



**Supreme Court of New Zealand  
Te Kōti Mana Nui**

**11 JUNE 2020**

**MEDIA RELEASE**

***PETER HUGH MCGREGOR ELLIS v THE QUEEN***

**(SC 49/2019)**

**CASE SYNOPSIS**

This synopsis is provided to assist in understanding the history of the case and the issues to be heard by the Court. It does not represent the views of the panel that will hear the appeal in the Supreme Court. Given the breadth and complexity of the issues raised in the proceeding it involves some simplification and addresses only the major points in issue. The synopsis does not comprise part of the reasons for the judgments of the lower Courts. The full judgments with reasons are the only authoritative documents and can be found at [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz)

**Suppression**

Please note that the publication of the names or identifying particulars of the complainants and of child witnesses under the age of 17 is prohibited by ss 139 and 139A of the Criminal Justice Act 1985 respectively.

**Background**

Mr Ellis was convicted on 16 charges of sexual offending against seven children in 1993. The complainants attended the Christchurch Civic Childcare Centre where Mr Ellis was employed.

Mr Ellis appealed twice to the Court of Appeal, the second time after a referral by the Governor-General. The first appeal quashed three of the convictions. The second appeal against the remaining 13 convictions was dismissed in 1999.

In mid-2019, Mr Ellis successfully applied to the Supreme Court for leave to appeal and an extension of time to make the application for leave to

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appeal (*Ellis v R* [2019] NZSC 83). Shortly thereafter, Mr Ellis passed away.

In November 2019, the Court heard submissions from the parties on whether, in light of Mr Ellis' death, the Court has jurisdiction to hear the appeal and, if so, whether the Court should hear the appeal.

After the November hearing the Court asked for further submissions on:

- (a) whether tikanga is relevant to any aspect of the Court's decision on whether the appeal should continue;
- (b) if so, which aspects of tikanga; and
- (c) if relevant, how tikanga should be taken into account.

In December 2019, Te Hunga Rōia o Aotearoa (the Māori Law Society) successfully applied for leave to intervene in relation to those questions.

The purpose of the further hearing on 25 June 2020 is for the Court to hear submissions from the parties and the intervener on the tikanga questions set out above. The Court will consider those submissions, along with the submissions it has already heard, in order to decide whether or not the appeal should proceed.

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