

IN THE SUPREME COURT OF NEW ZEALAND

SC 137/2015
[2015] NZSC 193

BETWEEN

MATTHEW JOHN YOUNG
Applicant

AND

THE DISTRICT COURT AT HAMILTON
Respondent

Counsel: Applicant in person

Judgment: 16 December 2015

JUDGMENT OF WILLIAM YOUNG J

The application for interim order suppressing publication of the applicant's name is dismissed.

REASONS

[1] The applicant is facing dishonesty charges in the District Court on which he is to be tried in April next year. He was charged in February 2013 and initially obtained an interim order suppressing publication of his name. This order was discharged in October 2013.¹ Since then he has continued to seek name suppression. There have been a number of appeals or applications for leave to appeal and as a result, associated interim orders for suppression have continued to this day; this despite no Court since October 2013 having been persuaded that such an order was appropriate pending trial.

[2] Presently in issue are (a) a third application for suppression which was filed in the District Court and dismissed on 6 October 2015 as an abuse of process², (b) associated judicial review proceedings which were dismissed by Moore J on

¹ *R v Young* DC Hamilton CRI-2013-019-946, 25 October 2013 (Judge Marshall).

² *R v Young* [2015] NZDC 19709.

30 October 2015³ and (c) an appeal to the Court of Appeal from that judgment and the refusal by the Court of Appeal to continue to suppress publication of the applicant's name pending determination of that appeal.⁴ The applicant seeks leave to appeal against the last decision and a further interim order suppressing publication of his name pending determination of that appeal.

[3] I have read the judgments of Moore J and of the Court of Appeal. The Court of Appeal was of the view that the appeal against Moore J's judgment was not seriously arguable. I regard the reasons given by that Court as convincing and I am not persuaded that there is sufficient merit in the appeal to that Court or the proposed appeal to this Court to warrant the making of a further order suppressing publication of the applicant's name.

[4] The application for such an order is accordingly declined.

³ *Young v District Court* [2015] NZHC 2677.

⁴ *Young v District Court* [2015] NZCA 584 (Randerson, French and Kòs JJ).