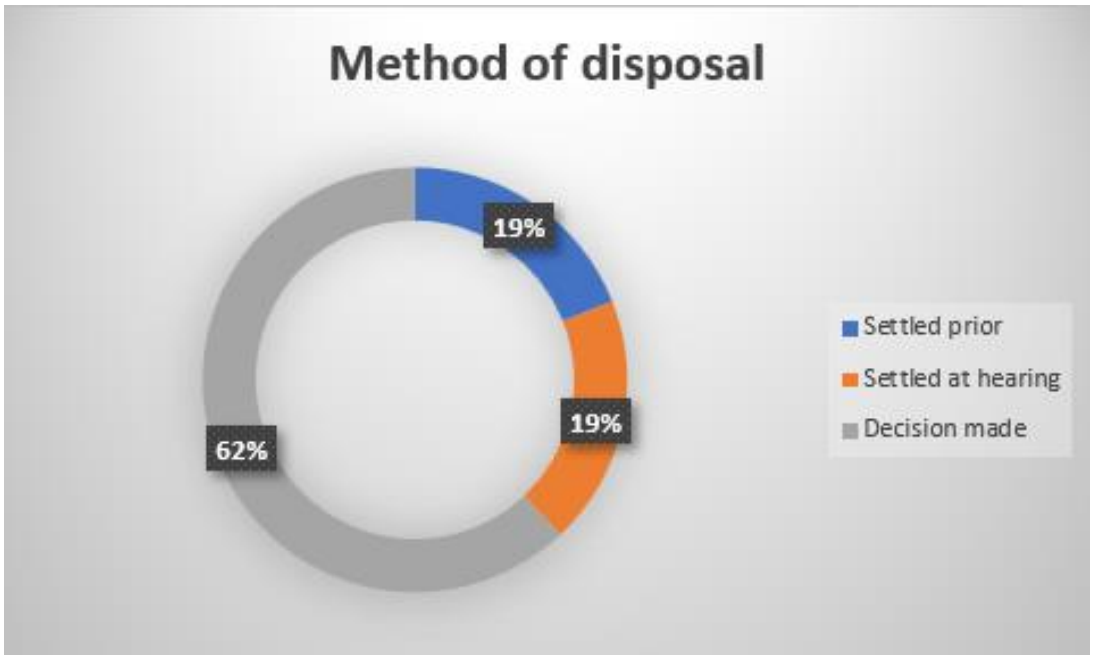


[11] See Disputes Tribunal Annual reports | Disputes Tribunal of New Zealand

Method of disposal

The data continues to show that simply filing a claim in the Disputes Tribunal brings with it a good a chance of resolution, without the need for a hearing. The number of claims resolved prior (2655 of 14020 disposals) represents 19% of all claims filed. The number that resolved prior generally seem to peg closely to the number settled at a hearing. Cases settled at a hearing in 2024 also sat within a rounding error of 19% (2637 or 14020 disposals). In total, 38% of cases were resolved before or at a hearing.

The hearing settlement rate was assessed in 2023 to be approximately 25%. The reduction to 19% may represent the tough economic climate or the increase in remote hearings, although there is no specific data to assess this. The settlement rate will not have been assisted by the increase in car accident claims that usually require a determination of liability. In addition, some claims that are settled only show as a withdrawal in between hearings, so do not get recorded as such.



Timeliness

The Disputes Tribunal was set up to deliver a speedy and efficient dispute resolution process. Timeliness is therefore a primary objective.

Timeliness targets

The Ministry of Justice and the Tribunal have had a longstanding mutual target for the Disputes Tribunal to resolve 75% of its cases in 90 days. Whilst this target was set when the jurisdiction and case numbers were much lower, it still remains the most important timeliness indicator that the Tribunal strives to achieve. At the end of both 2023 and 2024, the Tribunal was not meeting those targets, with only 56% and 52% of claims in each year being resolved in that timeframe.

Work done in 2024 to meet timeliness targets

The biggest challenge to the achievement of the primary timeliness target in recent years came at the end of 2022, when Referee numbers dropped sharply to 49.

Table showing numbers of Referees 2019-2024

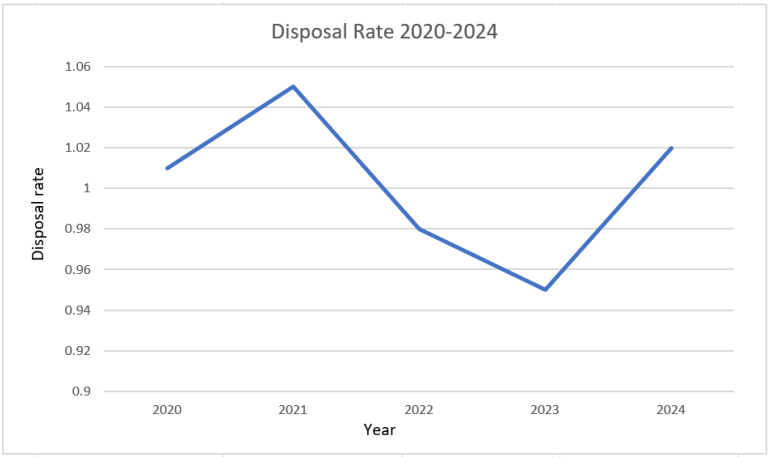
Year End	Number of Referees
2019	64
2020	63
2021	57
2022	49
2023	60
2024	66

Not only was it hard to recruit and train members during the pandemic, but the Tribunal was yet to see the benefit of the Remuneration Authority shift. Of those that remained, many opted to take time off to visit family or travel overseas. This left the Tribunal with a major capacity problem. At the same time, the numbers of claims being filed annually were increasing markedly. The Tribunal had to find ways to manage 2,461 more cases in 2023 and 2024, but without 25% of the team.

In 2023, this capacity crunch at a time of increasing claims was a major contributor to the reduction in disposal rate (the extent to which disposals outpace new business). However, as the table and chart below shows, the disposal rate turned around in 2024.

Chart and line graph showing disposal rate of claims in Disputes Tribunal 2020-24

Year	New business	Disposals	Disposal rate
2020	10638	10733	1.01
2021	10802	11395	1.05
2022	11089	10897	0.98
2023	12641	11988	0.95
2024	13550	13954	1.02



This improvement is attributable to several factors:

- Throughout 2023 and 2024, a total of 26 new members were appointed. With 9 incumbents leaving over that time, this amounted to a net gain of 17. During this time, the Principal Referee and senior

mentors developed new education and training initiatives to ensure a smooth transition back to full capacity.

- Despite the reduced size of the team, Referees worked hard to keep up with growing numbers of applications. As Referee numbers recovered, the Ministry and the Tribunal agreed to set a new target, to reduce by 50% the backlog of 750 cases that had amassed in the system (largely in the Auckland region) that were over 180 days. This target was set in June 2024, with the hope it would be achieved by June 2025. By the end 2024, the backlog of aged cases had dropped from 731 to 482. At the same time, the average age of active cases had dropped from 109 days at the end of 2023 down to 100. As at July 2025, the average age of cases has now dropped to 86 days. The aged cases remain above the target, but the average age of cases in that bracket is now lower.

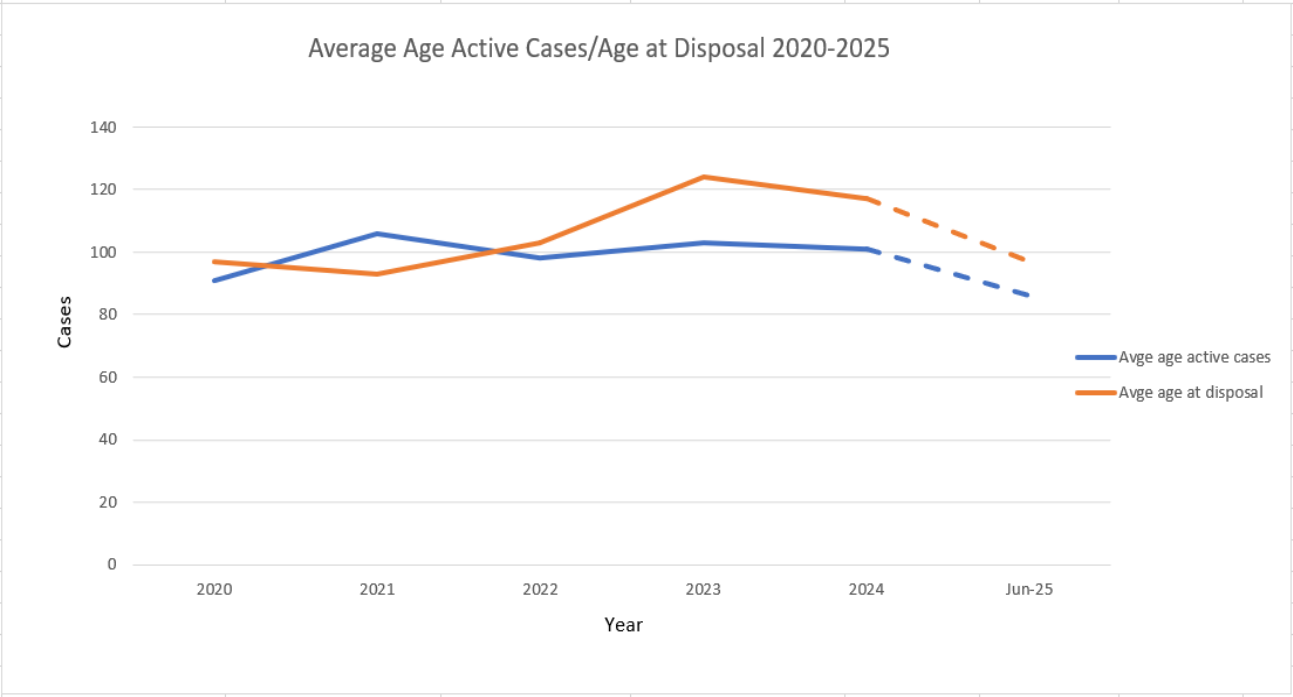
- Adopting a similar model to that in the District Court, the Principal Disputes Referee assigned four Referees to be Regional Executive Referees, to assist the Principal in finding ways to work more effectively within each regional team. The Ministry of Justice then developed comparative regional data on key targets which is provided on a monthly basis.

