

NOTE: ORDER MADE IN [2021] NZHC 1090 PROHIBITING PUBLICATION OF THE NAMES, ADDRESSES, OCCUPATIONS OR IDENTIFYING PARTICULARS OF THE APPELLANTS AND THIRD RESPONDENT IN SC 58/2019 PURSUANT TO S 200 OF THE CRIMINAL PROCEDURE ACT 2011 REMAINS IN FORCE.

NOTE: ORDER MADE IN [2020] NZSC 97 PROHIBITING PUBLICATION OF THE JUDGMENT AND ANY PART OF THE PROCEEDINGS IN NEWS MEDIA OR ON THE INTERNET OR OTHER PUBLICLY AVAILABLE DATABASE UNTIL FINAL DISPOSITION OF TRIAL REMAINS IN FORCE. PUBLICATION IN LAW REPORT OR LAW DIGEST PERMITTED.

NOTE: ORDER CONFIRMED IN [2019] NZSC 97 THAT NO SEARCH OF THE COURT FILE IS PERMISSIBLE EXCEPT BY ANY OF THE PARTIES WITHOUT THE PERMISSION OF A JUDGE REMAINS IN FORCE.

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

**SC MA 6/2021
[2021] NZSC 72**

IN THE MATTER OF Application by VINCENT ROSS SIEMER
to vary suppression orders

Court: Winkelmann CJ, Glazebrook, O'Regan, Ellen France and
 Williams JJ

Counsel: Applicant in person
 J R Billington QC and A C Skelton for Appellants in SC 58/2019
 D P H Jones QC and S S McMullan for First Respondent in
 SC 58/2019
 T M Molloy for Third Respondent in SC 58/2019

Judgment: 25 June 2021

JUDGMENT OF THE COURT

**The application for recall of this Court's judgment of 28 May 2021
(*Re Siemer* [2021] NZSC 50) is dismissed.**

REASONS

[1] Mr Siemer has filed an application for recall of this Court's judgment in *Re Siemer*.¹ In that judgment, the Court declined to vary the pre-trial suppression orders made by the Court in *S (SC 58/2019) v Vector Ltd*.²

[2] The application for recall is in substance an attempt to reargue the application for the Court to vary its suppression orders. Nothing has therefore been advanced which would warrant recall of the judgment.³ The application for recall is dismissed.

[3] We add that the exception to the order suppressing the judgment applies only to publication in a law report or law digest. Apart from such publication, publication prior to the final disposition of trial would be a breach of the Court's orders.

Solicitors:

Kensington Swan, Wellington for Appellants in SC 58/2019

Gilbert Walker, Auckland for First Respondent in SC 58/2019

Spencer Legal, Auckland for Third Respondent in SC 58/2019

¹ *Re Siemer* [2021] NZSC 50.

² *S (SC 58/2019) v Vector Ltd* [2020] NZSC 97.

³ *Saxmere Co Ltd v Wool Board Disestablishment Co Ltd (No 2)* [2009] NZSC 122, [2010] 1 NZLR 76 at [2], citing *Horowhenua County v Nash (No 2)* [1968] NZLR 632 (SC) at 633.