

**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 25/2008  
[2008] NZSC 63**

BETWEEN                      ESTER SLEE  
   Applicant

AND                              MICHAEL IAN SLEE  
   Respondent

Court:                      Elias CJ, Blanchard and Tipping JJ

Counsel:                  C R Carruthers QC and R P Harley for Applicant  
   H Cull QC and F M Gush for Respondent

Judgment:              14 August 2008

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**JUDGMENT OF THE COURT**

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**The application for leave to appeal is dismissed with costs of \$2,500 to the Respondent.**

**REASONS**

[1]     The respondent has full-time care of the two children of the marriage. The present dispute concerns an amount of \$17,500 which their mother, the applicant for leave to appeal, has been ordered by the Family Court to pay for child support for the year ended 31 March 2003. The issue has no ongoing significance for other years. There have already been numerous hearings on successive appeals at various levels over this order. The High Court and the Court of Appeal have now said that the applicant's attempt to challenge the amount was made out of time.

[2]     The argument for the applicant on that question turns on the interpretation of the particular order and the general questions now sought to be raised concerning the jurisdiction of the Family Court do not arise unless that interpretation is in error. The interpretation question plainly does not raise any question of significance to

anyone other than the parties. The cost involved in the litigating of yet another appeal would in any event be entirely disproportionate to any benefit which the applicant might gain from the exercise.

[3] It is a great pity that the applicant did not heed the Court of Appeal's call for this "completely unproductive" litigation to come to an end.<sup>1</sup>

Solicitors:  
Gibson Sheat, Lower Hutt for Applicant  
Gault Mitchell, Wellington for Respondent

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<sup>1</sup> [2008] NZCA 85 at para [3].