

- 2 Counsel now seek the following orders pursuant to section 107(3) of the Human Rights Act 1993, by consent:
 - 1 That Dr Judson is provided with a full, unredacted copy of the following documents by the defendant:
 - (a) A copy of Mr Potaka's mental health records;
 - (b) Dr Grigor's report of 24 April 2009; and
 - (c) Dr Grigor's brief of evidence dated 1 June 2011.
 - 2 That Dr Judson is prohibited from disclosing the above documents to any other person, including Mr Potaka.

[3] Having regard to the amended pleadings and to the consent memorandum the Tribunal is satisfied that the orders sought under s 107(3) of the Human Rights Act 1993 are appropriate, though it will be seen that the second of the orders made has been framed in slightly different terms to that sought by the parties. The change has been made with their consent to ensure that the obligations imposed on Dr Judson are particularised with greater specificity.

Formal Orders

[4] The decision of the Tribunal is that:

[4.1] The defendant is to provide Dr Judson with a full, unredacted copy, of the following documents:

[4.1.1] A copy of Mr Potaka's mental health records;

[4.1.2] Dr Grigor's report dated 23 April 2009; and

[4.1.3] Dr Grigor's brief of evidence dated 1 June 2011.

[4.2] Pursuant to s 107(3) of the Human Rights Act 1993 it is ordered that Dr Judson be prohibited from publishing or disclosing, directly or indirectly, all or any part of the above documents or of the information they contain to any other person, including Mr Potaka but not including Mr Howell (solicitor for Mr Potaka), the solicitors for the defendant and the Tribunal.

[4.3] Should variation of these orders become necessary leave is reserved to both parties to make further application.

Mr RPG Haines QC
Chairperson

Ms S Scott
Member

Ms M Sinclair
Member