



# ShameemLaw

Principal: Shaista Shameem PhD LLM MA LLB (NZ) BA (USP)

4 July, 2011

## **David Burness v FNPF and Attorney General**

### **PRESS STATEMENT**

The Applicant, David Burness, was pleased with the outcome today in his High Court case of David Burness v Fiji National Provident Fund, the Republic of Fiji and the Attorney-General when an application by both the FNPF and the Attorney General's Office to have the case immediately struck out for alleged defective procedures in Mr Burness' application was not entertained by the High Court. The High Court instead ordered all parties to file written submissions on the application made by FNPF and the Solicitor General on the issue of strike out.

Dr Shaista Shameem, solicitor for Mr Burness, said she was happy with the court's direction to have all parties make written submissions on the Respondent's application to strike out because she had made a human rights application which she had submitted needed to be heard by the court due to the significant issues it raised regarding human rights duties of the State.

To have an important application such as Mr Burness' struck out without a formal strike out application filed by the FNPF and the State would have denied her client the right to have his case heard by the court, she said.

Dr Shameem said that she will be filing her submissions within 7 days; the FNPF and the Attorney General's Office have been ordered to do the same.