



Supreme Court of New Zealand | Te Kōti Mana Nui o Aotearoa

1 July 2021

## **MEDIA RELEASE**

**This media release and the judgment were embargoed until 2 pm on Friday 2 July 2021.**

PETER HUGH MCGREGOR ELLIS v THE QUEEN

(SC 49/2019) [2021] NZSC 77

## **PRESS SUMMARY**

This summary is provided to assist in the understanding of the Court's judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at Judicial Decisions of Public Interest: [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz).

## **Suppression**

Please note that the publication of the names or identifying particulars of the complainants and child witnesses under the age of 17 is prohibited by ss 139 and 139A of the Criminal Justice Act 1985. The order prohibiting publication of names or identifying particulars of the deponent, her family members and her boyfriend remains in force.

## **Introduction**

Mr Ellis was convicted on 16 charges of sexual offending against seven children in 1993. He appealed twice to the Court of Appeal, the second time after a referral by the Governor-General. The first appeal quashed three of the convictions. The second appeal against the remaining 13 convictions was dismissed in 1999.

Mr Ellis was granted leave to appeal against those remaining convictions by the Supreme Court on 31 July 2019.

Mr Ellis passed away on 4 September 2019. The issue arose as to whether the appeal should continue despite his death. In September 2020, the Court decided that the appeal should

continue. Reasons for this decision will be given contemporaneously with the Court's judgment on the substantive appeal.

### **Crown's application to adduce evidence**

The Crown applied to the Court for leave to adduce new evidence in support of its case at the hearing of the appeal.

The proposed evidence was an affidavit from a woman in which she says Mr Ellis sexually assaulted her in 1982 or 1983 when she was a child and Mr Ellis was her babysitter. The Crown also applied to adduce other supporting material related to the affidavit.

On 15 June 2021, the Court delivered a results judgment in which it dismissed the Crown's application and ruled that the proposed evidence was inadmissible. The Court indicated that reasons for its decision would be given in two to three weeks' time. The reasons for this decision have now been delivered.

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