

PHILLIP WAYNE HART

v

THE QUEEN

Court: Blanchard, Tipping and Wilson JJ

Counsel: S J Shamy for Appellant
T Epati for Crown

Judgment: 15 October 2009

JUDGMENT OF THE COURT

A The application for leave to appeal is granted.

B The approved grounds of appeal are:

- (1) Should the previous consistent statement of the complainant have been admitted under s 35(2) of the Evidence Act 2006?**
- (2) If so, did the trial Judge correctly direct the jury on the use to be made of that statement?**

Solicitors:
Crown Law, Wellington