

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 119/2024
[2025] NZSC 65

BETWEEN	VINCENT ROSS SIEMER Applicant
AND	ATTORNEY-GENERAL First Respondent
AND	REGISTRAR OF SUPREME COURT Second Respondent

Counsel: Applicant in person

Judgment: 17 June 2025

JUDGMENT OF MILLER J

The application for review of the decision of the Deputy Registrar refusing to accept for filing the application for review is dismissed.

REASONS

[1] On 20 March 2025, I dismissed Mr Siemer’s application for review of the Deputy Registrar’s decision to decline to waive the filing fee.¹ The review was decided under s 160 of the Senior Courts Act 2016.

[2] Mr Siemer then sought to file an application to review my decision before a panel of this Court under s 82(4). He says he never sought a review of the Deputy Registrar’s decision. He claims instead that the Deputy Registrar was unable to make a fee waiver determination in this matter because he has a conflict of interest. Mr Siemer says I had no power to direct that his “plea for ancillary declaratory relief”

¹ *Siemer v Attorney-General* [2025] NZSC 16 [Review decision]. Mr Siemer seeks leave to appeal from *Attorney-General v Siemer* [2024] NZCA 435 (French, Mallon and Wylie JJ).

be treated as a review of the Deputy Registrar’s decision. Mr Siemer says also that the reasons for my judgment breached s 17(1) of the Public Records Act 2005, which relevantly requires courts to create and maintain full and accurate records of their affairs.

[3] On 8 April 2025, the Deputy Registrar refused to accept for filing the application for s 82(4) review. That course is available under r 5A(1)(b)(ii) of the Supreme Court Rules 2004. He determined there was no jurisdiction to seek a s 82(4) review of a decision of a judge made under s 160. He suggested instead that Mr Siemer seek recall of my judgment.

[4] Mr Siemer has now filed an application for review of the Deputy Registrar’s refusal. He seeks a declaration that the refusal was “unlawful and a breach of natural justice” and orders directing that a review of my decision take place under s 82(4).

[5] The Deputy Registrar was correct that there is no jurisdiction to seek a s 82(4) review of my decision because that decision was made under s 160, not s 82(1) or (3).² Section 17(1) of the Public Records Act requires the court to keep a permanent record of all essential steps in proceedings,³ but it does not provide an independent right of review in this case.

[6] There is nothing in the argument that the Deputy Registrar was disqualified by reason of a conflict of interest. The most appropriate way to deal with Mr Siemer’s “plea for ancillary declaratory relief” was to direct that it be treated as a review of the Deputy Registrar’s decision under s 160, which required me to consider the matter afresh.⁴ I then found, independently of the Deputy Registrar, that Mr Siemer had not met the criteria for a fee waiver.⁵

² See *Guy v Bank of New Zealand* [2013] NZSC 127 at [3]–[4].

³ See, for example, *DN v Family Court at Auckland* [2020] NZHC 3165 at [58]. For completeness, my decision recorded that the general grounds of Mr Siemer’s “plea for ancillary declaratory relief” were “based on perceived conflict of interest and alleged corruption”: Review decision, above n 1, at [3].

⁴ Senior Courts Act 2016, s 160(4)(a). That direction was permissible under s 82(1) and rr 5(1) and 7 of the Supreme Court Rules 2004.

⁵ Review decision, above n 1, at [4]–[6].

[7] The application for review is dismissed. If Mr Siemer wishes to have the application for leave to appeal continue to determination, he must pay the requisite filing fee.