



# Greater Christchurch Claims Resolution Service

## GCCRS Legal Advisory Group

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| <b>SUBJECT</b>       | <b>Meeting Minutes – 8 February 2019</b>  |
| <b>PRESENT</b>       | Miriam Dean (Chair), Victoria Wood, (Lawyer, Community Law), Nicola Wills, (Lawyer, Crown Law), Helen Davidson, (General Manager, Legal & Policy, Engineering NZ) Hugh Mathews (Independent lawyer) |
| <b>IN ATTENDANCE</b> | Darren Wright (Director GCCRS), Iain Feist, (Senior Solicitor, MBIE), John Hardie (Advisor Internal Disputes Resolution)  |
| <b>APOLOGIES</b>     |   |

### 1. Meeting Administration

#### 1.1 Conflicts of Interest

There were no conflicts of interest.

#### 1.2 Minutes and Actions

- Members approved the previous minutes from the 29 November meeting and agreed for the minutes to be published on the GCCRS website.
- No actions arose from the previous meeting.

### 2. Updates

#### 2.1 GCCRS Operational Update

##### Overview of GCCRS Monthly Report

The GCCRS Monthly Report for February 2019 as attached to the Agenda, taken as read, was reviewed by the members. The following points were noted:

- To date, GCCRS expertise has assisted homeowners through 617 cases on record, with 73 cases closed.
- A range of disputes can be settled effectively with the Internal Dispute Resolution Service (IDRS) process. The first IDRS facilitation took place in December.
- Flexibility is a key way forward to ensure early intervention of facilitation and decision making services.

### **On-boarding private insurers**

- Current private insurer on-boarding agreements are being finalized.
- Operational service capacity is being reviewed to meet requirements.

## **2.2 Engineering New Zealand Update**

- Engineering New Zealand (ENZ) held a Technical Forum on 13 December to discuss technical issues engineers are grappling with. Some legal and regulatory issues were also raised.
- Members of the ENZ Expert Panel were appointed by the ENZ Board, on the recommendation of a cross-stakeholder evaluation team with homeowner, lawyer and engineer representation. Experience and cross-stakeholder acceptability were key drivers.
- Community Law raised a question for the ENZ Legal Advisory Group member to ensure their panel members were conversant with case law and in particular with the treatment of earthquake damage where there are pre-existing settlement and maintenance issues.

## **2.3 Legal Update**

- IDRS cases are to be determined for early referral to the service.
- Important to onboard lawyers - GCCRS and EQC are meeting with one lawyer next week to identify disputes suitable for the IDRS.
- Important to get cases into the IDRS triage process as quickly as possible to determine the best process for homeowners to try and settle their cases.
- Brokers to be encouraged, and assisted, to facilitate disputes into the IDRS in homeowner interests.
- Community Law and GCCRS met with EQC this month to discuss the treatment of Court costs and interests where proceedings have been filed, but where settlement within the GCCRS processes were reached during a stay of proceedings.

## **3. Review of Agenda**

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### **3.1 Next Steps**

- The next GCCRS Legal Advisory Meeting is scheduled for Friday 12 April at 1.30pm

### **3.2 Any other items**

- No additional items were discussed.

**Meeting closed: 2.05pm**