

**ORDER PROHIBITING PUBLICATION OF CERTAIN INFORMATION AT
[7](c).**

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

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

**[2024] NZEmpC 205
EMPC 94/2024**

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
BETWEEN	MAGNUM HIRE LIMITED First Plaintiff
AND	LIAM FIELD Second Plaintiff
AND	DAVID PARKER Defendant

Hearing: On the papers

Appearances: A M Evans, counsel for the plaintiffs
C W Stewart and J O Whyte, counsel for the defendant

Judgment: 29 October 2024

CONSENT JUDGMENT OF JUDGE J C HOLDEN

[1] The parties have now reached a settlement of these proceedings and have sought a consent judgment from the Court.

[2] The proceedings involve a challenge to determinations of the Authority in favour of the defendant.¹

¹ *Parker v Magnum Hire Ltd* [2024] NZERA 85 (Member Blick); and *Parker v Magnum Hire Ltd* [2024] NZERA 231 (Member Blick).

[3] The plaintiffs firmly deny the adverse findings in the Authority's determinations and filed a challenge de novo to the determinations on that basis.

[4] The defendant firmly concurs with the Authority's findings and has been defending the plaintiffs' challenge.

[5] Following a Judicial Settlement Conference, the parties have agreed for pragmatic purposes to terms for the full and final settlement of all matters between them arising out of their employment relationship.

[6] They have filed a joint memorandum seeking to have certain terms of the resulting settlement be the subject of a consent judgment of the Court.

[7] The Court now makes the following orders, by consent:

- (a) The plaintiffs' challenge is discontinued, with no issue as to costs.
- (b) Pursuant to section 183(2) of the Employment Relations Act 2000, the determinations of the Authority on this matter, including any adverse findings against the plaintiffs, are set aside and this judgment now stands in their place.
- (c) Permanent non-publication orders are made with respect to Mr Parker's private physical and mental health information beyond what is described in the Authority's determinations and the Court's interlocutory judgment.²
- (d) The parties have otherwise reached an agreement to settle these proceedings on terms that shall remain confidential to them.

² *Magnum Hire Ltd v Parker* [2024] NZEmpC 69.

[8] The Court commends the parties on reaching a settlement, which should enable them to move forward.

J C Holden
Judge

Judgment signed at 4.30 pm on 29 October 2024