

IN THE SUPREME COURT OF NEW ZEALAND

SC 65/2017
[2017] NZSC 131

BETWEEN ATTORNEY-GENERAL
 Applicant

AND ARTHUR WILLIAM TAYLOR
 First Respondent

 HINEMANU NGARONOA, SANDRA
 WILDE, KIRSTY OLIVIA FENSOM
 AND CLAIRE THRUPP
 Second, Third, Fourth and Fifth
 Respondents

Court: William Young, O'Regan and Ellen France JJ

Counsel: U R Jagose QC and P T Rishworth QC for Applicant
 First Respondent in person
 R K Francois for Second to Fifth Respondents

Judgment: 30 August 2017

JUDGMENT OF THE COURT

- A The applications for leave to appeal by the Attorney-General and Mr Taylor are granted.**
- B The approved questions are whether:**
- (i) The Court of Appeal was correct to make a declaration of inconsistency; and**
- (ii) Mr Taylor has standing.**
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REASONS

[1] The Human Rights Commission has indicated its intention to apply to appear as intervener in the event leave is granted. We would be assisted by the Commission's intervention and grant intervener status accordingly. The Commission's submissions may address the general merits of the appeal.

[2] Mr Taylor has applied for a direction allowing him to file an affidavit as to his status as a prisoner to assist on the second question. An unsworn version was filed with the application. We allow him to file a sworn version of the affidavit but omitting [12]–[15].

[3] We would be grateful if counsel and Mr Taylor would confer on the order and timetable for the filing of submissions and submit an agreed memorandum or, if there is no agreement, separate memoranda setting out the areas agreed and not agreed. We suggest that this be attended to, at the latest, within 10 working days after the hearing date has been fixed and that the timetable should ensure all submissions are received by the Court at least 10 working days before the hearing date.

Solicitors:
Crown Law Office, Wellington for Applicant
Warren Simpson, Papakura for Second to Fifth Respondents