

**NOTE: PUBLICATION OF NAMES, ADDRESSES, OCCUPATIONS OR IDENTIFYING PARTICULARS OF COMPLAINANTS PROHIBITED BY S 203 OF THE CRIMINAL PROCEDURE ACT 2011. SEE**

**<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360350.html>**

**NOTE: PUBLICATION OF NAMES, ADDRESSES, OCCUPATIONS OR IDENTIFYING PARTICULARS OF ANY COMPLAINANTS UNDER THE AGE OF 18 YEARS WHO APPEARED AS A WITNESS PROHIBITED BY S 204 OF THE CRIMINAL PROCEDURE ACT 2011. SEE**

**<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360352.html>**

**IN THE SUPREME COURT OF NEW ZEALAND**

**I TE KŌTI MANA NUI**

**SC 77/2018  
[2018] NZSC 117**

BETWEEN	PATRICK MAURICE O’SULLIVAN Applicant
AND	THE QUEEN Respondent

Court: William Young, O’Regan and Ellen France JJ

Counsel: Applicant in person  
M H Cooke for Respondent

Judgment: 28 November 2018

---

### **JUDGMENT OF THE COURT**

---

**The application for recall of this Court’s judgment of 7 November 2018 (*O’Sullivan v R* [2018] NZSC 103) is dismissed.**

---

### **REASONS**

[1] The applicant seeks a recall of our judgment of 7 November 2018 in which we dismissed his application for leave to appeal.<sup>1</sup> In support he has filed nine pages of detailed and closely argued submissions which encompass many complaints as to the

---

<sup>1</sup> *O’Sullivan v R* [2018] NZSC 103.

approaches taken in the Courts below and, most significantly, the conclusion of this Court that the critical finding of indecency by the trial Judge was based on the externalities of the applicant's conduct towards the complainant Y.<sup>2</sup>

[2] We have carefully considered the arguments of the applicant and are satisfied that they do not provide appropriate grounds for the recall of our judgment.

[3] The recall application is dismissed.

Solicitors:  
Crown Law Office, Wellington for Respondent

---

<sup>2</sup> At [5].