

Attention is drawn to orders prohibiting publication of certain information in this determination

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKĀURAU ROHE**

[2025] NZERA 710  
3347760  
3368865  
3382143

BETWEEN	IGD Applicant in 3347760 Respondent in 3368865 & 3382143
AND	SAJ Respondent in 3347760 Applicant in 3368865 & 3382143

Member of Authority:	Nicola Craig
Representatives:	Stephen Corlett, counsel for IGD Donna Pokere-Phillips, advocate for SAJ
Investigation Meeting:	On the papers
Submissions (and other material) received:	5 and 6 November 2025 from IGD 31 October and 4 and 6 November 2025 from SAJ
Determination:	7 November 2025

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**FOURTH DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] SAJ is Te Tumu Whakarae, chief executive of IGD, a charitable organisation providing community services. Both are identified by randomly chosen letters.

[2] There are three Authority matters between the parties. Determinations on interim and preliminary matters have resulted.<sup>1</sup>

[3] An interim non-publication order is in place regarding the parties' names and any identifying details in relation to these three proceedings between the parties. The third determination of 30 October 2025 ordered IGD to take no further steps in its disciplinary process regarding SAJ until 9am on Monday 10 November 2025. This was for a particular purpose – a hui with an iwi leader was indicated to be occurring within the next week. The interim non-publication order was left in place with the parties encouraged to reach an agreed position on whether and to what extent that interim order should be amended. They were invited to revert to the Authority, which would then consider reassessing that order.

[4] IGD's representative sought some information about the hui, to which there was limited substantive response on behalf of SAJ.

[5] Via affidavit, SAJ sought to remove the non-publication order, to allow iwi discussion.

[6] IGD filed an affidavit from a senior IGD board member and submissions in response. IGD is strongly opposed to any variation or removal of the non-publication order.

[7] The affidavit identified that, without breaching the interim non-publication order, the deponent was told by the iwi leader referred to in the third determination that they had a different recollection of events than that described by and on behalf of SAJ – they had been approached by SAJ but want nothing to do with the current employment dispute or the Authority proceedings. Further, to their awareness, the iwi leadership likewise did not wish to be involved.

[8] This was followed by a rebuttal affidavit from SAJ, confirming compliance with the non-publication order but still seeking removal of the interim order. The identification of the person SAJ previously indicated in an affidavit had contacted her is removed so as not to identify a named individual. Submissions refer to any tikanga-

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<sup>1</sup> *IGD v SAJ* [2024] NZERA 777, *SAJ v IGD* [2025] NZERA 397 and *SAJ v IGD* [2025] NZERA 694.

based hui occurring after the Authority has issued its (presumably substantive) determination.

### **Conclusion**

[9] It is now evident that there is disputed evidence regarding the involvement of the iwi leader. The original grounds for the interim non-publication order remain and I cannot be satisfied that there is a sound basis for the variation or removal of that order.

[10] The interim non-publication order is clear in its terms – including covering the parties' names and any identifying details in relation to these proceedings between the parties. There is no reference to “public disclosure”, as suggested by SAJ and her representative. The interim non-publication order remains in place.

[11] For the sake of clarity it is noted that no further order is now made about IGD's disciplinary process regarding SAJ.

### **Costs**

[12] Costs are reserved.

Nicola Craig  
Member of the Employment Relations Authority