

IN THE SUPREME COURT OF NEW ZEALAND

SC 52/2009
SC 53/2009
[2016] NZSC 99

BETWEEN JOHN KENNETH SLAVICH
Applicant

AND THE QUEEN
Respondent

Court: Elias CJ, William Young, Glazebrook, Arnold and O'Regan JJ

Counsel: Applicant in person

Judgment: 9 August 2016

JUDGMENT OF THE COURT

- A The recall applications of 15 and 19 July 2016 are dismissed as being an abuse of process.**
- B The Registrar is directed not to accept any further applications by Mr Slavich which directly or indirectly challenge his convictions.**
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REASONS

[1] Mr Slavich has filed two recall applications. In the first he seeks the recall of the judgment of this Court delivered on 10 August 2009 dismissing his application for leave to appeal against the dismissal of the Court of Appeal of a conviction appeal.¹ In the second he seeks the recall of that judgment and a further six judgments or minutes dealing with what in substance is the same issue. The last of these judgments was delivered on 15 March 2016.² In it the Court noted that the

¹ *Slavich v R* [2009] NZSC 87.

² *Slavich v R* [2016] NZSC 25.

recall applications (being the fourth and fifth in respect of the 10 August 2009 judgment) were an abuse of process.³

[2] The current applications are therefore the sixth and seventh recall applications in respect of the 10 August 2009 judgment and are likewise an abuse of process. It is apparent from the second application that, if permitted to do so, the applicant will continue to file further recall applications.

[3] Accordingly:

- (a) The recall applications of 15 and 19 July 2016 are dismissed as being an abuse of process.
- (b) Because they would also be an abuse of process, the Registrar should not accept any further applications by Mr Slavich which directly or indirectly challenge his convictions.

³ At [3].