

IN THE SUPREME COURT OF NEW ZEALAND

**SC 6/2005
[2005] NZSC 15**

THE QUEEN

v

ALLAN KENDRICK DEAN

Court: Elias CJ and Keith J
Counsel: T Ellis for the Appellant
J C Pike for the Crown
Judgment: 11 April 2005

JUDGMENT OF THE COURT

[1] Mr Dean applies for leave to appeal against a decision of the Court of Appeal dismissing his appeal against his sentence of preventive detention. His counsel and counsel for the Crown have filed written submissions. The Court considers that it is able to determine the application for leave on the basis of those submissions.

[2] The proposed grounds of appeal relate to the process preceding the imposing of the sentence in the High Court, the Court of Appeal's approach to that sentence and the justification for its being imposed on Mr Dean, the delay in the hearing of the appeal, and steps taken by the Court of Appeal to obtain information about the sentencing of Mr Dean in 1970.

[3] The Court has considered the submissions and concludes that it is not in the interests of justice to grant leave. None of the grounds presents an issue of general or public importance and there is no danger of a substantial miscarriage of justice.

[4] Accordingly the application for leave is dismissed.

Solicitors:
Crown Law Office, Wellington