

**NOTE: HIGH COURT ORDER IN [2024] NZHC 2606 PROHIBITING  
PUBLICATION OF CONTENTS OF PROPOSED CHARGING DOCUMENT  
UNTIL FURTHER ORDER OF THE COURT REMAINS IN FORCE.**

**IN THE SUPREME COURT OF NEW ZEALAND**

**I TE KŌTI MANA NUI O AOTEAROA**

**SC 115/2025  
[2025] NZSC 146**

BETWEEN	SAMANTHA JANE GRANT Applicant
AND	GOVERNOR-GENERAL Respondent

Court:	Glazebrook, Ellen France and Miller JJ
Counsel:	Applicant in person P J Gunn for Respondent
Judgment:	22 October 2025

---

**JUDGMENT OF THE COURT**

---

- A      The application for leave to appeal is dismissed.**
- B      There is no order as to costs.**
- 

**REASONS**

[1]      The High Court struck out Ms Grant's application for judicial review as a plain abuse of process under r 5.35B of the High Court Rules 2016.<sup>1</sup> The Court of Appeal dismissed her appeal from that decision.<sup>2</sup> She now seeks leave to appeal to this Court.

[2]      The application for judicial review concerned District Court decisions directing (under s 26(3) of the Criminal Procedure Act 2011) that Ms Grant's charging

---

<sup>1</sup>      *Grant v Governor-General* [2024] NZHC 2606 (Isac J) [HC judgment].

<sup>2</sup>      *Grant v Governor-General* [2025] NZCA 414 (Woolford, Dunningham and Walker JJ) [CA judgment].

document not be accepted for filing on the grounds that there was insufficient evidence to justify a trial and the proposed prosecution was otherwise an abuse of process.

[3] The proposed prosecution was against the Governor-General in respect of numerous alleged failings of state agencies in their dealings with Ms Grant. Those agencies include New Zealand Police | Ngā Pirihimana o Aotearoa, the Ministry of Justice | Te Tāhū o te Ture and Ara Poutama Aotearoa | the Department of Corrections. She says, among other things, that she was the victim of negligence. She wishes to clear her name, have her rights vindicated, and obtain compensation and a letter of apology.

[4] In the High Court, Isac J found there was no identifiable ground of review and it was not open to Ms Grant to prosecute the Governor-General in a representative capacity.<sup>3</sup> Further, the District Court Judge was correct that the supporting papers did not meet the test of evidential sufficiency.<sup>4</sup> And lastly, it appeared Ms Grant was trying to relitigate in a criminal proceeding claims that had previously been made in civil proceedings and struck out.<sup>5</sup>

[5] The Court of Appeal agreed.<sup>6</sup> The Court observed that Ms Grant continued to misapprehend the role of the Governor-General and sought to relitigate failed civil proceedings by combining them into a single criminal one. She had failed to identify a justiciable claim.

[6] The proposed appeal to this Court exhibits the same difficulties.<sup>7</sup> We acknowledge Ms Grant's sense of grievance, but it is plain that she is relitigating past civil claims and/or pursuing actions that cannot be the subject of a prosecution against the Governor-General in her official capacity. The remedies Ms Grant wants from this Court are all civil in nature. In the circumstances, we are not persuaded that

---

<sup>3</sup> HC judgment, above n 1, at [16]–[17].

<sup>4</sup> At [18].

<sup>5</sup> At [9] and [19].

<sup>6</sup> CA judgment, above n 2, at [11]–[12] and [15].

<sup>7</sup> The applicant in this Court purports to substitute the Solicitor-General and Attorney-General as respondents on behalf of various ministers and organisations. That course would not alter the fundamental problems identified with the pleading: see *Grant v Governor-General* [2025] NZSC 128 (Ellen France J) at [11].

the proposed appeal raises any question of general or public importance justifying an appeal to this Court, nor is there an apparent miscarriage of justice.<sup>8</sup>

[7] The application for leave to appeal is dismissed. As the respondent has played no part in the proposed appeal, there is no order as to costs.

Solicitors:

Te Tari Ture o te Karauna | Crown Law Office, Wellington for Respondent

---

<sup>8</sup> Senior Courts Act 2016, s 74(2)(a) and (b).