- Efficiency gains were also achieved from reviewing case management and scheduling strategies. Further scheduling enhancements are being launched in October 2025, along with a proposed migration from paper files to electronic file-sharing.

With the average age of cases dropping to 86 days in July 2025, the Tribunal is confident that both the backlog and average age targets are within reach.

The full data table for 2024 on the average age of cases for each Justice Service Area (with a comparison to the position at today's date), is set out in Appendix 2. The line graph below represents the year end data for each year and on the age of cases.

Line graph showing active age of cases/age at disposal 2020-2024-June 2025



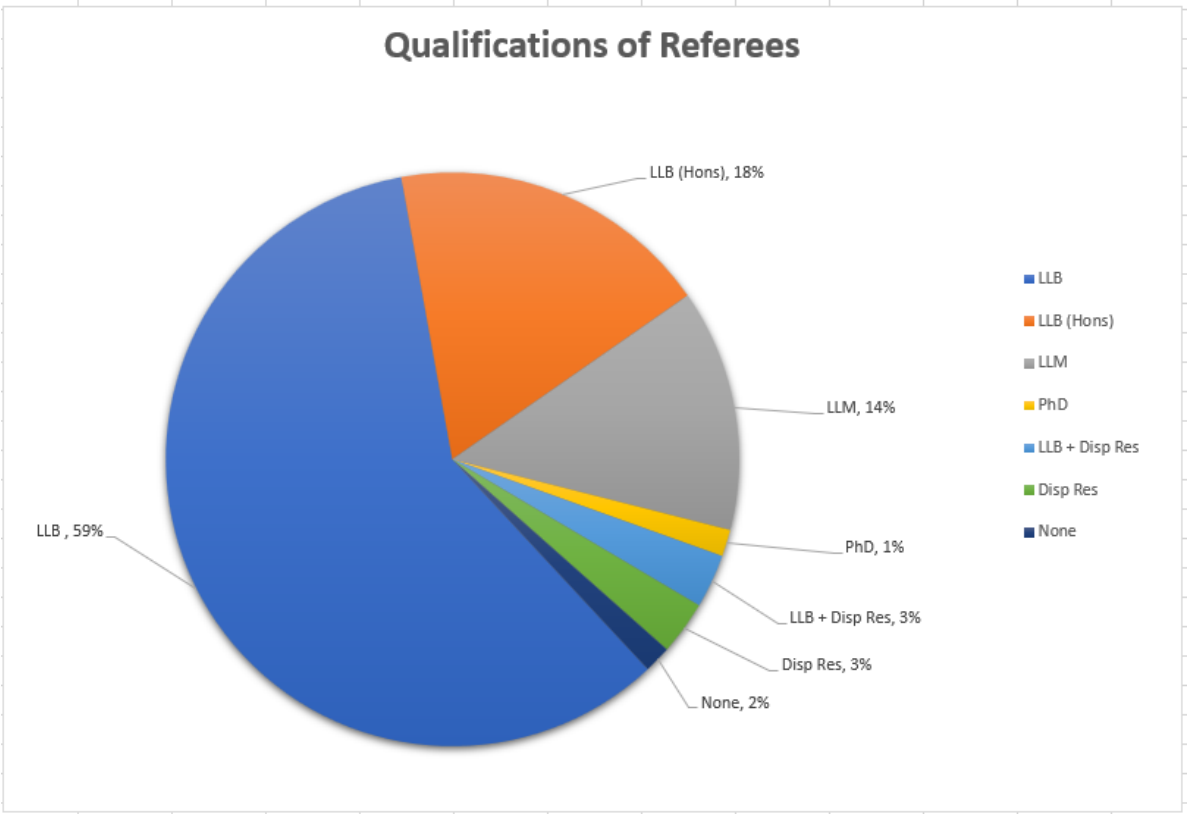
Referees: Who are we?

When the Tribunal was first established, it was not necessary to be legally qualified. Today, whilst that is technically still the case, an appointee is required to hold a relevant qualification in law or dispute resolution (s7 Disputes Tribunal Act 1988). Most are legally qualified and all but 3 Referees have a law degree. Those three have been on board for over 20 years (one of them for over 35 years). Referees usually bring to the Tribunal extensive experience, either from private practice or from adjudicating in other Tribunals, and the average number of years of post-qualification experience in the Tribunal has now lifted to approximately 18 years.

Qualifications

Table and chart showing the qualifications of Referees

Qualifications	Numbers	Percentage
LLB	39	59%
LLB (Hons)	12	18%
LLM	9	14%
PhD	1	2%
LLB + Disp Res	2	3%
Disp Res	2	3%
None	1	2%
Total	**66**	**100%**



Gender and ethnicity

As most Referees work part-time, and as historically the remuneration for the role could not compete with equivalent alternatives for lawyers, there has long been a gender imbalance of approximately 75% female - 25% male. With the migration of the Tribunal to the Remuneration Authority in late 2022, and the increased recognition of the Tribunal as an important part of the civil justice system, the role of Referee is now considered a more viable opportunity for a more diverse range of people. By the end of 2023, the gender balance had shifted slightly to 73% female - 27% male, and in 2024 it shifted again, to 66% female - 33% male. It is expected that this imbalance will continue to reduce over time as the role is seen as a more viable option to a wider range of people.

For the same reason, the Tribunal, whilst still predominantly NZ European, will become more diverse. It is important that the membership within the Tribunal reflects, to the greatest extent possible, the make-up of the community it serves.

A list of Referees by region is set out in Appendix 3. The tables and charts below show the current proportions of gender and ethnicity within the Tribunal membership.

