

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2011] NZEmpC 121
ARC 49/11**

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

BETWEEN MATTHEW FORD
Plaintiff

AND TE AWHI WHANAU CHARITABLE
TRUST
Defendant

Hearing: By memorandum filed on 19 September 2011

Appearances: Simon Scott, counsel for plaintiff
Charles Fletcher, counsel for defendant

Judgment: 29 September 2011

CONSENT JUDGMENT OF CHIEF JUDGE G L COLGAN

[1] The parties have settled this challenge to the Employment Relations Authority's determination and have asked the Court to make the following orders by consent. Before doing so, it is necessary also to formally set aside the Authority's determination.

[2] The plaintiff's dismissal by the defendant is declared to have been unjustified.

[3] In compensation for the plaintiff's unjustified dismissal, the defendant will pay to the plaintiff, pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000, the sum of \$20,000, the first instalment of which will be in the form of a cheque dated 19 September 2011 in the sum of \$15,000, and the balance of which will be

\$5,000 credited to the plaintiff's solicitors' trust account on or before 19 October 2011.

[4] There are no issues as to costs between the parties.

GL Colgan
Chief Judge

Judgment signed at 3.15 pm on Thursday 29 September 2011