

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

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

**[2023] NZEmpC 229
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
A Oh, counsel for defendants

Judgment: 15 December 2023

**INTERLOCUTORY (NO 2) JUDGMENT OF JUDGE K G SMITH
(Application for in-Court media coverage)**

[1] On 7 December 2023, a further application was 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.

[2] This application repeats the one which was dealt with in the judgment of 14 August 2023.¹

¹ *Ugone v Star Moving Ltd* [2023] NZEmpC 127.

[3] The application has been referred to counsel for the parties. They do not raise any issues about it.

[4] Court proceedings are generally open to the public and media. As was noted in the August decision, there are restrictions on filming and recording in Court and anyone wishing to do so needs to obtain prior permission from a Judge.

[5] The In-Court Media Guidelines 2016 assist the Court in exercising the discretion about in-Court media coverage.² Again, as noted in the August 2023 decision, the key principles are promoting open justice. 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 all of those principles, and taking into account the position taken by the parties, I am satisfied that the application should be granted subject to standard terms. Orders are made accordingly.

K G Smith
Judge

Judgment signed at 11.05 am on 15 December 2023

² Ministry of Justice “10.8” In Court Media Guidelines 2016” <justice.govt.nz>.