



THE KIWIFRUIT CLAIM

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GOVERNMENT SETTLE KIWIFRUIT NEGLIGENCE CASE

Today, twelve years after PSA first devastated the kiwifruit industry, the Government has finally agreed to compensate the Kiwifruit Claim growers who suffered significant losses as a result of MPI's negligence when they allowed the deadly PSA disease into New Zealand.

Kiwifruit Claim Chairman, John Cameron said the \$40m settlement concludes what has been a very long, hard, and stressful fight for the kiwifruit growers who are part of the claim.

"This settlement provides some compensation to growers whose livelihoods were devastated by the biosecurity incursion, and very importantly we also achieved what we set out to do which was to hold the Government accountable for its negligent actions which caused the PSA outbreak.

"This was a very tough decision," said John Cameron. "Our case was meritorious and deserving but we understand litigation is extremely risky and uncertain even for cases with such strong facts such as this one. While both the High Court and the Court of Appeal confirmed MPI was responsible for the incursion, the Court of Appeal found the Government was not liable for the losses."

"The Kiwifruit Claim Committee explored every option to ensure the growers got the best outcome and after consulting with our legal team and obtaining further independent legal advice, we were advised to accept this settlement given the inherent risks associated with our claim.

Mr Cameron adds "What happened to the Kiwifruit industry in 2010 was entirely preventable – MPI knew PSA existed, they knew the damage it could cause if it was let into the country and they breached their own protocols that were in place to keep it out. It is critical our primary industries can rely on our Government to perform their biosecurity role with reasonable care and skill; we don't want to ever see this happen again."

"We would like to acknowledge the hard work from our legal team and the enormous commitment and support provided by litigation funder, LPF Group. Without their assistance the growers wouldn't have received any compensation and the Government wouldn't have been held to account for their negligence," said Mr Cameron.

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