Table and chart showing gender of Referees

Gender	Numbers	Percentage
Male	22	33.33%
Female	44	66.67%

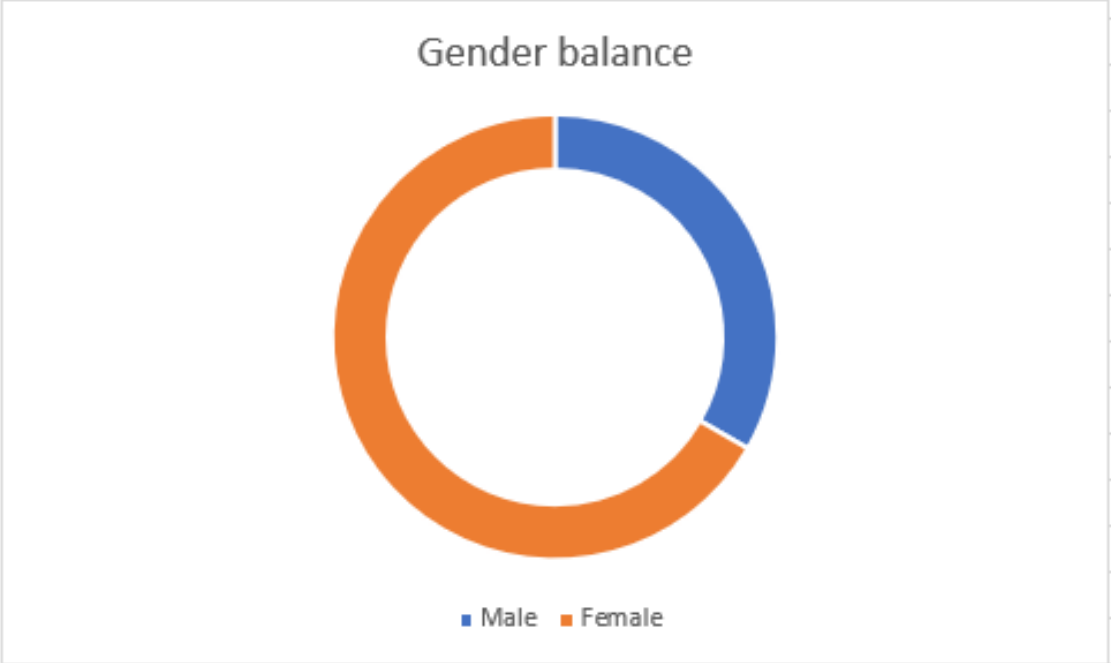


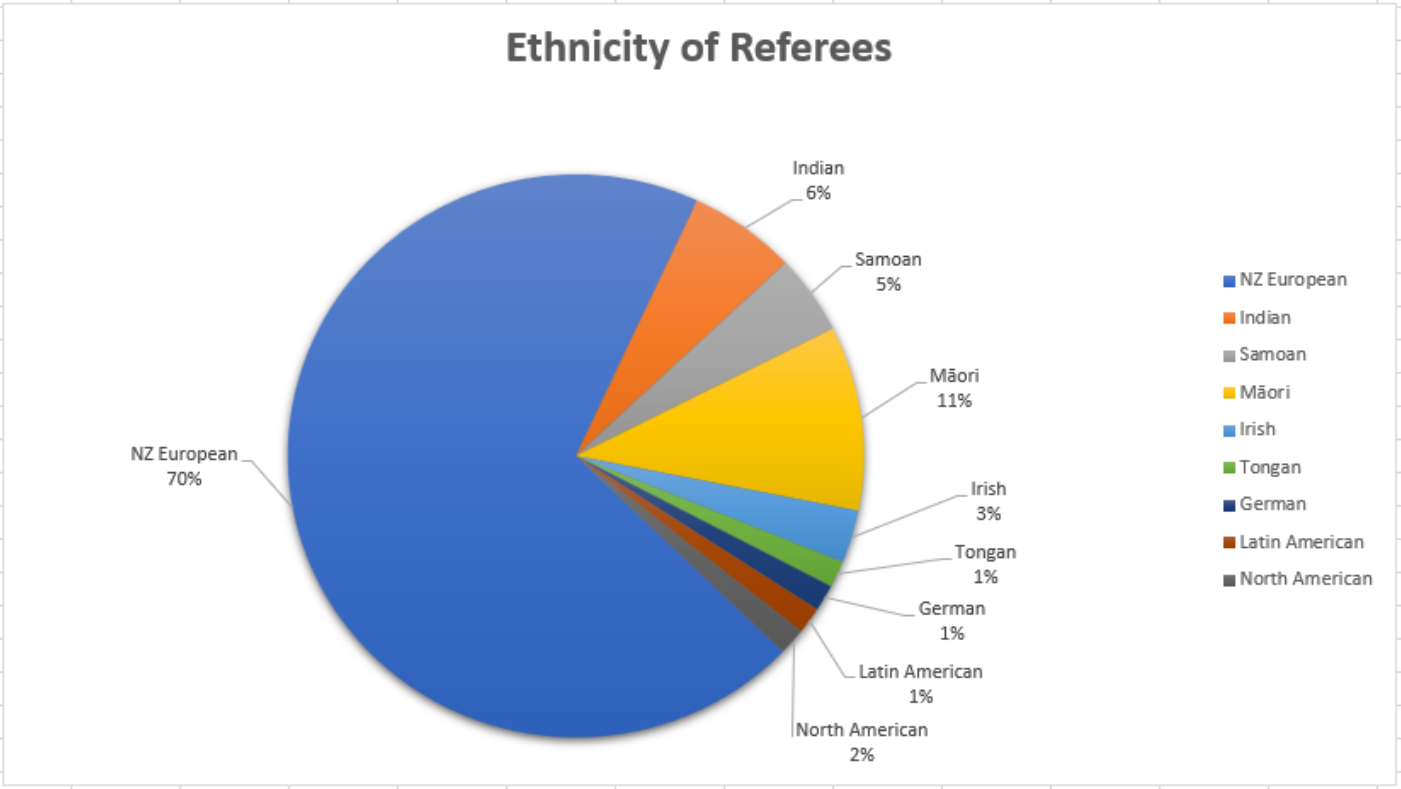
Table and chart showing ethnicity of Referees

2024 Statistics

Ethnicity	Numbers	Percentage
NZ European	47	71.21%
Māori	6	9.09%
Indian	4	6.06%
Samoan	3	4.55%
Irish	2	3.03%
Tongan	1	1.52%
German	1	1.52%
Latin American	1	1.52%
North American	1	1.52%

2023 Statistics

Ethnicity	Percentage
NZ European	73.90%
Indian	6.10%
Samoan	6.10%
Māori	6.10%
Irish	3%
Welsh	1.60%
Tongan	1.60%
German/Irish	1.60%



Featured topics

In the 2023 Annual Report, the Tribunal provided an analysis of consumer claims for both goods and services.

For 2024, the Tribunal has gathered data on:

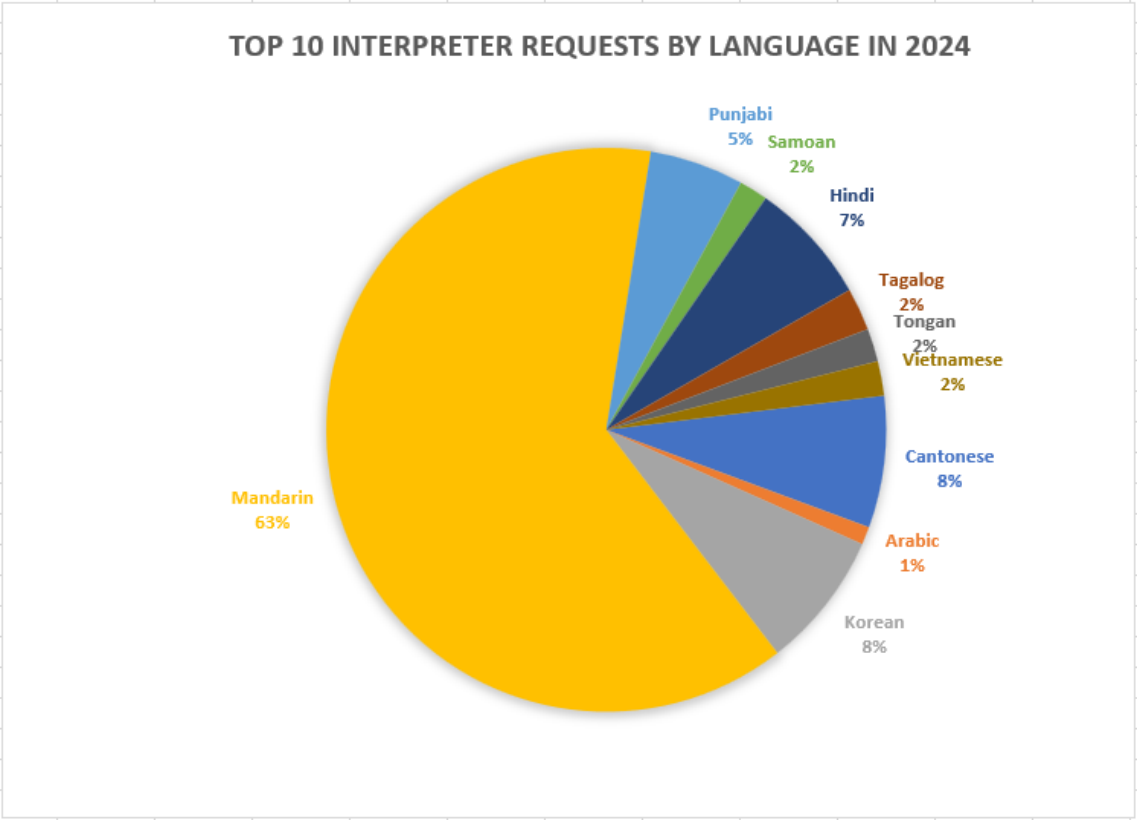
- Trends in usage of interpreters over the last 5 years
- Car accident claims in 2024
- Flatmate disputes in 2024

