

IN THE SUPREME COURT OF NEW ZEALAND

SC UR 2/2017
[2017] NZSC 84

BETWEEN ANGELA JANICE HARRISON
 Applicant

AND GRAEME ROSS HARRISON AND
 ADRIENNE HARRISON
 Respondents

Counsel: Applicant in person

Judgment: 8 June 2017

JUDGMENT OF GLAZEBROOK J

The application for review of the Registrar’s decision declining to waive the payment of filing fee is dismissed.

REASONS

[1] Ms Harrison has filed an application for leave to appeal against the decision of French J of 21 March 2017, declining her application for review of the decision of the Registrar of the Court of Appeal refusing to dispense with security for costs.¹ She also applies for leave to appeal directly to this Court against the decision of Associate Judge Osborne of 29 November 2016 adjudicating her bankrupt.²

[2] Ms Harrison made an application to the Registrar for a fee waiver on the basis that the proposed appeals would determine a question of law that is of significant interest to the public or to a substantial section of the public.

¹ *Harrison v Harrison* [2017] NZCA 67.

² *Harrison v Harrison* [2016] NZHC 2854. The underlying appeal in n 1 is an appeal against this decision.

[3] On 4 May 2017 the Registrar declined to waive the filing fee. With regard to the proposed appeal against French J's decision he said:

The application for leave to appeal to the Supreme Court relates firstly to whether the Court of Appeal (21 March 2017 judgment) was correct in upholding the Registrar's decision to refuse to dispense with security for costs fixed for the appeal against the judgment of Associate Judge Osborne. The Court of Appeal adopts a straightforward review of the Registrar's decision that engages no question of law that is of significant interest to the public or to a substantial section of the public to be considered by the Supreme Court in the application for leave. As such I am not satisfied that the appeal from the Court of Appeal concerns a matter of genuine public interest in terms of R5(2)(b)(i) [of the Supreme Court Fees Regulations 2003].

[4] With regard to the proposed appeal against Associate Judge Osborne's decision he said:

The second part of the application for leave to the Supreme Court relates to the 'leap frog' appeal from the decision of the High Court (29 November 2016 judgment). In my view the Judge adopts an orthodox approach to determining the issues before him (based very much on the specific facts of the case) and consequently again no question of law that is of significant interest to the public or to a substantial section of the public will need to be determined by the Supreme Court on appeal. Again I am not satisfied that the appeal from the High Court concerns a matter of genuine public interest in terms of R5(2)(b)(i) [of the Supreme Court Fees Regulations 2003]. I also note that French J at para [15] of the 21 March 2017 judgment expresses the same view in respect of the appeal from the High Court to the Court of Appeal.

[5] The matters Ms Harrison seeks to raise relate to her own particular circumstances. I agree with the Registrar's assessment that they do not meet the threshold for a fee waiver under R5(2)(b)(i) of the Supreme Court Fees Regulations 2003.

[6] The application for review is dismissed.