

29 October 2014

Attention Jim Greening  
Ministry of Education  
PO Box 1666  
WELLINGTON

By e-mail: [jim.greening@minedu.govt.nz](mailto:jim.greening@minedu.govt.nz)

Dear Sir

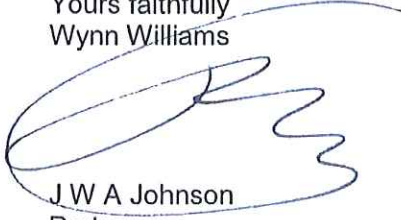
#### OUR LADY OF FATIMA & ST PAUL'S REORGANISATION PROPOSAL

1. We refer to our letter to the Minister of Education dated 8 August 2014, your response of 6 September 2014, the letter from the Ministry to our client of 8 October 2014 and our conversation yesterday afternoon.
2. As we outlined yesterday our client does not agree with the latest proposal from the Ministry for a "re-organisation" of Our Lady of Fatima School and St Paul's School. It is concerned that, if the Minister proceeds down this path, there will inevitably be a testing of it in Court which will expose its lack of a legal basis as well as flaws in the consultation process (the fact that construction work has already commenced on site to prepare for a 're-organised' school, without notice to the school, demonstrates the pre-determined nature of the Bishop's decision-making at least).
3. The proposed "re-organisation" is nothing short of a closure of both schools, operates outside the contractual and legislative framework and, as such, does nothing to address the fundamental legal issues outlined in our letter of 8 August 2014. Indeed the attempt to deal with the staff extra-contractually and extra-legally simply compounds the issues we have already identified.
4. While our client is sympathetic to the wishes of the Roman Catholic Bishop of Christchurch (notwithstanding the harm to the relationship caused by the inadequacies of the facilitator's report produced by the Bishop's appointed facilitator) to bring about changes in Catholic education the way that those changes are brought about must be lawful and they must occur with the substantial agreement of those affected. That is not the case here; the opposition of the staff of Our Lady of Fatima to the latest proposal demonstrates this.
5. If the Ministry wishes to assist the Bishop in re-organising Catholic education, in a lawful manner, and with the support of the affected communities then the obvious solution is that outlined in our client's submission of 17 July 2014. That proposal reflects the legal position, the practical realities of the situation (such as the geographic spread of St Paul's pupils and the reality of parental choice) together with the balance of community opinion.

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6. Please consider this the Board's formal response to the latest proposal. As we noted yesterday there is a need for this matter to be laid to rest; this matter has dragged on for two years now with a significant adverse effect on Our Lady of Fatima School, its pupils, staff and parents. Accordingly we urge the Minister to make a decision as quickly as possible.

Yours faithfully  
Wynn Williams



J W A Johnson  
Partner

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**We are moving back into the city!**

From 3 November 2014 our Christchurch Offices will be located at Level 5, Wynn Williams House, 47 Hereford Street, Christchurch 8013.

Our postal address and other contact details will remain the same.

Please make sure you update your address books with our new contact details.