

**KOVINANTIE VAHAFOLUA FUKOFUKA**

v

**THE QUEEN**

Court: William Young and Chambers JJ

Counsel: D R F Gardiner for Applicant  
M J Lillico for Respondent

Judgment: 18 April 2013

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**JUDGMENT OF THE COURT**

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

**B The approved ground is: was the Court of Appeal correct to find no substantial miscarriage of justice occurred despite the error in the Judge's direction under s 126 of the Evidence Act 2006?**

Solicitors:  
Crown Law Office, Wellington