



# Employment Court of New Zealand

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## Miller v Commissioner of Police [2019] NZEmpC 70 (5 June 2019)

Last Updated: 10 June 2019

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA ŌTAUTAHI

[\[2019\] NZEmpC 70](#)

EMPC 355/2018

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
BETWEEN	DENE MILLER Plaintiff
AND	COMMISSIONER OF POLICE Defendant

Hearing: On the papers

Appearances: A Oberndorfer, advocate for  
plaintiff G Cain, counsel for  
defendant

Judgment: 5 June 2019

### CONSENT JUDGMENT OF JUDGE K G SMITH

[1] The plaintiff challenged a substantive determination of the Employment Relations Authority and the subsequent costs determination.<sup>1</sup>

[2] By memorandum dated 31 May 2019 the parties informed the Court that settlement of all matters outstanding between them had been reached and requested that the Court make orders.

[3] The following orders are made by consent:

(a) The Authority's costs determination is set aside.

1. *Miller v Commissioner of Police* [2018] NZERA Christchurch 146; *Miller v Commissioner of Police* [2018] NZERA Christchurch 179.

DENE MILLER v COMMISSIONER OF POLICE [\[2019\] NZEmpC 70](#) [5 June 2019]

(b) The sum of \$8,000 being held by the Registrar of this Court on interest-bearing deposit is to be paid to the plaintiff together with any accumulated interest.<sup>2</sup>

(c) There is no order of costs.

K G Smith Judge

Judgment signed at 4.15 pm on 5 June 2019

2 *Miller v Commissioner of Police* [\[2019\] NZEmpC 8](#).