

Reference No. HRRT 003/2018

UNDER THE PRIVACY ACT 1993

BETWEEN GUY GREENSLADE

PLAINTIFF

AND COMMISSIONER OF POLICE

DEFENDANT

AT WELLINGTON

BEFORE:

Mr RPG Haines QC, Chairperson
Mr RK Musuku, Member
Mr BK Neeson JP, Member

REPRESENTATION:

Mr G Greenslade in person
Mr P Gunn and Mr A Lawson for defendant

DATE OF HEARING: Heard on the papers

DATE OF DECISION: 5 April 2018

**DECISION OF TRIBUNAL GRANTING DEFENDANT AN EXTENSION OF TIME
FOR FILING STATEMENT OF REPLY¹**

[1] Regulation 15(1) of the Human Rights Review Tribunal Regulations 2002 provides that a defendant who intends to defend proceedings must, within 30 days after the day on which the notice of proceedings is served on him or her, file in the office of the Tribunal a statement of reply to the plaintiff's claim and must serve a copy of the statement of reply on the plaintiff and any other party.

[2] In the present case the statement of reply is due to be filed on 5 April 2018.

[3] By memorandum dated 28 March 2018 the Commissioner of Police has sought an extension of time for filing his statement of reply until 4 May 2018. The grounds of the request are:

¹ [This decision is to be cited as: *Greenslade v Commissioner of Police (Extension of Time)* [2018] NZHRRT 11]

[3.1] Counsel will be overseas from 27 March 2018 to 25 April 2018 (inclusive).

[3.2] While this proceeding is linked to the plaintiff's other claim in the Tribunal (HRRT049/2017: Greenslade v Commissioner of Police in which the claim is under the Human Rights Act 1993 and Mr Greenslade is represented by the Director of Human Rights Proceedings) it raises fresh issues which will require further instructions to be taken by Crown counsel.

[3.3] The extension will enable a full reply to be filed, thereby assisting the Tribunal and the plaintiff to better understand the Commissioner's position. This will ultimately lead to a more efficient resolution of the claim.

[4] Mr Greenslade opposes the extension of time sought.

Discussion

[5] The extension sought by the Commissioner is for one month only. The request is made by responsible counsel who is already representing the Commissioner in the other proceedings brought by Mr Greenslade in HRRT049/2017. There is no possible prejudice to Mr Greenslade and as stated in the application, both Mr Greenslade and the Tribunal will be assisted by a properly formulated statement of reply rather than a pro forma document submitted simply to comply with the filing deadline.

Order

[6] The application for extension of time is granted. The time for the Commissioner of Police to file his statement of reply is extended to 5pm on Friday 4 May 2018.

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Mr RPG Haines QC
Chairperson

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Mr RK Musuku
Member

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Mr BK Neeson JP
Member