

PRESS RELEASE

Whistleblower: Former worker at Health NZ files Personal Grievance claim in Employment Relations Authority 15 Aug 2024



NUMBER 8

WUNZ

M.O.A.R

& THE

WHISTLE BLOWER



A claim has been filed against Te Whatu Ora / and the Ministry of Health by a former worker, Barry Young, who says Health NZ retaliated against him for sharing safety concerns about the Covid-19 vaccination.

Barry Young's claim says that he was disadvantaged in the course of his employment. This was after he made a protected disclosure on Thursday 30 November 2023 under the Protected Disclosures (Protection of Whistleblowers) Act 2022. Health NZ took retaliatory measures against him causing him to resign his employment later in January 2024.

After Mr Young emailed the executive leadership team the morning of 30th Nov 2023 with his safety concerns, Health NZ replied shortly after with an email signed "warmest regards" by Margie Apa (<https://fyi.org.nz/request/25291/response/103723/attach/4/HNZ00043207%20response.pdf>). This "warmest regards" email came as a complete surprise to Mr Young when he first read it in the above OIA request from 11th July 2024.

Health NZ had locked him out of his email the same day and quickly laid police charges against him. The police sent armed officers to his house that weekend of 2nd and 3rd of December 2023, seized his computers, phone and devices and threw him in jail. The police also opposed bail, an unusual move in this sort of case; however he was released on Monday 4th.

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The criminal case has been ongoing, dramatic and drawn out and the next call-over hearing on criminal charges of “dishonest use of a computer” is scheduled for next year 2025.

At the time the CEO of Health NZ and Prime minister Luxon both reassured the public that the data released did not contain the personal information of any New Zealanders. But Te Whatu Ora CEO Margie Apa also used the opportunity to do a fair bit of mud slinging at Mr Young who was forbidden by an employment relations order to respond.

Mr Young was fairly embattled when he recently joined the Number 8 Workers Union of New Zealand. He is currently conducting his own defense of the criminal charge, plus was weighed down with the gagging orders made against him by the ERA.

Union President's Comment

The Number 8 Workers Union of NZ is a union that is devoid of political interference and one that follows the Health and Safety at Work Act 2015 to the letter. We believe it will shortly become known as the ‘whistleblower’s union’. Number 8 is acting for Mr Young on the employment front and will seek to have the ERA Orders voided under section 23 to the Protected Disclosures (Protection of Whistleblowers Act) Act 2022. It looks like the M.O.A.R video on Rumble is about to have new life breathed into it.

To view a special compilation video from Liz Lambert and Number 8 to learn more about Protected Disclosures and Whistle Blowing you can check it out here The criminal case

Also in his claim to the Employment Relations Authority, Mr Young will seek to have the Ministry of Health and Te Whatu Ora, as public sector enterprises, immediately put processes in place to facilitate whistleblowing.

These processes are already required under section 29 of the Protected Disclosures (Protection of Whistleblowers) Act 2022. Whistleblowers need to become familiar with and feel confident using the procedures in the existing New Zealand statute. Currently there are no processes in place for this at Health NZ nor the Ministry of Health, nor as far as we are aware, at any of the other public sector organisations that were busily suggesting to their workers that they might like to have a job if they wanted to keep their jobs.

Professional membership bodies such as the NZ Nursing Council, Midwifery Council and Medical Council of NZ also play a role in protected disclosures. It is not only employers who come under New Zealand whistleblowing law. These professional membership bodies must also allow their members to make protected disclosures without any form of retaliation and have a duty to investigate concerns raised.

Conversely we have seen many doctors and health professionals prosecuted at the Health Practitioners Tribunal after charges were raised against them by professional conduct committees of the bodies All this for raising safety concerns about Covid-19 vaccinations.

We would expect Te Whatu Ora to investigate the concerns raised by Mr Young. Ms Apa made an undertaking to investigate the concerns, “ if there are concerns as you say, lets work out what we do about it”.

Public money has been spent suppressing Mr Young’s concerns, however we expect the Ministry of Health to be forthcoming with this statistical data and to investigate the data.

Keep a lookout on how this all goes for Mr Young and for our other members who we are assisting under the 2022 Whistleblowing Act.