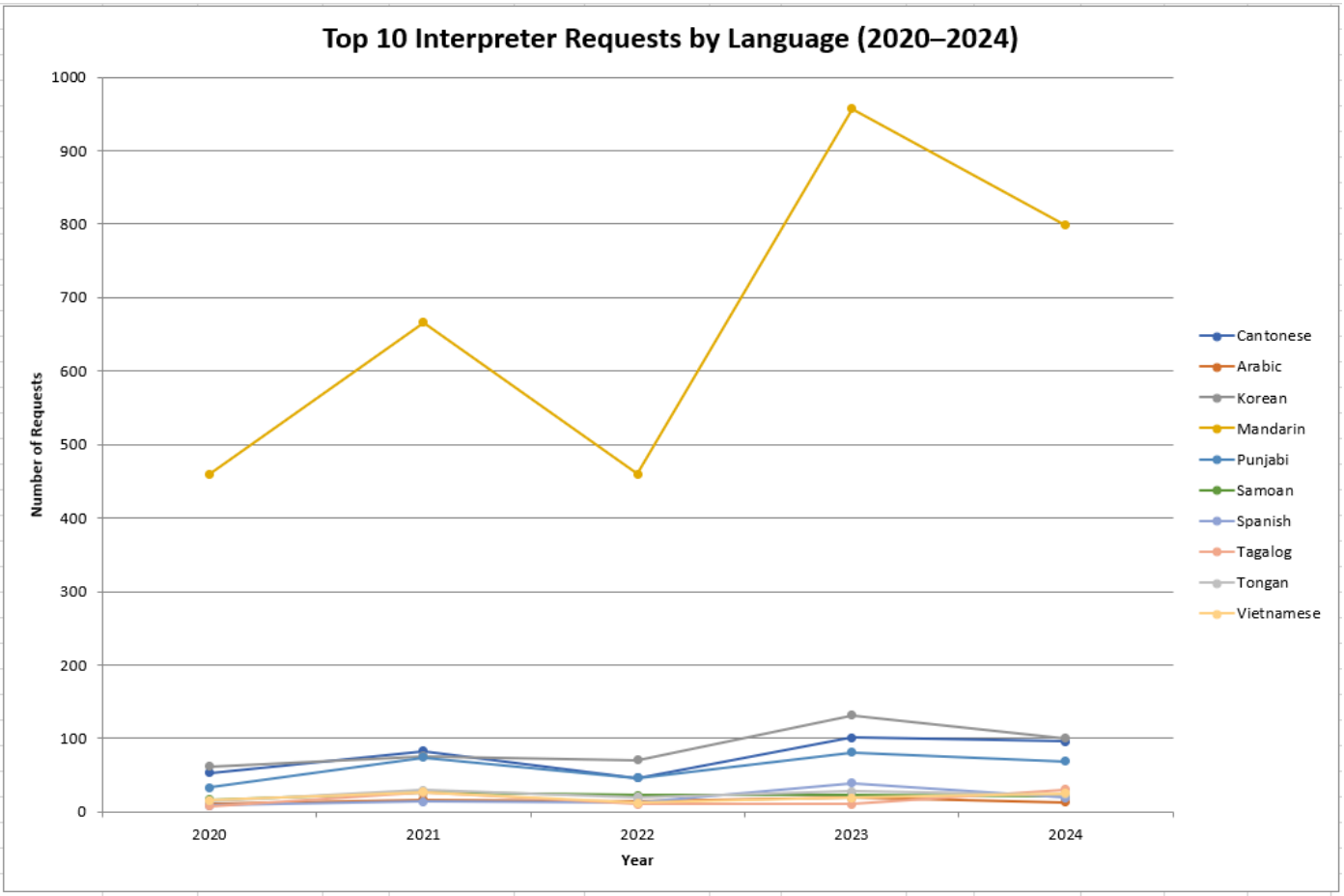
Data on the use of interpreters

It is critical for fair access to justice and the quality of outcomes that parties who are not confident or able to participate in English are provided with a court-appointed interpreter. The charts below show the top 10 languages for which an interpreter was provided in 2024, and the trends over 5 years. The requests are recorded for each booking. Any proceeding might have more than one booking if there were two or more hearings.

Table showing booking requests for interpreters in the Disputes Tribunal, 2020-2024

Year	Cantonese	Hindi	Korean	Mandarin	Punjabi	Samoan	Arabic	Tagalog	Tongan	Vietnamese
2020	53	90	62	460	33	17	11	8	15	16
2021	83	78	76	666	74	26	17	26	30	27
2022	46	34	71	460	46	23	14	11	20	12
2023	101	51	132	957	81	24	19	11	28	19
2024	96	29	100	799	69	21	13	31	24	25

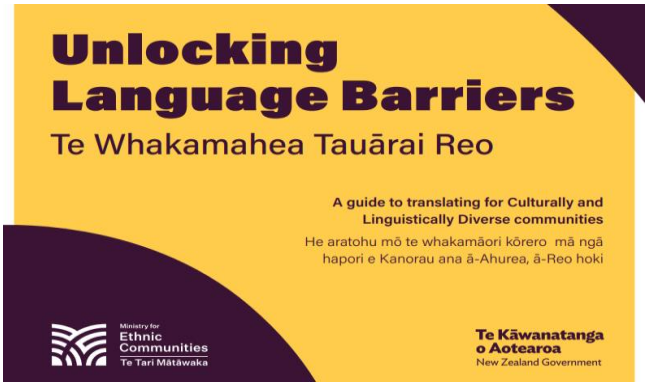




This line graph shows the 73% increase in need for Mandarin interpreters since 2020 (to 799). The next most sought interpreters have also seen a trending increase over this period:

- Korean (61% increase to 100 from 62)
- Cantonese (81% increase to 96 from 53)
- Punjabi (109% increase to 69 from 33)
- Tagalog (287% increase to 31 from 8)

For more information on language barriers in New Zealand, there is a comprehensive resource on the linguistic landscape of New Zealand on the website of the Ministry for Ethnic Communities, which can be seen here [Unlocking Language Barriers | Te Whakamahea Tauārai Reo | Ethnic Communities](#) .



Data on car accident claims

Car accident claims fall within the property damage jurisdiction of the Tribunal.[12] Most of these claims involve an applicant and their insurer. In some cases, the respondent is also insured. In those cases, both parties and their insurers may be present at the hearing. However, uninsured parties may also file claims for compensation from accidents.

For this report, the Tribunal has reviewed 684 car accident decisions issued in 2024. The data on claim types above records that the Tribunal received a total of 1605 such claims, but the collection of a lesser number of decisions for this review reflects the fact that a proportion will have been resolved prior to a hearing, and a proportion will have settled at the hearing (albeit at a lower settlement rate than other types of claims). It is also possible our internal systems for collecting decisions for analysis did not capture every decision issued. Any reporting of these figures should therefore note that the statistics do not cover all outcomes but are taken from a large sample.

For the sample of car accident decisions reviewed from 2024, in addition to the insured parties attending:

79%	involved insurance companies
73%	the applicant's insurer attended with their insured
3%	the respondent's insurer attended with their insured
3%	involved both the applicants' and respondents' insurer

In 7% of the claims, the respondent filed a counterclaim. The counterclaim was successful in whole or part in 38% of these cases.

The total awarded in the 684 claims reviewed was $3,972,346.43. No respondent attended in 45% of the cases.

A review of the decisions revealed the following proportions of different types of accidents.

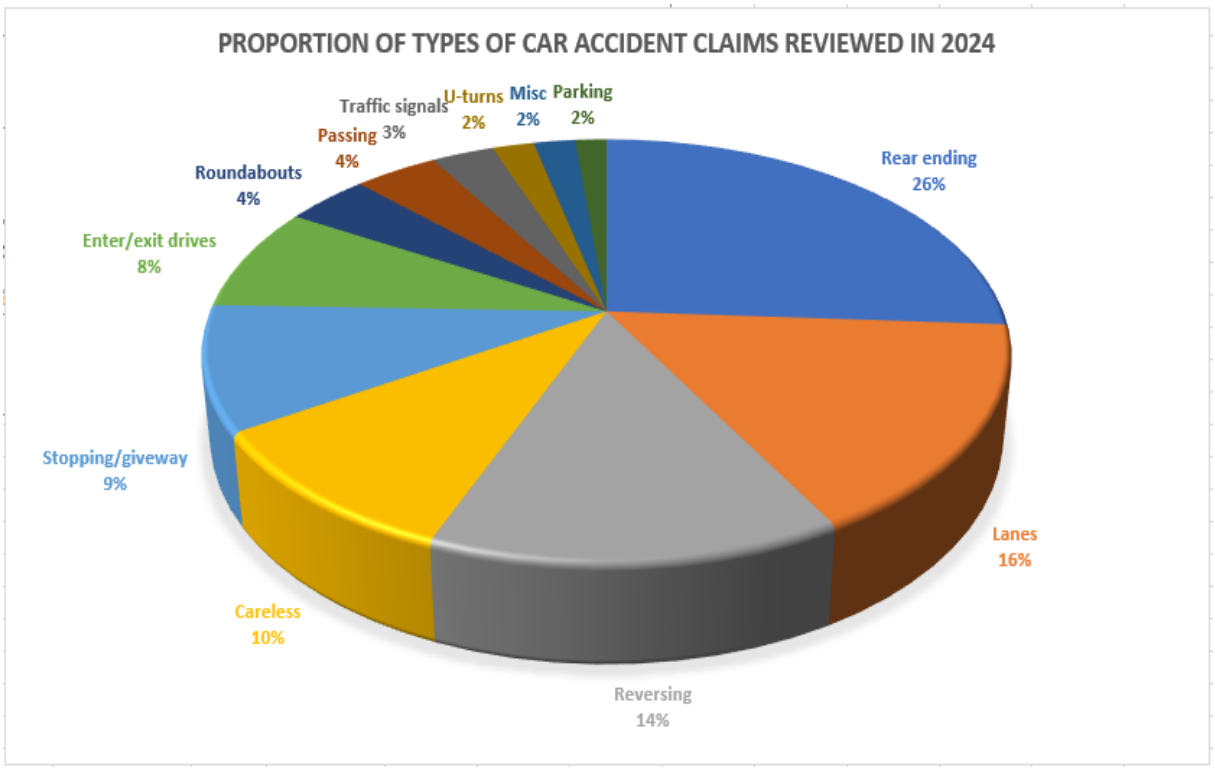
Table showing proportion of types of car accidents in 2024 from reviewed decisions in Disputes Tribunal

