

Media Release

Embargoed until 11.15 am Wednesday 16 January 2008

Tribunals

New Zealand's system of tribunals needs a thorough spring clean, says Sir Geoffrey Palmer, President of the Law Commission.

There are a large number of tribunals. They have been set up in random fashion over a long period in time.

Some, like the Disputes Tribunal and Tenancy Tribunals, hear a lot of cases. Others hear hardly any. Some may not even be needed anymore.

There is also inconsistency in the way they operate. Their procedures differ without any sensible reason, and rights of appeal from them also differ. This can be confusing for people who bring cases before them.

They have just grown like Topsy. There has been no system, no plan, no coherence.

Information available to the public varies greatly between tribunals. Some have good websites, some do not. The public sometimes do not even know that a tribunal which might help them exists.

There is a further problem in that some tribunals are too closely linked to the agency from which they hear appeals. It is important that tribunals are perceived as being independent. Justice must not only be done, it must be clearly seen to be done, Sir Geoffrey said.

Another issue relates to the way tribunal members are appointed and trained. This is variable, and is not always satisfactory.

The Law Commission is working jointly with the Ministry of Justice on a project to review the tribunal system to get some consistency and rationality into it.

As part of its contribution to this joint programme the Commission has published an issues paper. It sets out the problems, summarises the way in which some other countries have dealt with similar problems, and sets out various options for dealing with the matter here. It seeks comment from the public. The paper is available from the Law Commission in hard copy, and is also on its website.