

IN THE SUPREME COURT OF NEW ZEALAND

**SC 18/2007
[2007] NZSC 42**

F

v

THE QUEEN

Court: Blanchard, Tipping and McGrath JJ

Counsel: Applicant in Person

Judgment: 13 June 2007

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The applicant pleaded guilty in the High Court to seven counts of sexual offending against two young girls. He was refused leave to vacate the pleas of guilty and was sentenced to 10 years six months' imprisonment with a minimum term of imprisonment for five years and three months. He then appealed against both conviction and sentence to the Court of Appeal. That Court dismissed his appeal, rejecting the suggestion that the applicant had been subjected to undue or improper pressure in making his guilty pleas. The Court of Appeal could find no reason to disturb the Judge's refusal to grant leave to change the pleas. It added that there was still nothing to suggest what the defence to the charges might be. It referred to the

fact that the applicant had made what it described as a fulsome confession, which the sentencing Judge had recorded in his sentencing remarks, and had gained as a result a substantial reduction in sentence.

[2] The applicant was granted legal aid for the purposes of the present application but his assigned counsel, who did not appear below, has subsequently withdrawn and the Legal Services Agency has now withdrawn its grant of aid.

[3] The applicant was given additional time to make written submissions. His submissions and supporting documents have been received and considered. There is nothing in them which could lead to the conclusion that the Court of Appeal was wrong to dismiss the appeal.

[4] No question of general or public importance arises nor is there any appearance of a miscarriage of justice.