

**NOTE: PUBLICATION OF NAMES OR IDENTIFYING PARTICULARS OF
COMPLAINANTS PROHIBITED BY S 139 OF THE CRIMINAL JUSTICE
ACT 1985.**

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

**SC 144/2016
[2020] NZSC 109**

BETWEEN LESLIE MCGEACHIN
 Applicant

AND THE QUEEN
 Respondent

Court: Glazebrook, O'Regan and Ellen France JJ

Counsel: Applicant in person

Judgment: 12 October 2020

JUDGMENT OF THE COURT

**The application for recall of this Court's judgment of 24 February
2017 (*McGeachin v R* [2017] NZSC 16) is dismissed.**

REASONS

[1] Mr McGeachin was convicted following a jury trial in 2013 for offences of physical and sexual violence committed against two former partners between the late 1980s and 2011.

[2] On 14 September 2020, this Court dismissed Mr McGeachin's second application for recall of this Court's judgment of 24 February 2017, which dismissed

the application for an extension of time to apply for leave to appeal against conviction and dismissed the application for leave to appeal against sentence.¹

[3] Before this Court's decision, Mr McGeachin had made an unsuccessful application to the Court of Appeal for recall of its 2015 decision on his appeal.² The Court of Appeal considered the affidavits in the original appeal as well as further affidavits in relation to the recall application. Ultimately, the Court of Appeal dismissed Mr McGeachin's recall application.³

[4] Mr McGeachin now makes a third recall application in this Court. He also applies to adduce evidence, which he says contradicts the complainants' evidence at trial and also the Crown's submissions before this Court in the leave judgment.

[5] A third recall application is not the time to attempt to adduce further evidence. If Mr McGeachin wishes to pursue the matter it may be more appropriate to do so under the Criminal Cases Review Commission Act 2019.

[6] The application for recall is dismissed.

[7] We direct the Registrar to reject any further application for recall with regard to this matter.

¹ *McGeachin v R* [2020] NZSC 95 (Glazebrook, O'Regan and Ellen France JJ) [SC second recall judgment]; and *McGeachin v R* [2017] NZSC 16 (Glazebrook, Arnold and O'Regan JJ) [SC leave judgment]. See also *McGeachin v R* [2017] NZSC 193 (Glazebrook, O'Regan and Arnold JJ) [SC first recall judgment].

² *McGeachin v R* [2015] NZCA 558 (Kós, Fogarty and Mallon JJ) [CA judgment].

³ *McGeachin v R* [2020] NZCA 72 (Wild, Whata and Katz JJ) [CA recall judgment].