

IN THE SUPREME COURT OF NEW ZEALAND

**SC 92/2008
[2009] NZSC 22**

DERYCK JOSEPH MORGAN

v

THE QUEEN

Court: Blanchard, Tipping and McGrath JJ

Counsel: A Bailey for Appellant
A Markham for Respondent

Judgment: 25 March 2009

JUDGMENT OF THE COURT

A Leave to appeal is granted.

B The approved ground is whether there has been a miscarriage of justice by dint of:

- (a) the admission of Mr Roskam's statement into evidence; and/or**
- (b) the failure of the trial Judge to afford an opportunity to the appellant's counsel to cross-examine on the statement.**

Solicitors:
Crown Law Office, Wellington