

IN THE SUPREME COURT OF NEW ZEALAND

SC 121/2014
[2015] NZSC 11

BETWEEN

RAZDAN RAFIQ
Applicant

AND

CHIEF EXECUTIVE OF THE
DEPARTMENT OF INTERNAL
AFFAIRS
First Respondent

DIRECTOR OF THE CIVIL AVIATION
AUTHORITY OF NEW ZEALAND
Second Respondent

CHIEF EXECUTIVE OF THE
MINISTRY OF BUSINESS
INNOVATION AND EMPLOYMENT
Third Respondent

COMMISSIONER OF NEW ZEALAND
POLICE
Fourth Respondent

ATTORNEY-GENERAL OF NEW
ZEALAND
Fifth Respondent

Court: McGrath, William Young and Arnold JJ

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

Judgment: 20 February 2015

JUDGMENT OF THE COURT

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

[1] Mr Rafiq seeks leave to appeal against a decision of Harrison J dismissing his applications for a stay and 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 10 November 2014.¹

[2] The principles applicable to dispensing with security for costs in the Court of Appeal were addressed by this Court in *Reekie v Attorney-General*.² Harrison J applied them in this case in much the same way as they were applied in the decision that is the subject of another application for leave on which judgment has recently been delivered.³ There is no error of principle or law in the present application. Nor does any new question of general or public importance arise. There is also no risk of a miscarriage of justice. Leave to appeal must accordingly be refused. The associated application for a stay on Harrison J's decision lapses so that is also dismissed.

Solicitors:
Meredith Connell, Auckland for Respondents

¹ *Rafiq v Secretary for the Department of Internal Affairs of New Zealand* [2014] NZCA 518 (Harrison J).

² *Reekie v Attorney-General* [2014] NZSC 63.

³ *Rafiq v Commissioner of New Zealand Police* [2015] NZSC 4.