Type of accident	Number	Number dismissed	Amount awarded	% of claims (rounded)
Rear-ends	177	6	$ 1,074,676.17	26%
Lane changes	111	18	$ 547,206.96	16%
Reversing	99	13	$ 296,958.17	14%
Careless loss of control	71	5	$ 558,163.51	10%
Stopping/Giving Way	65	3	$ 486,292.48	9.5%

[12] s10(1)(c) Disputes Tribunal Act 1988

Entering/Exiting Driveways	57	9	$ 333,069.59	8%
Roundabouts	27	2	$ 166,636.03	4%
Passing	22	5	$ 165,111.95	4%
Traffic Signals	18	3	$ 126,108.18	3%
U-Turns	13	1	$ 129,333.95	2%
Misc.	14	3	$ 28,719.31	2%
Parking	10	1	$ 60,070.13	1.5%
Total	**684**	**69**	**$ 3,972,346.43**	**100%**

The data shows the top two causes of car accident claims in 2024 were rear-endings and lane changes, followed by reversing, careless loss of control, failing to stop/give way, then entering/exiting driveways. The proportions are shown in the pie chart below.



Link to example of decision

By way of example, here is a link to a 2024 car accident decision from the Ministry database of published decisions. Other decisions on car accidents can be found using the keyword search function:

https://www.disputestribunal.govt.nz/assets/Documents/Decisions/EF-v-TB-2024-NZDT-617-12-September-2024.pdf

Data on flatmate claims

Flatmate claims fall within the contract jurisdiction of the Tribunal.[13] Flatmates do not have the same statutory protection as tenants under the Residential Tenancies Act 1986 in relation to prescribed housing standards, tenure and quiet enjoyment, and many flatmates do not formally record the terms of their arrangement in writing. Flatting situations are also prone to dynamics that lead to friction and the unexpected breakdown of living arrangements.

It can also be difficult in many cases for parties to know whether they are flatmates or have the status of a tenant under the Residential Tenancies Act 1986. The Tribunal receives many claims in a year that require assessment before lodgement as which Tribunal they should be heard in. The Tenancy Tribunal has exclusive jurisdiction to determine the status of any residential occupant, so if the proper forum is unclear, a claim must begin in the Tenancy Tribunal for assessment. However, unlike the Disputes Tribunal and Motor Vehicle Disputes Tribunal (see Appendix 1), the Tenancy Tribunal and Disputes Tribunal are not able to transfer claims between them.

To alleviate this problem, throughout 2024, the Disputes Tribunal, Tenancy Tribunal and MBIE worked together to produce a flowchart to help ensure parties file claims with the right Tribunal. This flowchart is nearing completion and will soon be available as a resource for the public. The Tenancy Services website also contains useful information on flatting, including a flat sharing agreement template. This can be accessed here: Flatting » Tenancy Services

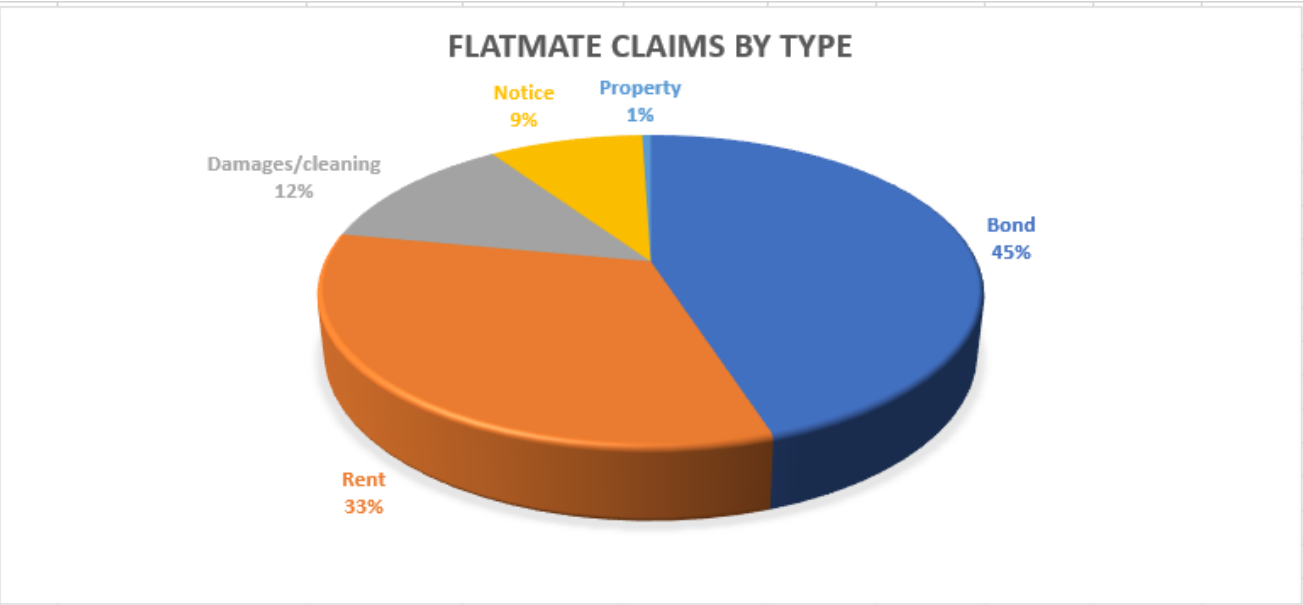
To provide an insight into the types of flatting claims the Disputes Tribunal received, the Tribunal analysed 120 flatmate decisions for this Report. Since many are likely to have been resolved prior, or at the hearing, and not every decision will have been collected, this does not represent every case, but a large sample of these cases.

The review of decisions revealed a pattern of disputes arising from breakdowns in the relationships within the home, with this often happening soon after the beginning of the arrangement. This often resulted in one flatmate leaving without notice. Claims then arose for missing rent from a lack of notice, or rooms not being cleared or cleaned properly, utilities remaining unpaid, or the head tenant withholding the bond for reasons that are disputed.

The following table shows flatmate disputes reviewed in 2024:

Type of claim	Number	Percentage
Bond withheld	54	45%
Dispute over rent	39	33%
Damage/cleaning	15	12.5%
Notice	11	9%
Property loss	1	0.5
Total	120	100

[13] Section 10(1)(a) Disputes Tribunal Act 1988



Link to example of decision

By way of example, here is a link to a 2024 flatmate decision from the Ministry database of published decisions. Other decisions on flatting arrangements can be found using the keyword search function:

https://www.disputestribunal.govt.nz/assets/Documents/Decisions/KC-LC-v-BD-2024-NZDT-335-16-May-2024.pdf

Te Ao Mārama in the Disputes Tribunal

Te Ao Mārama is a judicially led District Court initiative to work closely with the community and iwi to ensure participants can connect with and participate effectively in their proceedings, regardless of their means, ethnicity and language.

In the District Court, a best practice framework has been developed which sets out the protocols being adopted in the District Court, Youth Court and Family Court.[14] The Disputes Tribunal is already designed to be the least formal division of the Court and has the benefit of flexible procedures to best suit the needs of participants in any particular case. However, there are many elements of the best practice framework that it is important to translate into the Disputes Tribunal setting. There has been a historically low participation of Māori and Pacific peoples in the Tribunal, and a need to also ensure that others in the community who may fear the notion of "coming to court" do not miss out on the benefit of the simple and flexible procedures being offered. Empirical research continues to show the extent to which the translation of personal stories into legal issues and analysis in a Court or Tribunal can be an inherently marginalising experience that disconnects participants from their own proceedings.[15] People come to court with their story from their perspective. For a Tribunal to provide genuine access to justice, their story must be heard, acknowledged and understood during that translation process.

