

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 32/2026  
[2026] NZSC 57

BETWEEN

RH & JY TRUST  
First Applicant

JOCELYN YVETTE BROWN AS  
TRUSTEE OF THE RH & JY TRUST  
Second Applicant

PERPETUAL TRUST LIMITED AS  
TRUSTEE OF THE RH & JY TRUST  
Third Applicant

AND

WORKSAFE NEW ZEALAND  
Respondent

Court: Ellen France, Williams and Kós JJ

Counsel: A S Butler KC and B R Webster for Applicants  
B M Finn, T M Williams McIlroy and A S Bagchi for Respondent

Judgment: 13 May 2026

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JUDGMENT OF THE COURT

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- A** Leave to appeal is granted (*RH & JY Trust v WorkSafe New Zealand* [2026] NZCA 12).
- B** The approved question is whether a trust and/or the trustees of a trust acting collectively is a “person” within the meaning of s 16 of the Health and Safety at Work Act 2015?
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Solicitors:  
Morgan Coakle, Auckland for Applicants  
Luke Cunningham Clere, Wellington for Respondent