

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 13/2025
[2025] NZSC 96

BETWEEN STEWART ROBERT COULSON
Applicant

AND NEW ZEALAND POLICE
Respondent

Court: Williams, Kós and Miller JJ

Counsel: Applicant in person
T R Simpson for Respondent

Judgment: 1 August 2025

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] On 11 November 2024 the applicant, Mr Coulson, faced four charges at a defended hearing in the District Court at Waihi.¹ They comprised three charges of breach of a protection order and one charge of contravening a parenting order by abducting his children without permission.

[2] At the 11 November hearing, Mr Coulson argued that the proceeding should not continue, first on the basis that he had an application under s 70 of the Criminal Procedure Act 2011 to transfer the proceeding to the High Court which had yet to be dealt with,² and second, and more substantively, he challenged the jurisdiction of the District Court—and of the Judge—over the matters then before the Court.³

¹ *New Zealand Police v Coulson* [2024] NZDC 26899 (Judge Ingram) at [1].

² At [7].

³ At [8].

[3] Judge Ingram rejected the jurisdictional challenges as meritless and refused Mr Coulson’s application to stay the District Court proceeding pending determination of the collateral challenge in the High Court to the original orders of the Family Court.⁴ The matter was adjourned to a date in early December to determine whether the application for removal to the High Court had been resolved and thereafter to allocate a hearing date.⁵

[4] We have not been advised of the result of that further inquiry.⁶

[5] Mr Coulson now seeks leave to bring a leapfrog appeal to this Court from the decision of Judge Ingram in the District Court.

[6] Leapfrog appeals are granted leave only in exceptional circumstances and where such a step is necessary in the interests of justice.⁷ The applicant has pointed to nothing exceptional in this case. On the contrary, as the District Court Judge explained,⁸ proceeding with the criminal charges does not prevent the applicant from independently challenging the original Family Court orders or seeking other remedies in another court. Mr Coulson also, of course, has a right of appeal if he is convicted in the District Court of the charges faced.

[7] The application for leave to appeal is dismissed.

Solicitors:

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

⁴ At [8] and [13].

⁵ At [22].

⁶ But see *Coulson v High Court at Auckland* [2025] NZSC 52.

⁷ Senior Courts Act 2016, s 75.

⁸ *New Zealand Police v Coulson*, above n 1, at [10] and [14].