The Principal Disputes Referee has the support of two internal committees of Referees to advise on access to justice for Māori and Pacific peoples: Te Ara Tika and Komiti Pasifika. Leaning on the wisdom of those committees, in 2023, the Disputes Tribunal launched a project to begin the development of a best practice framework for Te Ao Mārama in the Disputes Tribunal setting. This continued into 2024, and included:

- Simplifying forms, notices of hearing and information available to the public;
- forging stronger links with Community Law Centres and Citizens Advice Bureau. These bodies provide an outstanding service to the community advising on legal matters and appropriate avenues for resolution;
- training all Referees in appropriate pronunciation of Māori words and names, to be confident in the use of mihi and other commonly used ways to appropriately welcome and introduce parties to each other and to the proceedings, and to ensure cultural considerations are taken into account in deciding who can participate in hearings as support people (s38 Disputes Tribunal Act 1988);
- Providing culturally appropriate hearings for Māori parties where they would prefer the adoption of relevant tikanga and te reo for their proceedings. This includes identifying disputes that would benefit from this approach, giving consideration to the proper place for a hearing, inviting a local kaumatua to begin certain proceedings with a mihi whakatau and ensuring the presiding Referee has adequate competency in te reo and knowledge of tikanga for all aspects of the proceedings;

[14] Te-Ao-Marama-Best-Practice-Framework-for-website.pdf

[15] See for example J Jacobsen, P Cooper: *Participation in Courts and Tribunals: Concepts, Realities and Aspirations* (2020) Bristol University Press

- Beginning work on a Pasifika strategy for the Tribunal that seeks to improve the uptake of Tribunal services by Pacific peoples;

- Providing information and learnings to Tribunals Aotearoa members and the Council of Australasian Tribunals (COAT) on Te Ao Mārama protocols in the Disputes Tribunal.

Any record of Te Ao Mārama in 2024 in the Disputes Tribunal would be incomplete without noting the tragic and untimely passing of one of our special lead Referees in this kaupapa, Verdun Tawhara. Verdun came to the Tribunal in 2023 from the Police, and quickly transitioned into a civil adjudicator with a special touch, fluent in te reo, confident in appropriate tikanga, and with a long history within the Police of engagement with iwi. Verdun sadly passed in 2024 from the sudden onset of illness. Verdun's results in developing enhanced Tribunal processes for Māori participants achieved excellent outcomes in a short space of time. In talking with Verdun shortly before his death, it was his wish that we not only continue this work, knowing how successful it had been, but that we also find more and better ways of ensuring that Runanga know about the availability of this service, believing there is still inadequate understanding of what can be provided. A contingent of Referees attended Verdun's tangi at the beautiful Ōpeke Marae in Ōpōtiki and participated at his poroporoaki, acknowledging his huge contribution to the work of the Tribunal. A commitment was made to foster an annual piece of research done on any topic relevant to the relationship between Te Ao Māori and dispute resolution, in Verdun's name. The first presentation of this work was by Referee Sara Grayson at the Tribunals Aotearoa Conference in November 2024. This presentation looked at the important concepts of mauri and mana and their relevance in disputes resolution. The presentation also provided wellbeing tools for adjudicators to help them communicate consciously, and to be in a place of balance (mauri tau) throughout their hearings, despite the challenges that can be faced in emotionally charged and complex settings.

Verdun Tawhara, 1966-2024, Disputes Tribunal Referee 2022-2024

Today in the Tribunal, we have 6 Referees who whakapapa to various iwi around Aotearoa, enabling the Tribunal to offer tikanga-informed hearings, the most recent being on 22 August in the Hutt Valley Court. As this is a living project with many learnings along the way, a revised and updated Te Ao Mārama protocol will be launched at the November 2025 National Training Days in Auckland. Whilst there are many contributors to this important work, the Principal Referee wishes to specially thank Referee Sheryl Connell (Uenuku, Tamakana, Tūwharetoa, Ngāti Tama, Ātihaunui a Pāpārangi) for her expertise and able leadership of Te Ara Tika.

Stakeholder engagement in 2024

Tribunals are the front door of the court for the bulk of civil claims in the justice system. As we sit so close to the community in the service we provide, it is important to build relationships with stakeholders who represent the interests of the community and Tribunal users. Engaging with stakeholders enables us to take a user-centric and proactive approach to developing best practice and to receive up-to-date feedback on our operations. Stakeholders also provide a direct communication channel through which we can disseminate information about the Tribunal to the community.

The stakeholder engagement programme

In 2024, following a presentation from the Principal Disputes Referee about the Tribunal at a Mangere hui for Community Law Centres, the Disputes Tribunal began regular stakeholder engagement meetings with Community Law, Citizens Advice Bureau and Aotearoa Disability Law. The Principal Tenancy Adjudicator has also joined this engagement. These meetings take place every 4-6 months.

Throughout 2024, the Principal Referee also provided recorded webinars for staff and volunteers at Community Law and CABs, and in various locations, local Referees provided in-person talks to their local CABs. The importance of Community Law and CAB to the links between the community and the Tribunal cannot be overstated. The Principal Referee wishes to acknowledge the outstanding work of the management, staff and volunteers in these organisations in providing information about the Tribunal, and enhancing access to justice generally.

The Principal Referee also liaises with the Insurance Council of New Zealand, attending 1-2 meetings per year to stay abreast of any operational difficulties encountered in dealing with insurance matters, and when relevant topics arise, also presents at or attends the MBIE Consumer Partnership Protection Forum, a broad grouping of industry and government sector agencies working to enhance access to justice in the consumer domain.

Engaging with the National Civil Justice Observatory

The Access to Justice Advisory Group was established in 2020 to advise the Courts Strategic Partnership Group (CSPG) in its work to improve access to justice, and to drive forward an access to justice work programme focused on civil justice.

The group has been responsible for delivering the Access to Justice Legal Needs Survey and the *Wayfinding for Civil Justice* stakeholder strategy. The legal needs survey was developed in conjunction with the Ministry of Business, Innovation and Employment and the Ministry of Justice. The results of the survey were published in October 2024 and can be found at: https://www.justice.govt.nz/justice-sector-policy/key-initiatives/access-to-civil-justice).

The results identified that one third of the people surveyed had experienced a civil justice issue in the preceding year. The survey also found that certain groups of people are more likely to experience civil justice issues than others, including disabled people, LGBT+ people, single parents, and Māori, and that 40 per cent of small businesses experience at least one issue or dispute in any given year, with the most common being consumer debt or late payments, and customer complaints. Of note for the Disputes Tribunal:

- Two of the 13 civil justice categories surveyed were matters that are likely to fall within the Disputes Tribunal's jurisdiction, and within those two categories, 18% of those surveyed experienced issues with products and services (16% online purchases, 4% offline purchases)

- Across all 13 types of legal needs surveyed, only 5% apply to a Court or Tribunal to seek assistance. In consumer matters, only 2% used a Tribunal. Whilst some of these matters were

resolved by agreement, of those that remained unresolved, 68% were not pursued for reasons that related to perceptions of time, cost, stress or lack of perceived benefit.

- On the other hand, of all those surveyed, 96% indicated they can use internet and can send an email, and 85% can use the internet for online video call.

We can conclude from this that there is much work still to be done to increase knowledge of the Disputes Tribunal and to continue to enhance our processes to improve access to justice. These results also underscore the continuing importance of meaningful and regular stakeholder engagement.

The Disputes Tribunal also wishes to support and engage with the work of the National Civil Justice Observatory. This body was established in early 2025 and is a key component of the *Wayfinding for Civil Justice National Strategy*. The Observatory will be hosted initially by the Civil Justice Centre at University of Otago's Faculty of Law, under the leadership of Associate Professor Bridgette Toy-Cronin, Dean of Te Kaupeka Tātai Ture, the Otago University Law School. The Observatory is being funded with the generous support of the Borrin Foundation.

The Observatory will provide a national structure to coordinate the reporting of access to justice initiatives, share information among stakeholders, and maintain momentum in work being done to improve access to civil justice. The Observatory intends to provide a continually evolving database of current and planned civil justice initiatives and information for planning future initiatives. This work will assist all Tribunals in ensuring the meaningful evolution of our processes and practices to reduce unmet legal needs in the community.

The Disputes Tribunal looks forward to engaging with this important collaboration.

Proposals for legislative change

Disputes Tribunal Amendment Bill

As indicated above, the Disputes Tribunal Amendment Bill is still awaiting third reading. Progress on the Bill is reflected here Disputes Tribunal Amendment Bill.

If enacted, the bill would increase the financial jurisdiction of the Disputes Tribunal from $30,000 to $60,000. The Bill also introduces a new filing fee tier of $468 for claims of more than $30,001.

Regulatory Systems (Tribunals) Amendment Bill

The Regulatory Systems (Tribunals) Amendment Bill is awaiting its second reading. Progress on the Bill is reflected here Regulatory Systems (Tribunals) Amendment Bill.

