

NOTE: PUBLICATION OF NAME, ADDRESS, OCCUPATION OR IDENTIFYING PARTICULARS OF APPLICANT PROHIBITED BY S 201 OF THE CRIMINAL PROCEDURE ACT 2011 AND PURSUANT TO SS 107RA AND 107G OF THE PAROLE ACT 2002. SEE

<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360347.html>

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC 64/2022
[2023] NZSC 31**

BETWEEN R (SC 64/2022)
Applicant

AND CHIEF EXECUTIVE OF THE
DEPARTMENT OF CORRECTIONS
Respondent

Court: Glazebrook, O'Regan and Williams JJ

Counsel: A J Ellis and G K Edgeler for Applicant
B C L Charmley for Respondent

Judgment: 11 April 2023

JUDGMENT OF THE COURT

A Leave to appeal is granted (*R (CA586/2021) v Chief Executive of the Department of Corrections* [2022] NZCA 225).

B The approved question is how does the New Zealand Bill of Rights Act 1990 affect the exercise of the court's discretion to renew an Extended Supervision Order when the individual concerned is also subject to a Compulsory Care Order?

Solicitors:
Crown Law Office, Wellington for Respondent