IN THE SUPREME COURT OF NEW ZEALAND

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SC 29/2015
[2015] NZSC 51
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BETWEEN	JANINE DAVINA SAX Applicant
AND	LUKE ANDREW SIMPSON Respondent

Court:	Glazebrook, Arnold and O'Regan JJ
Counsel:	Applicant in person
Judgment:	5 May 2015

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

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REASONS

[1]   Ms Sax seeks leave to appeal against a minute of Cooper J[1] declining her application for interim suppression of details of judgments in the District Court and High Court pending her appeal against a decision of Faire J of 11 March 2015.[2] Cooper J also declined her application for an urgent hearing of the appeal.

[2]   In his judgment, Faire J declined Ms Sax's application for the anonymisation of a judgment of Heath J[3] and for suppression of the reasons for judgment.

[3]   Ms Sax submits (among other grounds) that Cooper J's refusal of interim suppression pending appeal renders that appeal nugatory.

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[1]   *Sax v Simpson* CA112/2015, 19 March 2015 (Minute of Cooper J). The respondent, by letter of 24 April 2015, has indicated that he will take no steps in relation to this application.
[2]   *Sax v Simpson* [2015] NZHC 442.
[3]   *Sax v Simpson* [2014] NZHC 3235.

[4]   Cooper J's decision was made under s 61A(1) of the Judicature Act 1908. Accordingly, the proper mechanism to challenge Cooper J's decision was for Ms Sax to apply for a review of his decision by three judges of the Court of Appeal under s 61A(2) of the Judicature Act.[4]

[5]   It is not therefore in the interests of justice for this Court to hear the proposed appeal. This means that the application for leave to appeal to this Court must be dismissed.

[6]   There is no order for costs as the respondent took no steps in opposing the application for leave to appeal.

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[4]   See *Banks v Grey District Council* [2014] NZSC 102 (Elias CJ, Glazebrook and Arnold JJ) at [4] and [5].