The Bill makes amendments to five different Acts, seeking to improve the effectiveness and efficiency of tribunals and quasi-judicial bodies.

If enacted, the Bill would give Referees the discretion to order the respondent to pay the filing fee back to a wholly or partly successful applicant. Currently, this is not possible (s43 Disputes Tribunal Act 1988).

The Bill also makes other minor amendments, but these are not changes that directly affect the parties. These cover a minor change to the start of an appointment process, and a change to the ACC status of Referees to align this with other Tribunals.

Data on complaints and appeals

Complaints

A party may lodge a complaint about Referee conduct with the Ministry of Justice. Any such complaints are forwarded to the Office of the Principal Disputes Referee for investigation. If a complaint is made before the proceedings are complete, no action can generally be taken until the completion of all matters.

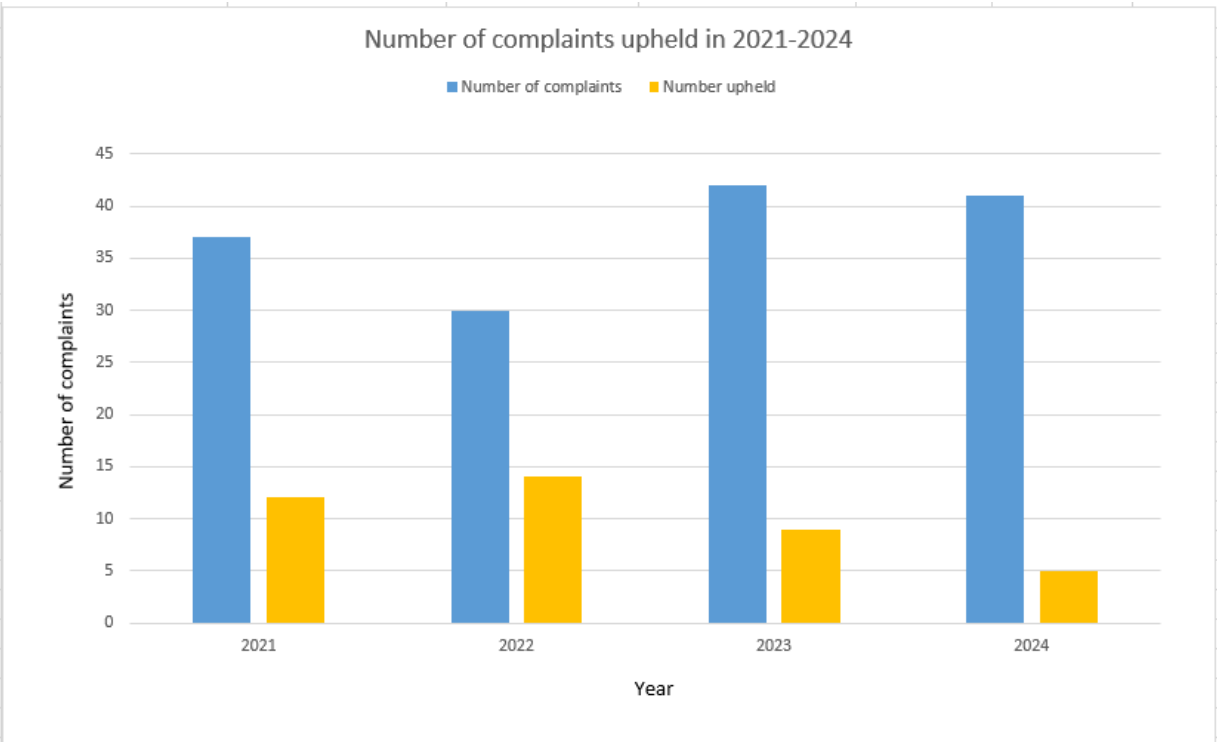
The following chart shows the number of complaints received from 2021-2024, and the numbers of those upheld in any aspect. The complaints process is not able to alter the outcome in a case, but it provides an important mechanism to guard against any patterns or points of failure and assists in ensuring parties experience a quality service in the Tribunal.

The data shows a relatively consistent number of complaints across the years, and in 2024, a small reduction in the number of complaints upheld.

Table showing complaints 2021-2024

Year	Total Claims	Complaints	Number upheld (in any aspect)	% upheld	% uphelf (of claims filed)
2021	10802	37	12	32%	0.11%
2022	11089	30	14	47%	0.13%
2023	12451	42	9	21%	0.07%
2024	13550	41	5	12%	0.04%

Graph showing complaints 2021-2024



Appeals

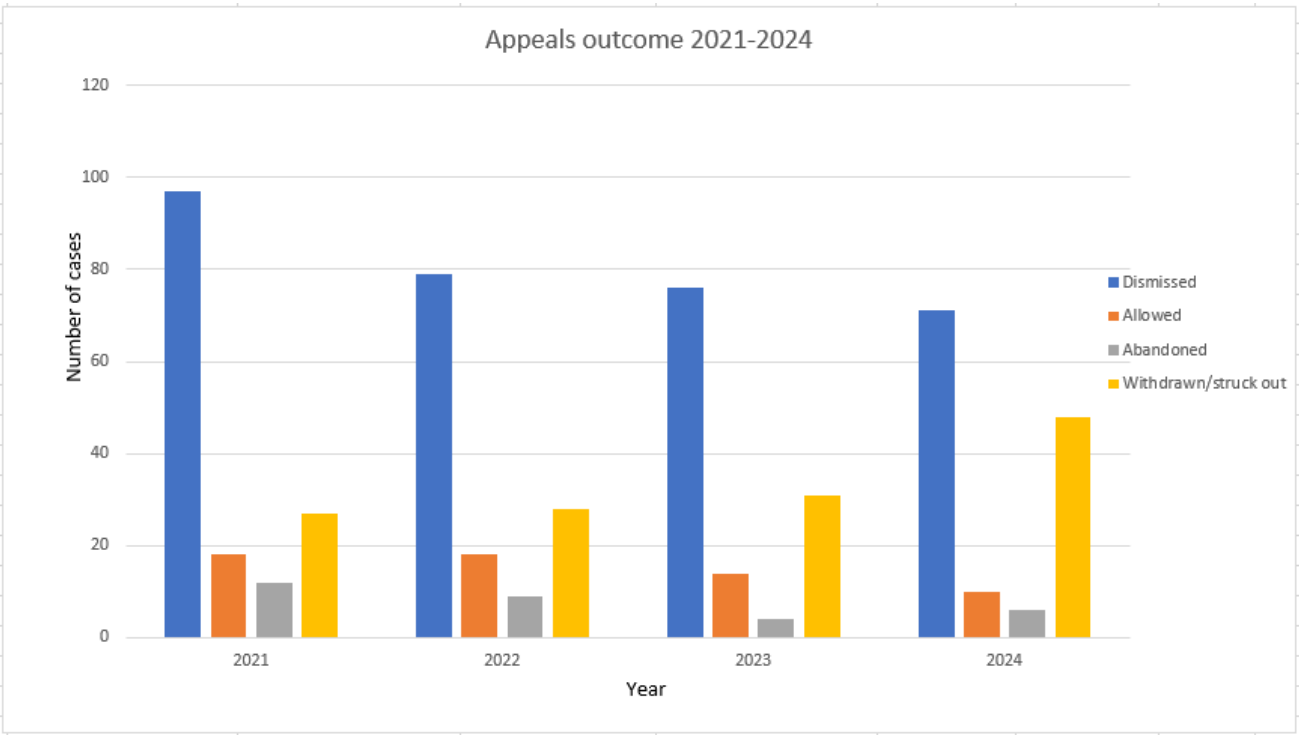
A party has a right of appeal to the District Court on matters of procedure. As the following table shows, appeals are filed in about 1% of cases, and few are granted. Appeals that are upheld generally return to the Tribunal for a rehearing of the matter before another Referee.

The data table below shows appeals filed over the last three years. There are still 56 appeals to be completed for the 2024 year so the data set on the number upheld is not yet complete.

Table showing appeals 2021-2024

Year	Total claims	Total number of appeals filed	Successful appeals	Appeals upheld	% upheld of total claims
2021	10802	154	18	11.7%	0.17%
2022	11089	134	18	13.4%	0.16%
2023	12451	126	14	11.1%	0.11%
2024	13550	191	10	*56 still active	not known

Graph showing appeals 2021-2024



Appendix 1: Information on jurisdiction

The jurisdiction of the Tribunal is set out in ss10, 11, 18 and 19 of the Disputes Tribunal Act 1988 No 110 (as at 05 April 2025), Public Act Contents – New Zealand Legislation.

More information on jurisdiction can be found here What the Tribunal can help with | Disputes Tribunal of New Zealand. Please note this guide is a summary only, not a legal document. Some cases may be difficult to categorise and may require assessment by the Referee to determine jurisdiction.

