

IN THE SUPREME COURT OF NEW ZEALAND

SC 59/2014
[2014] NZSC 100

BETWEEN VINCENT ROSS SIEMER
 Applicant

AND REGISTRAR OF THE SUPREME
 COURT
 First Respondent

 MINISTRY OF JUSTICE
 Second Respondent

Court: Elias CJ, William Young and Arnold JJ

Counsel: Applicant in person
 H M Carrad for Respondents

Judgment: 5 August 2014

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The applicant seeks leave to appeal against a judgment of Clifford J delivered in the High Court striking out judicial review proceedings he had commenced in respect of a decision by the Registrar of this Court declining to make available to him copies of all applications for leave to appeal and associated submissions so that he can post them on a website and make them generally available.¹ This refusal was in both general terms, in response to an email of 2 October 2013 from Mr Siemer, and also particular to a specific application for leave to appeal, *Harrison v Auckland District Health Board*.² Based on his analysis of the judgment of this Court in

¹ *Siemer v Registrar, Supreme Court* [2014] NZHC 1179.

² *Harrison v Auckland District Health Board* [2013] NZSC 98.

*Mafart v Television New Zealand Limited*³ the Judge concluded that any challenge to the Registrar's decision (or decisions) would have to be made direct to judges of this Court.

[2] The application falls to be determined under s 14 of the Supreme Court Act 2003. If this Court is ultimately required to determine the procedural issue – as to whether judicial review is available in the High Court in respect of the Registrar's decisions – it will be much assisted by the views of the Court of Appeal. The applicant could avoid this procedural question by having the underlying substantive issue – as to access to applications for leave to appeal and submissions – determined on direct application for review of the Registrar's decisions. For these reasons the s 14 test has not been satisfied.

Solicitors:
Crown Law Office, Wellington for Respondents

³ *Mafart v Television New Zealand Limited* [2006] NZSC 33, [2006] NZLR 18.