

IN THE SUPREME COURT OF NEW ZEALAND

SC 4/2017
[2017] NZSC 66

BETWEEN MALCOLM EDWARD RABSON
Applicant

AND JUDICIAL CONDUCT
COMMISSIONER
Respondent

Court: Arnold, O'Regan and Ellen France JJ

Counsel: Applicant in person
L Theron and C P A Cross for Respondent

Judgment: 9 May 2017

JUDGMENT OF THE COURT

The application for recall is dismissed.

REASONS

[1] Mr Rabson asks the Court to recall its judgment declining him leave to appeal directly against a decision of Dobson J.¹ He submits that Arnold and O'Regan JJ had conflicts of interest which precluded them from dealing with his application and that leave should have been granted because the appeal was a strong one.

[2] The recall application is misconceived. Mr Rabson has issued proceedings against the members of this Court and has made numerous complaints to the Judicial Conduct Commissioner about the way they have dealt with applications which he has made. The members of the Court against whom these actions have been taken have no alternative but to address his applications. Moreover, as the Court said in its earlier decision, Mr Rabson's submissions about the alleged strength of his appeal

¹ *Rabson v Judicial Conduct Commissioner* [2017] NZSC 39.

are not directed to the “exceptional circumstances” test which must be met before leave can be granted for a leapfrog appeal.

[3] The application for recall is dismissed. The Registrar is directed not to accept any further applications for recall in relation to this matter from Mr Rabson.

Solicitors:
Meredith Connell, Wellington for Respondent