

IN THE SUPREME COURT OF NEW ZEALAND

[2015] NZSC 130

BETWEEN

JOHN KENNETH SLAVICH
Applicant

AND

THE JUDGES OF THE SUPREME
COURT
Respondent

Court: Elias CJ, William Young, Glazebrook, Arnold and O'Regan JJ

Counsel: Applicant in person

Judgment: 1 September 2015

JUDGMENT OF THE COURT

The application for review is dismissed.

REASONS

[1] Mr Slavich applies for a review, under s 28(3) of the Supreme Court Act 2003, of William Young J's judgment of 11 August 2015.¹

[2] In that judgment William Young J upheld the Registrar's decision to refuse to accept for filing an application for leave to appeal against a decision of 3 July 2015 of Venning J.²

[3] Mr Slavich submits that William Young J's decision was erroneous because it did not deal with the correct ground of recusal or with the grounds for reviewing the Registrar's decision relating to s 8(c) of the Supreme Court Act. It also did not take

¹ *Slavich v The Judges of the Supreme Court* [2015] NZSC 125.

² *Slavich v Justice O'Regan* [2015] NZHC 1558.

into account the alleged fact that the High Court decision declaring Mr Slavich a vexatious litigant³ should be treated as a nullity by this Court.

[4] The question dealt with in William Young J's decision was whether this Court has jurisdiction to deal with Mr Slavich's application. None of the matters raised in the application for review by Mr Slavich are relevant to that point.

[5] We agree with William Young J, for the reasons he gives, that there was no jurisdiction.⁴

[6] The application for review is accordingly dismissed.⁵

³ See *Attorney-General v Slavich* [2013] NZHC 627. This is on the basis this Court "has yet to determine the matters upon which the [Applicant] was found to be a vexatious litigant".

⁴ See *Slavich v The Judges of the Supreme Court*, above n 1, at [8].

⁵ We have assumed that there is jurisdiction to review William Young J's decision under s 28(3); see *Howard v Accident Compensation Corporation* [2014] NZSC 31, (2014) 21 PRNZ 815 at [3] and *Rabson v Chapman* [2014] NZSC 90 at n 3, where the Court assumed, without deciding, that s 28(3) applies to an application for leave to appeal. William Young J is part of the Court for the reasons set out in *Howard v Accident Compensation Corporation* at [3] and *Siemer v Stiassny* [2014] NZSC 80 at [4] and [6]. The other Judges are party to this decision because they are permanent judges of this Court and there are not sufficient acting judges available to deal with the matter, even if it were appropriate to have a matter such as this dealt with solely by acting judges of this Court.