

5 March 2010

Mr V Burke  
Executive Producer, 'Target'  
Top-Shelf Productions, P O Box 8257  
Symonds Street  
Auckland

**Response to Target Letter and Questions – Dated February 26<sup>th</sup> Received March 1**

Dear Mr Burke

You have sought the Board of Trustees' comments in relation to three questions around Mt Roskill Grammar's school uniform, and also on statements made in your covering letter.

Our response in relation to the questions are:

- The Board of Trustees of Mt Roskill Grammar is elected by parents [caregivers] to govern the school on their behalf, and the decision to adopt a new school uniform, its design, introduction and method of sale involved school community participation and consultation over a two-year period, commencing in 2007 and culminating in its progressive introduction from 2009.

In 2007 the school community supported modernising the school uniform, and the board explored available options in terms of design, manufacture and sale.

This included meeting with other schools and discussing uniform and uniform supplier options.

Our manufacturing requirements were design, quality of fabric and assembly; consistency of fabric quality, fabric colour and garment supply; washability and wearability; life expectancy and value for money (price versus the life of garments that are often handed down within the family).

We selected Elizabeth Michael, a local manufacturer, to design and manufacture our uniform, and signed a five-year supply contract.

To minimise uniform costs and to provide a service to the community, the BoT resolved to sell the uniform from the MRGS uniform shop, with the price being set at manufacturing cost plus the cost of running the shop. This pricing approach leads to a break even position.

Our 2010 price for the essential boys' uniform is \$294 and for girls' \$332 (this allows for two shirts/blouses). The boys' uniform is \$2.70 more than the cost of the same uniform from Uniform Plus in 2008 while the girls' uniform is \$16.50 more.

On price alone we have been successful in holding costs to similar levels as those charged two years' previously, while the quality of material, assembly and wearability is superior.

The Commerce Commission guidelines to which you refer were not published till December 2008, by which time our new uniform was already available. Our process stands up well when measured against the guidelines.

- Given that the intellectual property associated with the design of our uniform rests with Mt Roskill Grammar, and the Mt Roskill crest is a registered trademark, there is an assumption on the part of the Board that no competitor manufacturer/retailer would deliberately engage in the unlawful practice of passing off, or making false advertising or sales claims about their product.

New Zealand commercial law is quite clear on what is commonly called 'fake or take off' garments, and the Commerce Commission and media such as Target are active in ensuring that consumers are not duped into buying these products.

If another manufacturer passed off copied versions as our uniform, parents [caregivers] are likely to have a good claim for redress.

If a retailer was to offer a fake version of our uniform at a price below what we sell the garments for, our immediate questions would be

- Why was their price so high two years ago?
- What sacrifices in quality have been made to achieve that price?

- The issue of fake uniforms is not between the pupil and college, it is between the school and the entity involved in the practice.

No action would be taken against a pupil for wearing a fake uniform. We would, however, draw the parents' [caregivers'] attention to the possibility of redress and advise other parents [caregivers] of the situation.


Comments on points made in your letter:

- The claim that dispensation from wearing the uniform was granted to around 30 students as a consequence of a student petition is not correct. While a petition was presented, the granting of dispensations is an ongoing process undertaken on a one-on-one basis. Some 100 students have dispensations relating to aspects of the uniform.

Student feedback is that uniform dispensation is not seen as making students stand out.

- The new uniform offers mix and match options, and this may have led you to over estimate the cost of the core uniform. On price alone we have been successful in holding cost at a similar level as those charged two years' previously, while the quality of material, assembly and wearability of the new uniform is superior.

Yours sincerely



Marjet Pot  
Chairperson