

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC UR 42/2024

[2025] NZSC 31

RE

STEWART ROBERT COULSON
Applicant

Counsel: Applicant in person

Judgment: 7 April 2025

JUDGMENT OF WILLIAMS J

The application for review is dismissed.

REASONS

[1] On 16 December 2024, the Registrar declined to accept an application dated 6 December 2024 by Mr Coulson on the basis that the Court did not have jurisdiction to entertain the application and it did not comply with the Supreme Court Rules 2004.

[2] The 6 December application itself appears to relate to a dispute over the care of Mr Coulson's two children, aged 8 and 10. The application seeks return of his children, claiming, it appears, that they had been abducted in breach of the Hague Convention on the Civil Aspects of International Child Abduction. Mr Coulson says he is an Australian citizen habitually resident in New Zealand and that the mother of his children is also habitually resident in New Zealand. I note also that there are two related leave applications currently before the Court awaiting submissions.¹

[3] On 16 January 2025, Mr Coulson applied to review the Registrar's decision under r 5A(3) of the Supreme Court Rules. Among a number of other grounds, Mr Coulson claims that the Registrar's decision was made without lawful authority, is

¹ *Coulson v Family Court at Waihi* SC 136/2024; and *Coulson v New Zealand Police* SC 13/2025.

plainly wrong, is in breach of New Zealand's obligations under the Hague Convention, is an abuse of power and process, is designed to defeat the administration of justice by prohibiting any meaningful access to the highest and last court of appeal in the land, is a nullity, and is facilitating the trafficking of his children for financial benefit.

[4] The orders Mr Coulson seeks from this Court are as follows:

27.1 tikanga applies to the resolution of these matters being private controversies over land, and access to children,

27.2 I have full time care and custody of the child, and

27.3 I have the right to make all decisions with respect to their day-to-day care, including the right to temporarily, and permanently, move the child to Australia at my absolute discretion, if so determined by me to be in their best interests at the relevant time...

[5] In his application of 6 December, Mr Coulson does not appear to challenge any decision of a court below. He does, however, challenge a decision of a Deputy Registrar in the Auckland High Court on 9 October 2024 refusing to accept a memorandum from Mr Coulson for filing in that Court. This refusal, too, was for want of jurisdiction but in any event, it is not a decision of a court capable of appeal to this Court. Any challenge to that refusal must be brought in the High Court under r 2.11 of the High Court Rules 2016.

[6] The Supreme Court has no originating jurisdiction. It cannot make declarations or orders to the effect sought except (with leave) on appeal from a court below. As Mr Coulson has not identified a judgment from which any appeal is brought, this Court has no jurisdiction to deal with his application and the Registrar was correct to reject it.

[7] The application for review is dismissed.