

IN THE SUPREME COURT OF NEW ZEALAND

SC 82/2014
[2014] NZSC 151

BETWEEN JONATHAN DIXON
Applicant
AND THE QUEEN
Respondent

Court: McGrath, William Young and Glazebrook JJ
Counsel: B J Hunt for Applicant
D J Boldt for Respondent
Judgment: 23 October 2014

JUDGMENT OF THE COURT

- A The application for leave to appeal is granted.**
- B The approved question is whether the Court of Appeal erred when it dismissed the appeal.**
-

[1] The approved question encompasses whether the Court of Appeal was correct to hold that the CCTV files are not property, as well as the question of whether the Court of Appeal should have used s 386(2) of the Crimes Act 1961 to substitute a conviction for accessing a computer system and thereby dishonestly and without claim of right obtaining a benefit.¹

[2] Mr Dixon also sought leave to appeal against the Court of Appeal's conclusion that the submissions filed by Mr Dixon after the Court of Appeal hearing were "outside the scope of the leave granted" and that they did not individually or collectively justify quashing the conviction.²

¹ *Dixon v R* [2014] NZCA 329, [2014] 3 NZLR 504 (Harrison, Wild and French JJ).

² At [61].

[3] The question for the appeal also encompasses any specific matters raised in those submissions filed after the Court of Appeal hearing which Mr Dixon argues should have led to his appeal being allowed.

Solicitors:
Crown Law Office, Wellington for the Respondent