



## Supreme Court of New Zealand

23 August 2007

### **MEDIA RELEASE – FOR IMMEDIATE PUBLICATION**

**Laxman Rajamani v The Queen  
(SC 8/2007)  
[2007] NZSC 68**

### **PRESS SUMMARY**

**This summary is provided to assist in the understanding of the Court’s judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz).**

The Supreme Court has allowed this appeal by Mr Rajamani against his conviction for the murder of his wife. His trial was completed with only ten jurors. The Crimes Act allows this to happen in exceptional circumstances. The trial Judge considered the circumstances were exceptional and his decision was upheld by the Court of Appeal. The Supreme Court has held that the circumstances were not exceptional. There was therefore no basis upon which the trial should have continued with only ten jurors. A miscarriage of justice resulted.

The Court has held that most of the matters relied on as exceptional were simply matters of administrative inconvenience. The length of the trial at two weeks was not exceptional, nor was the possible unavailability of a witness who lives in Sydney. Overall the Court found that to regard the circumstances of this case as exceptional would set the standard significantly too low.

Mr Rajamani's conviction has been set aside and a retrial ordered. The Court has also briefly dealt with points raised concerning the defence of provocation and hearsay evidence.

Contact person: Gordon Thatcher, Supreme Court Registrar (04) 914 3545