



# Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2021](#) >> [\[2021\] NZEmpC 173](#)

[Database Search](#) | [Name Search](#) | [Recent Decisions](#) | [Noteup](#) | [LawCite](#) | [Download](#) | [Help](#)

## Fechney v Employment Relations Authority [2021] NZEmpC 173 (12 October 2021)

Last Updated: 16 October 2021

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA ŌTAUTAHI

[\[2021\] NZEmpC 173](#)

EMPC 305/2021

IN THE MATTER OF	an application for judicial review
AND IN THE MATTER OF	an application for discharge of non-publication order
BETWEEN	ASHLEIGH FECHNEY Applicant
AND	EMPLOYMENT RELATIONS AUTHORITY First Respondent
AND	NEW ZEALAND CUSTOMS SERVICE Second Respondent
AND	ATTORNEY-GENERAL ON BEHALF OF MINISTRY OF BUSINESS AND INNOVATION Intervener

Hearing: 12 October 2021  
(Heard at Wellington and Auckland (by VMR))

Appearances: A Fechny, applicant in person and K Murray, advocate for applicant  
J Watson, counsel for first respondent  
H Kynaston and H Kahn, counsel for second respondent  
S McKechnie and T Bremner, counsel for intervener

Judgment: 12 October 2021

ORAL JUDGMENT OF JUDGE J C HOLDEN

**(Discharge of non-publication order)**

ASHLEIGH FECHNEY v EMPLOYMENT RELATIONS AUTHORITY [\[2021\] NZEmpC 173](#) [12 October 2021]

[1] In my judgment of 9 September 2021, I made an order prohibiting the publication of Ms Fechny's name, pending further order of the Court.<sup>1</sup>

[2] A similar order was made by the Employment Relations Authority (the Authority).

[3] Ms Fechny has now filed a memorandum advising she no longer wishes for there to be a non-publication order over her name.

[4] The Authority has confirmed it will rescind its non-publication order when and if the Court rescinds the Court's order.

[5] There is no objection from New Zealand Customs Service.

[6] Accordingly, the non-publication order of 9 September 2021 is rescinded, effective immediately.

[7] Costs are reserved.

J C Holden Judge

Oral judgment delivered at 9.36 am on 12 October 2021

1 *HG v Employment Relations Authority* [2021] NZEmpC 148.

---

**NZLII:** [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#)

URL: <http://www.nzlii.org/nz/cases/NZEmpC/2021/173.html>