

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

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

**[2025] NZEmpC 277
EMPC 597/2025**

IN THE MATTER OF an application for a judicial review under
the Judicial Review Procedure Act 2016

AND IN THE MATTER OF an application for urgency

AND IN THE MATTER OF an application for interim injunction

BETWEEN GLEN JENNER
Applicant

AND CORRECTIONS ASSOCIATION OF
NEW ZEALAND INCORPORATED
Respondent

Hearing: On the papers

Appearances: M O’Flaherty, counsel for applicant
J M Roberts and K Kleingeld, counsel for respondent

Judgment: 18 December 2025

**INTERLOCUTORY JUDGMENT OF CHIEF JUDGE CHRISTINA INGLIS
(Application for urgency)**

[1] The applicant has filed an application for judicial review in respect of steps taken by the respondent on 15 December 2025 during the course of a meeting on that day. Those steps resulted in his removal from office as vice president of the respondent Association.

[2] The applicant seeks an order for interim injunction restoring him to his position pending the hearing and determination of his judicial review application. The

application for an interim injunction is accompanied by an application for urgency. The respondent opposes the application for urgency.

[3] This judgment deals with that issue.

[4] An application for urgency is dealt with under sch 3, cl 21 of the Employment Relations Act 2000. The Court may grant urgency where it is satisfied that it is “necessary and just” to do so.

[5] Having considered the memoranda of counsel and the affidavit of Mr Jenner filed in support of the application for urgency, I am not persuaded that the threshold has been met. I agree with an observation made by Mr Roberts, counsel for the respondent, that there is a lack of evidence supporting the application for urgency, particularly in relation to what prejudice the applicant is likely to suffer if urgency is not granted. It is not immediately clear, for example, what additional damage to reputation would likely be suffered by the applicant absent an order for urgency being made. And while the applicant contends the respondent’s decision was a nullity, I am not satisfied that this allegation, even if arguable, necessitates an urgent hearing over the holiday period.

[6] The position can be contrasted with the potential for prejudice to the respondent in terms of its ability to adequately respond to the application for interim injunction given the close proximity to the Christmas vacation.

[7] I accept, however, that it is desirable that the application be dealt with promptly. In the circumstances, and having regard to the background to these proceedings (which has involved various applications to the Court), I direct that the Registrar liaise with counsel to schedule an early telephone directions conference with Judge Beck, who has had carriage of these proceedings to date.

[8] I couple this direction with a direction to the parties to attend urgent mediation. Both counsel are experienced and can make the necessary arrangements, and should

provide Mediation Services with a copy of this judgment if that would be helpful. The Registrar is to be advised as to when mediation is to occur and what the outcome of it is. The direction to mediation should not hold up the scheduling of a directions conference with Judge Beck, who is available to convene a conference in the week commencing 12 January 2026.

[9] Costs are reserved.

Christina Inglis
Chief Judge

Judgment signed at 2.00 pm on 18 December 2025