

**NOTE: PUBLICATION OF NAMES OR IDENTIFYING PARTICULARS OF
COMPLAINANTS PROHIBITED BY S 139 CRIMINAL JUSTICE ACT 1985.**

IN THE SUPREME COURT OF NEW ZEALAND

**SC 84/2010
[2011] NZSC 33**

BRUCE BENJAMIN SHEPHERD

v

THE QUEEN

Court: Elias CJ, Blanchard and Tipping JJ

Counsel: N Levy for Applicant
K A L Bicknell for Crown

Judgment: 1 April 2011

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

This application for leave does not raise any question of general or public importance as the proposed grounds of appeal are particular to the facts of the case. There is no appearance of a substantial miscarriage of justice. The matters sought to be raised have all been considered by the Court of Appeal.¹ That which is now given the greatest emphasis by the applicant, namely, the questioning of witness B by the Judge has no substance as quite plainly the Judge was simply clarifying what the

¹ *R v Shepherd* [2010] NZCA 351.

witness was saying had occurred. There was nothing inappropriate in what the Judge did. The complaint about the reference to the videotape addresses a matter which was entirely peripheral and could not have affected the result of the trial.

Solicitors:
Crown Law Office, Wellington