

[2] In order that the matter could be dealt with urgently we directed that there should be shortened periods for the filing of written submissions. Having now received those submissions, we are satisfied that an oral hearing of the leave application is unnecessary as the proposed appeal does not meet the criteria in s 13 of the Supreme Court Act 2003.

[3] Section 107(8) preserves the Parole Board's order unless that order is set aside for invalidity or is revoked by the Board or expires. The question for the courts below was whether certain irregularities in the Parole Board's processes were such that the order should be set aside. On the basis of the limited material before them the courts below were agreed that the order should not be treated as invalid because of the irregularities. That conclusion was reached having regard to the particular and unusual circumstances in which the Board came to make its decision at the rehearing and it raises no question of general or public importance. Nor are we persuaded that there may have been any substantial miscarriage of justice.

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