

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

**SC 84/2020
[2020] NZSC 148**

BETWEEN CHRISTOPHER JOSEPH O'NEILL
Applicant

AND ANDREW BRIDGMAN
First Respondent

TANIA OTT
Second Respondent

CARL CRAFAR
Third Respondent

Court: William Young, O'Regan and Ellen France JJ

Counsel: Applicant in person
K Laurenson and J B Watson for Respondents

Judgment: 18 December 2020

JUDGMENT OF THE COURT

- A The application for leave to appeal is dismissed.**
- B The applicant must pay the first, second and third respondents one set of costs of \$2,500.**
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REASONS

[1] The applicant issued proceedings against the three respondents in respect of their actions (or inactions) in senior roles in the Ministry of Justice in relation to their dealings (or non-dealings) with him. Primarily in issue are the applicant's concerns about how he has been dealt with by court officers – concerns which he says he has raised with the respondents without satisfactory (for him) result. The allegations pleaded in his statement of claim are generally expressed, alleging failures to comply

with legal duties and perversion of justice. Further material supplied by the applicant to the High Court fleshed out, and added to, these allegations. The language used at times was abusive and, in some respects, scandalous.

[2] In the High Court, Thomas J struck out the proceedings.¹ This was on the basis that:

- (a) They were an abuse of process.² This for two reasons. The proceedings were a collateral attack on decisions of High Court Judges dealing with review applications which the applicant had brought in respect of a number of the decisions of which he complains.³ As well, they made allegations, unsubstantiated by evidence, of corruption, perversion of justice and criminality on the part of judges and registry staff.⁴
- (b) They misconceived the roles of the respondents in relation to decisions made in court registries and disclosed no reasonably arguable cause of action.⁵

[3] A subsequent appeal to the Court of Appeal was dismissed.⁶ The applicant now seeks leave to appeal to this Court.

[4] The High Court and Court of Appeal judgments provide clear guidance as to the mechanisms available for challenging decisions made by court officers under the High Court Rules 2016. The proposed appeal thus does not raise any issue of general or public importance.⁷ The applicant's submissions in support of his application for leave to appeal do not identify a basis for doubting the judgments of the High Court or Court of Appeal. His proceedings were an abuse of process and likewise disclose no reasonably arguable cause of action. In both respects this is for the reasons given

¹ *O'Neill v Bridgman* [2019] NZHC 944.

² At [47].

³ At [45].

⁴ At [46].

⁵ At [52]–[54].

⁶ *O'Neill v Bridgman* [2020] NZCA 460 (Kós P, Wylie and Muir JJ).

⁷ Senior Courts Act 2016, s 74(2)(a).

by Thomas J and upheld by the Court of Appeal. So, there is no appearance of a miscarriage of justice.⁸

[5] The application for leave to appeal is accordingly dismissed. The applicant must pay the first, second and third respondents one set of costs of \$2,500.

Solicitors:
Crown Law Office, Wellington for Respondents

⁸ Section 74(2)(b).