



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2024-4962

23 April 2024

S E Shaw
fyi-request-26144-a75f44ad@requests.fyi.org.nz

Dear S E Shaw

I refer to your email of 18 March 2024, requesting under the Official Information Act 1982 (OIA) *the total cost to the NZDF and the Crown through the legal actions related to the NZDF COVID-19 vaccine mandate in its various forms, including as a government order and as an internal baseline requirement. The costs should include all personnel costs and any other legal costs that are attributable to these actions. The total legal cost is also requested as it relates to disputes and legal action arising from COVID-19 measures taken against employees of the NZDF.*

The NZDF does not record the amount of time its personnel dedicate to individual legal cases. This aspect of your request is declined in accordance with section 18(e) of the OIA as the requested information does not exist.

The table below provides the legal costs for the respective cases. For some cases a single cost is provided as it is not possible to divide the costs across those cases.

Case	Legal costs (\$)
<i>CIV-2021-485-515 Reddington v Attorney-General</i>	43,209
<i>Yardley & ors v Minister for Workplace Relations and Safety & ors [2022] NZHC 291 CA144/2022 (Appeal of above), and costs paid after abandonment</i>	58,921
<i>CIV-2022-485-179 regarding CDF Directive 13/2022</i> <i>CIV-2022-485-308 [2022] NZHC 2497 Four members of the Armed Forces v Chief of Defence Forces</i>	124,066
<i>CA540/2022 [2024] NZCA 17 Four members of the Armed Forces v Chief of Defence Forces</i>	100,011

With respect to [a]pplication to Appeal to Supreme Court regarding CA540/2022, an application for leave to appeal to the Supreme Court has been filed but no estimates regarding quotes, time or costs have been received to date.

Your request for [l]egal costs regarding interim orders for any of the above cases is declined in accordance with section 18(c)(ii) of the OIA as release of this information would be in contempt of court.

Concerning your request for [l]egal costs including out of court settlements for Personal Grievances raised against NZDF relating to COVID-19 vaccine related measures, legal costs incurred from personal grievances raised concerning COVID-19 vaccine related measures total \$8,000. Specific information on out of court settlements is withheld in accordance with

section 18(c)(i) of the OIA as this would be a breach of section 149(4) of the Employment Relations Act 2000.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website.

Yours sincerely

AJ WOODS

Air Commodore

Chief of Staff HQNZDF