

**NOTE ALL NON-PUBLICATION ORDERS MADE BY THE TRIBUNAL HAVE BEEN
RESCINDED AND NO LONGER APPLY**

IN THE HUMAN RIGHTS REVIEW TRIBUNAL

[2017] NZHRRT 21

Reference No. HRRT 020/2017

**UNDER SECTION 50 OF THE HEALTH AND
DISABILITY COMMISSIONER ACT 1994**

BETWEEN DIRECTOR OF PROCEEDINGS

PLAINTIFF

AND PRISCILLA PUNITA

DEFENDANT

AT WELLINGTON

BEFORE:

**Mr RPG Haines QC, Chairperson
Dr SJ Hickey MNZM, Member
Mr RK Musuku, Member**

REPRESENTATION:

**Ms N Wills, Director of Proceedings
Ms CN Humphrey for defendant**

DATE OF DECISION: 14 June 2017

**DECISION OF TRIBUNAL
RESCINDING NON-PUBLICATION ORDERS¹**

Introduction

[1] In this decision the Tribunal rescinds the non-publication orders made on 3 April 2017 in *Director of Proceedings v Punita* [2017] NZHRRT 11.

¹ [This decision is to be cited as: *Director of Proceedings v Punita (Rescission of Non-publication Orders)* [2017] NZHRRT 21]

Background

[2] The Tribunal's 3 April 2017 decision was based on a Consent Memorandum dated 14 March 2017. The terms of that memorandum are set out in full at [2] of the decision. It is relevant to note that included among the orders the Tribunal was asked to make was a final order prohibiting publication of the name of the aggrieved person in this matter (Denise Simpson-Vogan), of her partner at the time of these events (Russ Mead), and of their baby (Axton Tutahi Mead, also known as Axton Tutahi Simpson-Vogan). A non-publication order was incorporated in the Tribunal's decision at [5.2].

[3] Subsequently, by consent memorandum dated 2 June 2017, the parties have jointly applied to have the non-publication orders lifted. The reasons are two-fold:

[3.1] It has become apparent that Ms Simpson-Vogan did not fully appreciate the extent and effect of the order that would be made. With support from Mr Russ Mead she asks that the order be lifted as the protected parties are of the view they do not require the protection afforded by the order.

[3.2] It has been discovered that publication of the identities of the parties has already occurred in main stream media.

Discussion

[4] As the sole reason for making the non-publication order was that Ms Simpson-Vogan and Mr Mead sought the protection of such order, there is no reason for the order to remain in place now that Ms Simpson-Vogan and Mr Mead request that that protection be removed.

ORDERS

[6] The Tribunal orders that all restrictions on the publication of the Tribunal decision delivered on 3 April 2017 be rescinded.

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Mr RPG Haines QC
Chairperson

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Dr SJ Hickey MNZM
Member

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Mr RK Musuku
Member