

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

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

**[2025] NZEmpC 121
EMPC 363/2021**

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

AND IN THE MATTER OF an application to access Court documents

BETWEEN HOSEA COURAGE, DANIEL
PILGRIM AND LEVI COURAGE
Plaintiffs

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

AND HOWARD TEMPLE, FERVENT
STEDFAST, ENOCH UPRIGHT,
SAMUEL VALOR, FAITHFUL
PILGRIM, NOAH HOPEFUL AND
STEPHEN STANDFAST
Second Defendants

AND FOREST GOLD HONEY LIMITED
AND HARVEST HONEY LIMITED
Third Defendants

AND APETIZA LIMITED
Fourth Defendant

Hearing: On the papers

Appearances: B P Henry, counsel for plaintiffs
A Wicks, counsel for first defendant
R Kirkness, counsel to assist the Court
J Lancaster for Crown Solicitor

Judgment: 23 June 2025

**INTERLOCUTORY JUDGMENT (NO 17)
OF CHIEF JUDGE CHRISTINA INGLIS
(Application to access Court documents)**

Introduction

[1] An application has been made by the Crown to share portions of the notes of evidence in these proceedings.¹ The application specifically relates to evidence given by Hosea Courage and Daniel Pilgrim, who were amongst the plaintiffs.

[2] Following the decision of the Employment Court, Mr Courage and Mr Pilgrim made complaints to the Police about alleged violent offending by Mr Vigilant Standtrue, while he was supervising their work as children within the Gloriavale Christian Community. Mr Standtrue has been charged with that offending and his trial is set for 8 September 2025 in the Greymouth District Court.

[3] The Crown says that any evidence given by Mr Courage and Mr Pilgrim in the Employment Court about the allegations they have made against Mr Standtrue will be relevant to Mr Standtrue's criminal trial. It is on this basis that they seek permission for Police to share such portions of the notes of evidence with counsel for Mr Standtrue.

Approach

[4] The Employment Relations Act 2000 does not deal with access to documents held on the Court file, nor do the Employment Court Regulations 2000.

[5] It is well accepted that the Court may grant access to documents held on the Court file, and has an inherent power to control the use of information disclosed in proceedings, where such control is necessary for the due administration of justice. A balancing exercise is required, including having regard to each party's interests. In undertaking the analysis, the Court has previously found it helpful to have regard to

¹ *Courage v Attorney-General* [2022] NZEmpC 77, (2022) 18 NZELR 746.

the approach set out in the Senior Courts (Access to Court Documents) Rules 2017 (the Rules).²

[6] The Rules are made under the Senior Courts Act 2016. Section 173 of that Act provides that “[a]ny person may have access to court information of a senior court to the extent provided by, and in accordance with, rules of court.” Schedule 2 provides that “court information” includes the formal court record, the court file, information relating to particular cases and electronic records of hearings. Notes of evidence are held on the Court file. A person may ask to access any document under r 11 of the Rules.

[7] Rule 12 specifies a range of matters that must be considered when determining an application for access. These include the orderly and fair administration of justice. Rule 13 deals with the approach to balancing the matters to be considered under r 12.

Analysis and result

[8] None of the parties oppose the application; they are each content to abide the decision of the Court.

[9] I accept that providing access to the material sought is appropriate, having regard to the reasons underlying the request. The Court previously granted permission for the Attorney-General to share the notes of evidence given in these proceedings with a number of agencies, including the New Zealand Police.³ In doing so reference was made to the legitimate and genuine interest the Crown had in accessing the notes of evidence, in its prosecutorial role. There is a clear legitimate and genuine interest in relevant portions of the notes of evidence being made available in the context of the upcoming criminal trial. Granting the application is consistent with the broader interests of justice.⁴

[10] Accordingly, there is an order permitting the Police (through the Crown Solicitor in Christchurch) to share with Mr Sluis, counsel for Mr Standtrue, the notes

² Applied via reg 6 of the Employment Court Regulations 2000 and/or by way of helpful analogy.

³ *Courage v Attorney-General (No 12)* [2022] NZEmpC 98

⁴ At [5]-[6].

of evidence of Hosea Courage and Daniel Pilgrim given in these proceedings. Such access is permitted to the extent that the evidence is relevant to the allegations made against Mr Standtrue in his criminal trial. The notes of evidence are not to be used for any other purpose. All existing suppression orders must be complied with.

[11] Leave is reserved to apply for further directions or orders in respect of the application.

[12] No issue of costs arises.

Christina Inglis
Chief Judge

Judgment signed at 3.30 pm on 23 June 2025