

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC UR 41/2024
[2025] NZSC 1

RE

STEWART ROBERT COULSON
Applicant

Counsel: Applicant in person

Judgment: 12 February 2025

JUDGMENT OF GLAZEBROOK J

- A** The application for review is allowed.
- B** The application for leave to appeal should be accepted for filing.
-

REASONS

Introduction

[1] On 29 November 2024 Mr Coulson filed an application for leave to appeal. That application was not accepted for filing on the grounds that the District Court decision appealed from was not clearly identified. In addition, the application did not comply procedurally with the requirements in the Supreme Court Rules 2004.

[2] Mr Coulson applies for review of the decision not to accept his application for filing. In his application for review Mr Coulson now identifies the decision from which he seeks leave to appeal: *New Zealand Police v Coulson*.¹

¹ *New Zealand Police v Coulson* [2024] NZDC 26899.

Background

[3] Mr Coulson faces three charges of breach of a protection order and a charge of contravening a parenting order by abduction of his children without permission.² These charges had been set down for a defended hearing before Judge Ingram on 11 November 2024.³ Mr Coulson applied for an adjournment so that various applications he had made in the High Court could be dealt with.⁴

[4] The adjournment was granted, with the matter to be called again on 2 December 2024.⁵ The Judge said that, at that stage, the Court could ascertain the status of the various High Court applications.⁶

[5] Mr Coulson had also argued on various grounds that the District Court lacked jurisdiction. This challenge was rejected by the Court. In particular, the Court held that it was required to deal with the case on the basis of the orders made in the Family Court unless and until those orders had been set aside by a court of competent jurisdiction.⁷

Decision

[6] As Mr Coulson has now identified the decision from which he wishes to appeal, the practical course is for the application to be accepted for filing and referred to a panel for decision.

[7] A timetable for submissions should be set by the Registrar.

[8] The submissions should include an update for the Court regarding any further relevant decisions of the District Court and the High Court and also deal with the jurisdiction of this Court with regard to the proposed appeal (see in particular s 297 of the Criminal Procedure Act 2011 and s 75 of the Senior Courts Act 2016).

² At [1]–[2].

³ At [5].

⁴ At [7].

⁵ At [22].

⁶ At [21].

⁷ At [8]–[10].