

SONJA MARIE LAWSON

v

THE QUEEN

Court: Elias CJ, William Young and Chambers JJ

Counsel: Applicant in person  
M J Lillico for Crown

Judgment: 13 March 2013

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JUDGMENT OF THE COURT

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

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REASONS

[1] The applicant was found guilty by Judge Roberts on 15 charges of using a document dishonestly with intent to obtain a pecuniary advantage.<sup>1</sup> The documents in question were benefit forms submitted to Work and Income New Zealand (WINZ) between January 2006 and August 2009. The dishonesty alleged related to: (a) in all cases, failure to disclose her ownership of bonus bonds and (b) in respect of eight charges, not providing accurate information about her rental obligations. The issues as to rent can be left on one side, as the principal focus in the Court of Appeal was on bonus bonds.

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<sup>1</sup> *R v Lawson* DC New Plymouth CRI-2010-021-1078, 26 August 2011.

[2] Each of the forms which the applicant filled in asked whether she had cash assets. The forms gave examples of what were cash assets and these included bonus bonds. She answered the relevant questions in the negative. But, in fact, at the beginning of the period covered by the charges (January 2006), she had \$2,030 in bonus bonds and by the end of the period she had \$21,000 so invested. Her defence at trial was along the lines that the bonus bonds did not need to be disclosed (or so she believed) because they were off-set by present or future liabilities for which the bonds had been set-aside and that, in any event, she had disclosed their existence separately. The only indisputable evidence of disclosure she was able to produce was a bonus bond certificate for \$40 which is marked with a WINZ date stamp of 10 January 2006. She also claimed that other people may have taken out bonds in her name and that she was generally unaware of the value of the bonus bonds she held. The trial Judge rejected these defences and concluded that she had acted dishonestly.

[3] Although represented at trial (by Mrs Susan Hughes QC), the applicant represented herself in the Court of Appeal and continues to do so in relation to the present application.

[4] In the Court of Appeal, she identified 20 grounds of appeal, some of which were dismissed as misconceived with the others being “distilled” into what the Court of Appeal saw as six primary complaints consisting of allegations of counsel error (although she refused to waive privilege), prosecutorial misconduct, error by the Judge in relation to the interpretation of sections of the Social Security Act 1964, a failure by the Judge to consider her brief of evidence, ultra vires (an argument which we think fell into the misconceived category) and denial of a fair hearing. The Court of Appeal considered each of these grounds of appeal and rejected them.<sup>2</sup>

[5] In this Court the applicant has attempted to re-run the arguments which were considered and rejected by the Court of Appeal. She rejects the entitlement of the Court of Appeal to distil her original 20 grounds of appeal into six categories of complaint and she asserts that documents which were given to WINZ have been suppressed.

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<sup>2</sup> *Lawson v R* [2012] NZCA 426.

[6] We see nothing in the case which could be said to be of general or public importance and there is no appearance of a miscarriage of justice.

[7] We accordingly dismiss the application.

Solicitors:  
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