



MEDIA RELEASE

**Hon. John Hatzistergos MLC
Attorney General
Minister for Justice**

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NEW LAWS TO STOP LEGAL HARASSMENT

The lemma Government will legislate to make it easier to stop people abusing the court system as a way of victimizing others with unmeritorious law suits, Attorney General John Hatzistergos announced today.

“Courts are there to administer justice and help people to resolve their disputes,” Mr Hatzistergos said.

“They are not for people to misuse by harassing, intimidating or embarrassing other people.

Mr Hatzistergos said people known as ‘vexatious litigants’ will be stopped using the courts to harass innocent parties.

“If people abuse the system we need to make it easier for judges to banish them from courtrooms, freeing up the justice system and protecting the good citizens of this State.”

“I have great sympathy for innocent people who find themselves the target of legal action which is clearly a hopeless case, or has an ulterior motive.”

Mr Hatzistergos said some court abusers had brought more than 100 each and cost their unwitting opponents millions in legal costs.

He said the new law will make it easier to declare someone a vexatious litigant, by only requiring that a person has used the courts “frequently”.

“Anyone who feels they’ve been the victim of someone misusing the courts will be able to apply to have them made a vexatious litigant,” said Mr Hatzistergos.

He said the Attorney General, the Solicitor General and the Registrar of the court could make an application to declare someone a vexatious litigant. Anyone with an interest in the matter can also make an application if they have the leave of the court.

As well as the Supreme Court, the Land and Environment Court and the Industrial Relations Commission will also be able to make vexatious litigant orders against people commencing proceedings in their jurisdictions.

Mr Hatzistergos said forensic psychiatrists believed some vexatious litigants suffered from a disorder known as “querulous paranoia.”

“That’s why I am asking the heads of the courts to consider the issue of developing protocols, for courts to refer vexatious litigants to mental health treatment where appropriate.”

Mr Hatzistergos said that when draft legislation had been prepared it would be sent to the heads of the courts and the legal profession for their comments.

The new law will bring NSW in line with national model laws adopted by Queensland, Western Australia and the Northern Territory. South Australia and Tasmania are considering similar laws.

The law will mean that someone who has been declared a vexatious litigant will have to seek leave of the court before being allowed to start any subsequent legal proceeding.

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