

CAROL MARGARET DOWN

v

THE QUEEN

Court: Blanchard, Tipping and McGrath JJ

Counsel: A D Banbrook for Appellant
M D Downs for Crown

Judgment: 5 August 2011

JUDGMENT OF THE COURT

A Leave to appeal is granted.

B The approved grounds are:

- (i) whether the laying of the informations on the discharge counts required leave of a District Court Judge or Registrar under s 21 of the Summary Proceedings Act 1957; and**
- (ii) if so, whether in the absence of such leave prior to the laying of the informations the proceedings were validated by s 204 of that Act.**

Solicitors:
C K Lyon, Auckland for Appellant
Crown Law Office, Wellington