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MEDIA STATEMENT

Access to Civil Justice report released

The Rules Committee has today released the [Access to Civil Justice Report](#), the culmination of a three-year review by the Rules Committee which aims to address the increasingly unmet need for civil justice in Aotearoa New Zealand.

The Rules Committee includes the Attorney-General and senior members of the Executive (Ministers and Government departments), the Chief Justice and members of the judiciary, and representatives from the legal profession. Its role is to recommend rules of procedure for the civil courts.

Chair of the Rules Committee, the Hon Justice Cooke said “It is vital that New Zealand Courts provide an effective place where civil disputes can be resolved as all New Zealanders have a fundamental right of access to the courts for this purpose. During the consultation period it became apparent that there were wider issues extending beyond the procedural rules in the courts.

If there are procedural rules, or systemic issues that mean that there is not an affordable system of civil justice, then changes should be made. The rules of procedure can become overly complex which can in turn contribute to justice being unaffordable and impose burdens disproportionate to the cost and complexity of the disputes being litigated. In these circumstances the rules must be reviewed.”

The Rules Committee looked at overseas experience and took into account New Zealand’s circumstances, as well as seeking submissions from community groups and others. The Committee’s proposals seek to address the issues in the context of the overall civil justice system.

The Committee’s conclusions and recommendations for legislative and policy changes are today set out in the *Access to Civil Justice Report*. They include:

- That the flexible and responsive resolution services provided in the Disputes Tribunal should be made available in respect of disputes of a higher monetary value. Appeal rights for higher value awards would also be expanded to ensure proportionality between the importance of those rights and the importance to parties of the claims being determined.



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- That the institutional capabilities of the District Court's civil jurisdiction should be improved, and the expertise of the court's civil registry strengthened. This will involve appointing a Principal Civil District Court Judge. The Committee also recommends that the capability and mana of the civil jurisdiction be advanced by the appointment of specialist deputy judges to deal with civil cases.
- That there should be significant changes to the High Court rules and procedures to ensure that the requirements are effective and proportionate. To this end, changes relating to the timing of serving of witness statements, the timing and scope of discovery, the evidence of witnesses at trial including the admissibility of documents and emphasising judicial issues conferences have been recommended.

[Access to Civil Justice Report](#)

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