

**NOTE: PUBLICATION OF NAME, ADDRESS, OCCUPATION OR  
IDENTIFYING PARTICULARS OF THE COMPLAINANT PROHIBITED BY  
S 203 OF THE CRIMINAL PROCEDURE ACT 2011. SEE  
<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360350.html>**

**IN THE SUPREME COURT OF NEW ZEALAND**

**I TE KŌTI MANA NUI O AOTEAROA**

**SC 120/2023  
[2024] NZSC 12**

BETWEEN	DAMIN PETER COOK Applicant
AND	THE KING Respondent

Court: Glazebrook, Ellen France and Kós JJ

Counsel: A J McKenzie for Applicant  
Z R Johnston for Respondent

Judgment: 19 February 2024

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**JUDGMENT OF THE COURT**

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- A The application for an extension of time to apply for leave to appeal is granted.**
  - B The application for leave to appeal is granted (*Cook v R* [2023] NZCA 342).**
  - C The approved question is whether the Court of Appeal was correct to treat Mr Cook’s defence as insane automatism.**
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Solicitors:  
Crown Law Office | Te Tari Ture o te Karauna, Wellington for Respondent