

**ORDER FOR INTERIM NON-PUBLICATION OF  
NAME AND IDENTIFYING DETAILS.**

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

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

**[2023] NZEmpC 142  
EMPC 114/2023**

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for interim non-publication orders
BETWEEN	VXO Plaintiff
AND	TE WHATU ORA IN RESPECT OF THE FORMER NORTHLAND DISTRICT HEALTH BOARD Defendant

Hearing: On the papers

Appearances: VXO, plaintiff  
D Grindle, counsel for defendant

Judgment: 29 August 2023

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**INTERLOCUTORY JUDGMENT OF JUDGE J C HOLDEN  
(Application for interim non-publication orders)**

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[1] The parties in these proceedings have each applied for interim non-publication orders. The plaintiff seeks a non-publication order in respect of his own name and identifying particulars and the defendant seeks a non-publication order in respect of the name and identifying particulars of one of its former employees. They each consent to the other's application.

[2] Pursuant to cl 12 of sch 3 of the Employment Relations Act 2000, the Employment Court has the power to prohibit publication, including of the name of any party or witness in a proceeding.

[3] Non-publication orders were made in the Authority, and I accept that there are good reasons to make interim orders in the Court. Should either or both parties later consider that permanent orders are required, they will need to address that at the hearing of this matter. In the meantime, interim non-publication orders are made prohibiting the publication:

- (a) of the name and identifying particulars of the plaintiff;
- (b) of the name and identifying particulars of the former employee of Te Whatu Ora who is referred to in the Authority's determination as "BUW".<sup>1</sup>

[4] For convenience the Court will use the same anonymised descriptors for the parties as the Authority used.

[5] These orders remain in place pending any further order of the Court.

[6] Costs are reserved.

J C Holden  
Judge

Judgment signed at 9.30 am on 29 August 2023

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<sup>1</sup> *VXO v Northland District Health Board* [2023] NZERA 97 (Member Robinson).