

IN THE SUPREME COURT OF NEW ZEALAND

**SC 83/2007
[2008] NZSC 4**

BETWEEN PETER MILES DAVIES
 Appellant

AND NEW ZEALAND POLICE
 Respondent

Court: Blanchard, Tipping and McGrath JJ

Counsel: G S M McDonald for Appellant
 A M Powell for Respondent

Judgment: 15 February 2008

JUDGMENT OF THE COURT

A Leave to appeal against the decision of the Court of Appeal [2007] NZCA 484 is granted.

B The approved ground of appeal is:

Whether s 32(5) of the Sentencing Act 2002 prevents the award of reparation to compensate for loss of earnings not compensable under the Injury Prevention, Rehabilitation and Compensation Act 2001.

REASONS

[1] Leave to appeal is not granted in respect of the ground relating to s 317(1) of the 2001 Act which does not raise a truly arguable point.

Solicitors:
DLA Phillips Fox, Wellington for Appellant
Crown Law, Wellington