



Employment Court of New Zealand

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Pilgrim v Attorney-General [2023] NZEmpC 6 (1 February 2023)

Last Updated: 7 February 2023

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA
ŌTAUTAHI

[\[2023\] NZEmpC 6](#)
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
STANDFAST
Second Defendants

Hearing: On the papers

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

Judgment: 1 February 2023

SERENITY PILGRIM, ANNA COURAGE, ROSE STANDTRUE, CYSTAL LOYAL, PEARL VALOR AND VIRGINIA COURAGE v THE ATTORNEY-GENERAL SUED ON BEHALF OF THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT, LABOUR INSPECTORATE [\[2023\] NZEmpC 6](#) [1

February 2023]

INTERLOCUTORY JUDGMENT (NO 21) OF CHIEF JUDGE CHRISTINA INGLIS

(Application for remote attendance at hearing by media organisation)

[1] An application has been made by NZME for attendance at the hearing by way of remote means (VMR link).

[2] The orders are sought on the basis that it will enable NZME, a well-known media organisation, to report on the proceeding when the hearing is convened in Greymouth during the week of 20–24 February 2023.

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

[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,¹ 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.² 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

1 See *Pilgrim v Attorney-General (No 4)* [2022] NZEmpC 124; *Pilgrim v Attorney-General (No 13)*

[2022] NZEmpC 155; and *Pilgrim v Attorney-General (No 14)* [2022] NZEmpC 156.

2 *Pilgrim v Attorney-General (No 12)* [2022] NZEmpC 154.

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

[6] In the particular circumstances, NZME’s application to attend the hearing via VMR is granted. The Registrar is directed to make the necessary arrangements.

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

Christina Inglis Chief Judge

Judgment signed at 2.30 pm on 1 February 2023