

PAUL RODNEY HANSEN

v

THE QUEEN

Court: Elias CJ and Gault J  
Counsel: S Vidal for Applicant  
J C Pike for Respondent  
Judgment: 24 November 2005

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**JUDGMENT OF THE COURT**

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

**REASONS**

[1] Leave to appeal is granted. The approved ground, in terms of Rule 29, is whether the Court of Appeal was correct to hold that s6(6) of the Misuse of Drugs Act 1975 imposes a legal burden of proof on the balance of probabilities (as held by the Court of Appeal in *R v Phillips*).<sup>1</sup>

Solicitors:  
Berry and Co, Queenstown for Applicant  
Crown Law Office, Wellington

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<sup>1</sup> [1991] 3 NZLR 175.