

IN THE SUPREME COURT OF NEW ZEALAND

SC 117/2014
[2015] NZSC 10

BETWEEN RAZDAN RAFIQ
Applicant

AND CHIEF EXECUTIVE OF THE
DEPARTMENT OF INTERNAL
AFFAIRS
Respondent

Court: McGrath, William Young and Arnold JJ

Counsel: Applicant in Person
N Whittington and O Klaassen for Respondent

Judgment: 20 February 2015

JUDGMENT OF THE COURT

- A The application for leave to appeal is dismissed.**
- B The applicant must pay costs of \$2,500 to the respondent.**
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REASONS

[1] Mr Rafiq seeks leave to appeal against a decision of Harrison J dismissing his application for review of the decision of the Registrar of the Court of Appeal refusing to dispense with security for costs and ordering him to pay security for costs on or before 3 November 2014.¹

[2] Harrison J held that the Registrar was entitled to “consider the sheer volume of unmeritorious proceedings brought by Mr Rafiq as well as the views of a number of Judges, presiding over other litigation brought by him, that Mr Rafiq’s efforts are

¹ *Rafiq v Department of Internal Affairs* [2014] NZCA 501 (Harrison J).

an abuse of procedure brought to vex and harass the various respondents”.² He held that the conclusion that it would not be right to require the respondent to defend the proceedings without the usual protection of security for costs was warranted.

[3] The principles applicable to dispensing with security for costs in the Court of Appeal were addressed by this Court in *Reekie v Attorney-General*.³ Harrison J’s approach is generally consistent with those principles.⁴ There is no departure that raises any new issue of general or public importance.

[4] Leave to appeal is accordingly refused.

Solicitors:
Meredith Connell, Auckland for Respondent

² At [3].

³ *Reekie v Attorney-General* [2014] NZSC 63.

⁴ See *Reekie* at [35].