Except as set out in Fact 1 of Table 1.3, orders cannot be made for sums over $30,000.00. This is poised to increase to $60,000.00 if the Disputes Tribunal Amendment Bill is enacted.

Table 1.1 provides a guide to the types of claims the Tribunal can deal with. Table 1.2 identifies claims the Tribunal cannot deal with and indicates the appropriate forum for those claims. Table 1.3 sets out further information about jurisdiction.

Table 1.1: Types of claims that can be heard by the Disputes Tribunal:

Matters for Disputes Tribunal	Key sources of law
Contract disputes	Contract and Commercial Law Act 2017 Principles of common law
Quasi-contract disputes	Principles of equity e.g., for money received by mistake, or services expended where no contract emerged
Consumer matters	Consumer Guarantees Act 1993 Fair Trading Act 1986
Flatmate disputes	Principles of contract law
Goods damaged in transit	Part 5, subpart 1 Contract and Commercial Law Act 2017
Property loss or damage	The law of torts, including negligence, nuisance, trespass
Certain types of easement/covenant disputes	Principles of contract law, to the extent the obligations are contractual in nature and the instruments provide for dispute resolution within their terms
Car accident claims	Land Transport (Road User) Rule 2004
Fencing disputes	Fencing Act 1978
Air travel and luggage disputes	Civil Aviation Act 2023/Montreal Convention
Finance/lending	Credit Contract and Consumer Finance Act 2003
Friendly Societies and Credit Union disputes	Friendly Societies and Credit Union Act 1982
Customer and Product Data disputes	Customer and Product Data Act 2025

Table 1.2: Claims that the Disputes Tribunal cannot hear

Common types of claims outside jurisdiction	Forum
Relationship property disputes	Family Court
Residential tenancy matters, including boarding houses and unit title disputes	Tenancy Tribunal
Disputes arising from an employment relationship	Employment Relations Authority
Claims seeking review of Government or Council actions or decisions	The appropriate forum will depend on context, but could be: • the Ombudsman • MBIE Building Determination process • The administrative review Tribunal established for that part of the Government
Disputes with statutory bodies for sums due under enactments (e.g., building consent fees, infringement notices, rates)	Will depend on the basis for the fee being charged
Claims that have been considered by another Tribunal e.g., Standards Committee of the Law Society	The Tribunal which heard the claim
Entitlements under wills	District Court or High Court
Claims for recovery or title to land	District Court or High Court
Defamation, intellectual property, trade secrets, goodwill	District Court or High Court
Claims for trimming or removal of trees (Property Law Act s333)	District Court
Harassment Act matters	District Court

Table 1.3: Further information about jurisdiction

Topic	Explanation
1. The Tribunal's settlement jurisdiction is not subject to the monetary cap The Tribunal is not bound by any monetary jurisdiction when approving a settlement (s18(4) Disputes Tribunal Act 1988). (In addition, also note that interest awarded by the Tribunal under s20 is not included in the $30,000.00 limit.)	Claims can be filed only if seeking a sum up to the maximum jurisdiction (Currently $30,000.00). Sums sought over this can be abandoned to use the Tribunal. Larger claims cannot be split to come within the jurisdiction cap. However, parties to split claims or claims that enlarge after filing may agree to a solution in the DT that is approved by the Referee as a District Court order. However, in the absence of agreement, any claim sought for more than the jurisdictional limit must be transferred to the DC.
2. The Tribunal has concurrent jurisdiction with the MVDT in some cases The Tribunal has concurrent jurisdiction with the Motor Vehicle Disputes Tribunal (MVDT) to hear claims about cars bought from dealers.	The DT and MVDT can both hear claims about cars bought from dealers. The MVDT provides a motor vehicle assessor for the claim and can hear disputes of up to $100,000.00 (or more by agreement). However, there is a weight limit for MVDT car claims: cars must be under 3500kgs, which excludes heavier vehicles such as trucks or RVs. Claims can be transferred from DT to MVDT (and back the other way) to assist in finding the appropriate forum.
3. There are limits to the types of orders that can be made The Tribunal can only make the orders listed in s19 of the Act. This does not include orders for specific performance in contract disputes.	There are limitations on the Tribunal's ability to order parties to complete contractual obligations (known as orders for specific performance). The Tribunal can make a work order, or an order to deliver property. However, the Tribunal cannot make orders to enforce other contractual obligations e.g., an order not to park a car in a certain place, or to transfer shares or property, or to allow someone, for example, to enter a gym. Where specific performance cannot be awarded, the Tribunal may alternatively make compensatory orders for any breach.
4. Declarations of non-liability in contract disputes In a contract dispute, any person may file an application seeking a declaration of non-liability. This is most commonly used where a person receives a letter from a debt collector for a debt they dispute.	This enables a person who disputes a debt to seek assistance without waiting for the creditor to file a claim. However, if the claim for non-liability fails, then the creditor can have an order made in their favour without filing their own claim (s11(2)(b) Disputes Tribunal Act 1988)

5. Claims made in tort require physical damage to property (s10(1)(c) Disputes Tribunal Act 1988)	Claims where there is only financial loss (e.g., negligent advice), must be filed in the District Court. So long as there is physical damage, the compensation awarded may in some cases include consequential financial losses.
6. Retaining walls and boundary encroachments New Zealand is littered with ageing retaining walls and often these are on boundaries between properties. They are expensive to fix. The Tribunal cannot hear claims under the Property Law Act 2007 around encroachment. However, the Tribunal can hear some claims under the Fencing Act 1978 (e.g., where a fence encroaches or is no longer adequate). A retaining wall may in some cases be part of a fence.	The Disputes Tribunal can hear certain claims about the boundary between properties, and this jurisdiction may arise under: • the Fencing Act 1978 (in relation to encroachment or the adequacy of a fence); or • principles of tort law, e.g., nuisance, trespass. However, the Tribunal does not have jurisdiction in relation to encroachments generally under the Property Law Act 2007. Claims for removal or work on unauthorised structures generally need to be considered by the District Court.

Appendix 2: Average Age by Court

Average Age (in days) of outstanding cases

Justice Service Area	Jan 24	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec 24	July '25
Taitokerau	78	75	65	55	56	65	61	65	74	76	89	96	84
Auckland	114	111	116	112	113	105	94	92	99	96	87	92	95
Waitemata	119	119	117	118	124	126	118	109	114	112	112	112	86
South Auckland	135	129	126	119	119	124	117	111	109	107	105	113	100
Waikato	88	96	96	91	78	89	77	68	68	72	73	82	71
Bay of Plenty	132	115	115	110	111	123	119	107	110	102	96	98	64
Waiariki	103	112	127	108	113	92	72	76	80	90	84	94	76
East Coast	80	82	83	90	92	89	101	92	98	96	112	124	106
Taranaki/Wanganui	97	98	105	102	114	118	111	118	118	115	97	84	59
Manawatu/Wairarapa	91	84	96	84	82	91	84	78	91	81	77	87	70
Northern Wellington	82	84	88	81	78	72	64	63	70	67	72	83	67
Wellington	92	84	77	67	67	60	49	53	60	65	72	79	63
Nelson/Marlborough/West Coast	76	70	78	75	77	80	78	78	73	74	67	82	77
Canterbury	100	101	98	91	94	99	92	88	92	93	97	108	78
Otago	107	105	101	107	111	117	123	127	109	113	109	101	80
Southland	97	107	115	112	98	105	97	101	103	108	103	109	99
NATIONAL	109	108	108	104	105	108	100	95	98	97	96	101	86

Appendix 3: Referees in the Disputes Tribunal

(at date of publication)

Northern	Central	Lower North	Southern
Auckland	Hamilton	Wellington	Nelson
P Moses	N Wolland	E Boscato	D Brennan
B Hannan	S Grayson	C Bridgeman	J Tunnicliffe
A Hayes	K Hoult	S Malaviya	Christchurch
G Jaduram	W Lang	C Boys	C Hawes
P McKinstry	Rotorua	L Trevelyan	K Cowie
K O'Shea	J Savage	P Anderson	L Thompson
E Paton-Simpson	G Meyer	A Chand	C Hickey
P Kaur Morgan	Tauranga	Palmerston North	B Saegers
P Stevenson	J Smith	G Rossiter	S Simmonds
C Bodle	C Murphy	Napier	A Davis
North Shore	A Macpherson	C Bennett	D Terris
D Alofivae		Hastings	P Anderson
S Connell		W McCarthy	R Merrett
K Edwards		Gisborne	Dunedin
M Taylor		P Goddard	R Souness
J Hogan		New Plymouth	C Malthus
D Dwyer		B Henderson	Invercargill
K Quinn			S Munro
J Kleinbaum		Principal Referee	Queenstown
Waitakere		J Robertshawe	P Byrne
J Perfect			
H Kaho			
Manukau			
R Unasa			
L Fuli			
J Northwood			
Pukekohe			
N Devery			
Whangarei			
K Johnson			
N Blake			
A Pell			