

**IN THE EMPLOYMENT COURT OF NEW ZEALAND  
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA  
TĀMAKI MAKĀURAU**

**[2019] NZEmpC 33  
EMPC 437/2018**

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

AND IN THE MATTER OF    an application for a stay of proceedings

BETWEEN                      MELISSA JEAN OPAI  
   Plaintiff

AND                              COMMISSIONER OF POLICE  
   Defendant

Hearing:                      On the papers

Appearances:                Plaintiff in person  
   H Kynaston and N Ridder, counsel for defendant

Judgment:                    25 March 2019

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**INTERLOCUTORY JUDGMENT OF CHIEF JUDGE CHRISTINA INGLIS  
[Application for stay of proceedings]**

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[1]     Melissa Opai has filed a challenge to a determination of the Employment Relations Authority.<sup>1</sup> There are associated matters before the Authority which have yet to be determined.

[2]     The plaintiff has sought a stay of the challenge pending the Authority's determination of the matters it has before it.

[3]     The parties have now filed a joint memorandum seeking a stay of the proceedings by consent. I am satisfied that a stay is appropriate in the particular

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<sup>1</sup>     *Opai v Commissioner of Police* [2018] NZERA Auckland 379.

circumstances. Accordingly, there is an order staying the plaintiff's challenge in this Court pending the Authority's determination of the other matters currently before it. The plaintiff is to advise the Registry when those matters have been determined by the Authority and a telephone directions conference with a Judge is then to be convened.

[4] No issue of costs arises.

Christina Inglis  
Chief Judge

Judgment signed at 1 pm on 25 March 2019