

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

**I TE KŌTI TAKE MAHI O AOTEAROA  
ŌTAUTAHI**

**[2023] NZEmpC 14  
EMPC 85/2022**

IN THE MATTER OF a declaration under s 6(5) of the  
Employment Relations Act 2000

AND IN THE MATTER OF an application for remote attendance at  
hearing

BETWEEN SERENITY PILGRIM, ANNA  
COURAGE, ROSE STANDTRUE,  
CYSTAL LOYAL, PEARL VALOR  
AND VIRGINIA COURAGE  
Plaintiffs

AND THE ATTORNEY-GENERAL SUED  
ON BEHALF OF THE MINISTRY OF  
BUSINESS, INNOVATION AND  
EMPLOYMENT, LABOUR  
INSPECTORATE  
First Defendant

AND HOWARD TEMPLE, SAMUEL  
VALOR, FAITHFUL PILGRIM, NOAH  
HOPEFUL AND STEPHEN  
STANDBAST  
Second Defendants

Hearing: On the papers

Appearances: BP Henry, D Gates and S Patterson, counsel for plaintiffs  
J Catran, K Sagaga and A Piaggi, counsel for first defendant  
S Valor and P Righteous, representatives for second defendants  
R Kirkness, counsel to assist the Court

Judgment: 15 February 2023

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**INTERLOCUTORY JUDGMENT (NO 23)  
OF CHIEF JUDGE CHRISTINA INGLIS  
(Application for remote attendance at hearing by media organisation)**

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[1] An application has been made by Stuff (an accredited news organisation) for attendance at the hearing by way of remote means (VMR link). The application has been advanced to enable Stuff to cover these proceedings when they are heard in Greymouth next week (20 to 23 February 2023 inclusive). The hearing will then return to Christchurch. The application for remote attendance also extends to this part of the hearing.

[2] I directed that the application be provided to the parties. The parties have advised that they abide the decision of the Court.

[3] I granted a similar application made by NZME in *Pilgrim v Attorney-General (No 21)*.<sup>1</sup> In that judgment I set out the factors considered relevant to an application of this sort, but repeat them here for convenience:<sup>2</sup>

[4] The media has an important role to play in reporting trials as the “eyes and ears” of the public, promoting open justice and facilitating fair and accurate reporting of court hearings. While the hearing is set down in open court in Greymouth and members of the public, and the media, are free to attend the hearing, there are difficulties with this from NZME’s perspective. It has been covering the trial to date and has had a journalist in court throughout. It may not be possible for the journalist who is covering the trial to travel to Greymouth for a week. Such difficulties may, at least in part, be ameliorated by the fact that applications by other media organisations to film and record the hearing were granted, with the possibility of sharing arrangements being put in place. However, that will only assist NZME if filming and recording occurs during the week in Greymouth and, if it does, if it is comprehensive.

[5] I am mindful of the fact that an application by the Gloriavale Leavers’ Support Trust to attend these proceedings via remote means was declined. The considerations at play in relation to the current application materially differ. The proceedings have generated a considerable amount of public interest, and it is important to facilitate access to the hearing by the media to support open justice. A number of non-publication orders are in place, including orders protecting fair trial rights, which the applicant is aware of and required to

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<sup>1</sup> *Pilgrim v Attorney-General (No 21)* [2023] NZEmpC 6.

<sup>2</sup> Footnotes omitted.

comply with. I note too that NZME is bound by rules and protocols, including the Broadcasting Standards Codebook 2022 and the Media Council principles.

[4] In the particular circumstances, and having regard to the factors identified above, Stuff's application to attend the hearing in Greymouth via VMR is granted. The Registrar is directed to make the necessary arrangements.

[5] The applicant has provided no reasons why it is unable to attend the hearing in Christchurch to cover the proceedings and I am not satisfied that the grounds for the application insofar as it relates to this aspect of the hearing have been made out. This aspect of the application is accordingly declined.

[6] I do not understand any issue of costs to arise.

Christina Inglis  
Chief Judge

Judgment signed at 3.10 pm on 15 February 2023