

the applicant in his civil claims against the Crown. Those claims relate to allegations of abuse and ill-treatment suffered while in the care of the Ministry of Social Development. An exception was made in relation to one witness (referred to in the Court of Appeal judgment as “CW”) in respect of whom the Court of Appeal made a suppression order.³

[2] The Court has been informed that the underlying proceeding has been settled, and that there will therefore be no trial. The applicant asks that the application for leave to appeal nevertheless be advanced, and argues that leave is appropriate because the Court of Appeal decision raises issues of importance and the fact that that Court was divided shows that these issues are arguable. We do not consider it is appropriate to give leave in these circumstances. The interim suppression order was made pending the trial, but there will now be no trial.

[3] We therefore formally dismiss the application for leave to appeal.

[4] The respondent did not file submissions on the application. In those circumstances, we make no award of costs.

Solicitors:
Cooper Legal, Wellington for Applicant
Crown Law Office, Wellington for Respondent

³ *Y v Attorney-General* (CA), above n 1.