

Attention is drawn to the order prohibiting publication of certain information referred to in this determination.

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
ŌTAUTAHI ROHE**

[2022] NZERA 223  
3166746

BETWEEN BRS CHRISTCHURCH LIMITED  
Applicant

AND TROY MEIKLE  
Respondent

Member of Authority: Peter van Keulen

Representatives: Alastair Espie and Miranda Braddock, counsel for the  
Applicant  
Hilary Palmer, counsel for the Respondent

Investigation Meeting: On the papers

Date of Determination: 30 May 2022

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**SECOND DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1] In a joint memorandum lodged with the Authority on 27 May 2022 counsel advised that the parties had resolved their employment relationship problem and BRS's claim would be discontinued.

[2] Counsel also advised that the parties sought permanent non-publication orders in the same terms as an interim order I made on 20 April 2022.

## **Non-publication orders**

[3] Counsel jointly submit the standard required for non-publication orders to be made in respect of the order I made on an interim basis is met in this case. The information subject of the interim order contains confidential and business sensitive information and/or may cause some prejudice to BRS Christchurch Limited if it is made public. Further, there is no ongoing public interest in the disclosure of the material.

[4] I agree with counsel and am satisfied that these factors are sufficient to displace the presumption of open justice.

[5] So pursuant to Clause 10 of schedule 2 of the Act, I grant non-publication orders prohibiting the publication of the following parts of this claim:

(a) Paragraphs 32(b), 34, 37(b) of the Statement in Reply.

(b) Paragraphs 2, 3, 5, 9, 12, 16, 17, 18, 19, 25, 27, 35, 59, 60, 62, 65, 66, and 68 of Mr Meikle's affidavit dated 4 April 2022.

(c) Paragraphs 7, 8, 10 – 14, 16 – 20, 31, 35 and 36 of Mr Jeffrey's affidavit dated 4 April 2022.

(d) Annexures H and J of Mr McArthur's affidavit dated 8 April 2022.

[6] The Authority's file is not to be accessed without the consent of the Authority.

Peter van Keulen  
Member of the Employment Relations Authority