

**TODD O'HARA**

v

**THE QUEEN**

Hearing: 7 July 2005  
Court: Blanchard J and Tipping J  
Counsel: C B Cato for Applicant  
A Markham for Crown  
Judgment: 7 July 2005

---

**JUDGMENT OF THE COURT**

---

**The application for leave to appeal is dismissed.**

**REASONS**

[1] The primary argument which the applicant wishes to advance, namely that evidence of a qualified identification was inadmissible, is in our view untenable, and unsupported by authority or any cogent reasoning. The other proposed points are not of any general significance. The evidence of witnesses concerning identification was only part of the case against the applicant. There was a proper basis in the evidence as a whole for the jury to have found him guilty. The jury directions were adequate. Accordingly there is no appearance of any miscarriage of justice.

Solicitors:  
Crown Law Office, Wellington