

IN THE SUPREME COURT OF NEW ZEALAND

**SC 25/2007
[2007] NZSC 49**

O

v

THE QUEEN

Court: Tipping, McGrath and Anderson JJ

Counsel: D J Sharp for Appellant
K B F Hastie for Crown

Judgment: 29 June 2007

JUDGMENT OF THE COURT

- A. We give leave to appeal on the following ground: whether the Court of Appeal correctly interpreted and applied s 385(1)(a) of the Crimes Act 1961; and specifically, whether the verdicts in this case were unreasonable or not supported by the evidence.**
- B. We decline leave to appeal on all the other grounds advanced in the application.**

REASONS

[1] We do not consider any of the declined grounds qualifies in terms of s 13 of the Supreme Court Act 2003. Nor do we consider that, in combination, they provide any basis for the Court to conclude that a substantial miscarriage of justice may occur if leave is not granted on those grounds.

Solicitors:
Bernard Bull & Co, Gisborne for Appellant
Crown Law Office, Wellington