

**IN THE EMPLOYMENT COURT
CHRISTCHURCH**

**[2013] NZEmpC 8
CRC 51/12**

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

BETWEEN X
Plaintiff

AND OCEANIA GROUP (NZ) LIMITED
Defendant

Hearing: On the papers

Counsel: Jock Lawrie, advocate for plaintiff
Kylie Dunn, counsel for defendant

Judgment: 1 February 2013

INTERLOCUTORY JUDGMENT (NO 1) OF JUDGE CHRISTINA INGLIS

[1] The plaintiff has applied to the Court for orders prohibiting the publication of the identity of the plaintiff, and any information that may lead to the disclosure of her identity. The application follows an earlier order made in the Employment Relations Authority on 3 December 2012.¹

[2] The Chief Judge made an interim non-publication order on 8 January 2013, to allow time for the defendant to be heard on the application. The interim order lapses today, the date on which the Court has resumed hearings for the year.

[3] The defendant does not oppose the granting of the orders sought.

[4] I am satisfied, based on the grounds set out in the application filed on behalf of the plaintiff and the affidavit filed in support, that it is appropriate that an order

¹ [2012] NZERA Christchurch 264 at [4].

for non-publication be made. In particular, that the interests of open justice are outweighed by the negative health consequences for the plaintiff that would likely arise from publication at this stage.

[5] An order is accordingly made prohibiting publication of the identity of the plaintiff or of any information that may lead to the disclosure of her identity. The order remains in force until the challenge to the Authority's determination of 3 December 2012 is decided or until further order of the Court.

[6] Leave is reserved for either party to apply to the Court for further orders on reasonable notice.

[7] Costs are reserved.

Christina Inglis
Judge

Judgment signed at 3.45pm on 1 February 2013