

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 29/2023
[2023] NZSC 71

BETWEEN TANYA FELICITY DUNSTAN
Applicant
AND NEW ZEALAND POLICE
Respondent

Court: O'Regan, Ellen France and Kós JJ
Counsel: Applicant in person
S L K Shaw and M L Clarke-Parker for Respondent
Judgment: 21 June 2023

JUDGMENT OF THE COURT

**The application for recall of this Court's judgment of
17 May 2023 (*Dunstan v New Zealand Police* [2023] NZSC 58) is
dismissed.**

REASONS

[1] On 17 May 2023, this Court issued a judgment dismissing an application by the applicant for leave to appeal, dismissing an application that certain judges of this Court recuse themselves from dealing with matters related to the applicant, and awarding costs against the applicant of \$2,500.¹

[2] On 26 May 2023, the applicant filed an application for recall of the judgment and for cancellation of the costs award.

¹ *Dunstan v New Zealand Police* [2023] NZSC 58.

[3] The applicant says the Court erred in concluding that it did not have jurisdiction to consider the proposed appeal. She cites s 14 of the Supreme Court Act 2003, but that provision was repealed by the Senior Courts Act 2016. The equivalent provision in the Senior Courts Act is s 75. But the provision that is relevant in the present situation is, as the Court's judgment said, s 70. There is, therefore, no error in the judgment.

[4] None of the other matters raised by the applicant justify recall of the judgment. The application for recall is therefore dismissed.

[5] We make no order as to costs in respect of the current application, as the respondent was not called upon to make submissions.

Solicitors:
Meredith Connell, Wellington for Respondent