

IN THE SUPREME COURT OF NEW ZEALAND

**SC 41/2009
[2009] NZSC 55**

BETWEEN WILLIAM PATRICK JEFFRIES
Applicant

AND THE ATTORNEY-GENERAL
Respondent

SC 42/2009

BETWEEN WILLIAM PATRICK JEFFRIES
Applicant

AND THE PRIVACY COMMISSIONER
Respondent

Court: Blanchard, Tipping and Wilson JJ

Counsel: D H O'Leary for Applicant
H S Hancock for Respondent in SC 41/2009
C Gwyn and D Baltakmens for Respondent in SC 42/2009

Judgment: 3 June 2009

JUDGMENT OF THE COURT

A The applications for leave to appeal are dismissed.

B The applicant is ordered to pay to each respondent the sum of \$2,500 plus disbursements, to be fixed if necessary by the Registrar.

REASONS

[1] These applications for leave to appeal directly from the High Court have an unusual dimension. The applicant has already appealed to the Court of Appeal from the decisions in question. That appeal is due to be heard next week. The present applications are accordingly substantially out of time.

[2] Furthermore, we are not satisfied that the applicant has demonstrated any case for now bypassing the Court of Appeal. Specifically, we are not satisfied that the applicant has shown the necessary exceptional circumstances under s 14 of the Supreme Court Act 2003 to justify his applications. There is no good reason why the appeal in this Court, due to be heard in July, and related to a separate issue, need be determined prior to next week's hearing in the Court of Appeal.

Solicitors:

Duncan Cotterill, Wellington for Applicant

Crown Law Office, Wellington for Respondents