

[2] The applicant's appeal to the Court of Appeal was against a High Court decision granting interim name suppression to the second respondent.² That was an interlocutory order in the substantive High Court proceedings, being the applicant's application for judicial review of a decision of the New Zealand Law Society to dismissing a complaint made about the second respondent.

[3] Clifford J applied the law as stated in this Court's decision in *Reekie v Attorney-General*.³ He noted that the interim name suppression decision was made on the papers, with the Judge acknowledging there had not been full argument.⁴ That meant the obvious course would have been to seek a review under r 7.49 of the High Court Rules. In addition, he noted that things had moved on: the substantive judicial review application had been dismissed.⁵ We note that since the judgment of Clifford J was delivered, things have moved on again: permanent name suppression has now been granted to the second respondent.⁶

[4] Clifford J considered a solvent appellant would not wish to pursue the appeal in those circumstances.⁷ Applying the law as outlined in *Reekie*, he decided that dispensing with security for costs was not warranted and upheld the Registrar's decision.⁸

[5] The applicant's submissions refer to the fact that Clifford J had given an earlier indication that dispensation would be appropriate. The Judge explained why he did not reach that conclusion in his judgment. Applying the *Reekie* test, there was no basis to interfere with the Registrar's decision.

[6] This Court has considered the law relating to dispensing with security for costs in *Reekie* and there is no point of public importance arising in this case: the

² *Complainant A v New Zealand Law Society* HC Wellington CIV-2016-485-725, 10 May 2017 (Simon France J).

³ *Reekie v Attorney-General* [2014] NZSC 63, [2014] 1 NZLR 737.

⁴ *Complainant A* (CA), above n 1, at [15]–[16].

⁵ At [17]. The judicial review application was dismissed in *A v New Zealand Law Society* [2017] NZHC 1712 (Collins J).

⁶ [*Complainant A*] *v New Zealand Law Society* [2017] NZHC 2153 (Collins J).

⁷ *Complainant A* (CA), above n 1, at [18].

⁸ The second respondent submits the appeal had already been abandoned under r 43 of the Court of Appeal (Civil) Rules 2005, so it could not have been pursued even if dispensation had been granted. It is not necessary for us to address that argument.

decision was the application of the law as stated in *Reekie* to the facts of this case. Nor is there any appearance of a miscarriage of justice.

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

[8] The applicant must pay costs of \$2,500 to the respondents.

Solicitors:

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