

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

**I TE KŌTI TAKE MAHI O AOTEAROA
TE WHANGANUI-A-TARA**

**[2023] NZEmpC 127
EMPC 203/2023**

IN THE MATTER OF	an application for a compliance order
AND IN THE MATTER OF	an application for in-Court media coverage
BETWEEN	TOVIO UGONE Plaintiff
AND	STAR MOVING LIMITED First Defendant
AND	STUART BIGGS Second Defendant

Hearing: On the papers

Appearances: J Pietras, counsel for plaintiff
No appearance for defendants

Judgment: 14 August 2023

**INTERLOCUTORY JUDGMENT OF JUDGE K G SMITH
(Application for in-Court media coverage)**

[1] An application has been made by NZME and Top South Media (NZ Herald and Nelson Weekly with possible syndication) to cover this proceeding which is being heard by audio visual link. The applicant proposes that recordings and photographs may be taken and used. Standard conditions are proposed.

[2] The application has been drawn to the attention of the plaintiff; no steps have been taken by the defendants.

[3] No objection has been taken to the application.

[4] Court proceedings are generally open to the public and media. There are restrictions on filming and recording in Court; anyone wishing to do so must obtain prior judicial permission which involves the exercise of a broad discretion.

[5] The In-Court Media Guidelines 2016 have been developed to assist in exercising the discretion.¹ The key principle is promoting open justice, but other principles to be considered include the need for a fair hearing, recognising that the media has an important role in reporting on hearings to inform the public and the interests, reasonable concerns and perceptions of parties and witnesses.

[6] Weighing up those principles, I am satisfied it is appropriate to grant the application subject to the standard conditions. Orders are made accordingly.

K G Smith
Judge

Judgment signed at 2.20 pm on 14 August 2023

¹ Ministry of Justice “10.8 In Court Media Guidelines 2016” <[justice.govt.nz](https://www.justice.govt.nz)>.