



A Guide to Filing a Reply

What is the Human Rights Review Tribunal?

The Human Rights Review Tribunal is a statutory body established to deal with certain cases that are brought under the following Acts:

- The Human Rights Act 1993
- The Privacy Act 1993
- The Health and Disability Commissioner Act 1994

The Tribunal is composed of a Chairperson and a panel of up to 20 members, all appointed by the Governor General on the recommendation of the Minister of Justice. When the Tribunal sits to hear and determine any particular case, it sits with a Chairperson and two members.

Who can bring a claim in the Human Rights Review Tribunal?

Each of the three Acts contains different rules which define who is entitled to bring a claim before the Tribunal. It is always important to check whether the Act is applicable in your case and allows the Tribunal to deal with the claim that you wish to defend.

If in doubt, you should seek legal advice. Your local Citizens Advice Bureau or Community Law Centre may be able to provide some assistance.

What are the fees and costs?

There are no fees for filing a Statement of Reply.

However the Tribunal has the power to award costs in any claim. For example if you are unsuccessful in your claim, you can be ordered to pay costs to the other parties.

In the absence of any special circumstances, it will usually consider the issue of costs when the case is over.

What happens when a claim is brought against you?

You are entitled to defend a claim against you. If you wish to defend the claim, you have 22 working days after the day on which you received your copy of the plaintiff's 'Statement of Claim' to file a 'Statement of Reply' with the Tribunal. This should contain your responses to all of the allegations made against you.

If you choose not to file a 'Statement of Reply', the plaintiff will be entitled to ask that the matter proceed to a hearing without you.

You may download a 'Statement of Reply' form from www.justice.govt.nz/tribunals or request one from the Secretary of the Human Rights Review Tribunal. Post the original plus an additional three copies of your 'Statement of Reply' to the Tribunal, and serve a copy of your 'Statement of Reply' on the Plaintiff and the Office of the Privacy Commissioner or the Health and Disability Commissioner involved in the matter.

What happens after the Statements of Claim and Reply have been exchanged?

Once the Statements of Claim and Reply have been exchanged we will contact you to schedule a directions conference. These conferences are usually conducted by phone and will include the Tribunal Chairperson, the plaintiff (s), defendant(s), and in appropriate cases a representative of: the Privacy Commissioner, Director of Human Rights Proceedings, the Health and Disability Commissioner and /or the Attorney-General. The details of the hearing will then be arranged by the Tribunal.

Tribunal Contact Details



The Secretary
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