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IN THE SUPREME COURT OF NEW ZEALAND

**SC 12/2016
[2016] NZSC 21**

BETWEEN THE QUEEN
Applicant

AND GREGORY JOHN ALSFORD
Respondent

Court: Elias CJ, Glazebrook and O'Regan JJ

Counsel: P D Marshall for the Applicant
J H M Eaton QC for the Respondent

Judgment: 15 March 2016

JUDGMENT OF THE COURT

A Leave to appeal is granted (*R v Alford* [2015] NZCA 628).

B The issues are:

- (i) whether the electricity consumption records were improperly obtained from the service provider;**
- (ii) whether the Court of Appeal was correct to hold that evidence that had earlier been excluded as improperly obtained could not be relied on; and**
- (iii) whether, even if improperly obtained, the evidence should be admitted under s 30(2)(b) of the Evidence Act 2006.**

Solicitors:
Crown Law Office, Wellington for Applicant
Kearney & Co, Christchurch for Respondent