NOTE: 20 JULY 2014 ORDER OF THE HIGH COURT SUPPRESSING THE NAMES AND ADDRESSES OF THE PARTIES REMAINS IN FORCE.

IN THE COURT OF APPEAL OF NEW ZEALAND

CA461/2014
[2014] NZCA 514

BETWEEN	NR Appellant
AND	DISTRICT COURT AT AUCKLAND First Respondent
AND	MR Second Respondent

Counsel: Appellant in Person
R J Hollyman and AJB Holmes for Second Respondent

Judgment: (On the papers) 28 October 2014 at 11.30 am

JUDGMENT OF WILD J
(Review of Deputy Registrar's decision concerning disclosure of information)

The application for review of the Registrar's decision is dismissed.

REASONS

[1] By application filed on 1 October 2014 the appellant seeks a review of the Deputy Registrar's decision of 30 September 2014 not to provide to the appellant the details he had requested as to payment or waiver of filing fees for the second respondent in this appeal.

[2] The application for review is opposed by the second respondent, in a memorandum filed on 6 October by her counsel.

[3] Having reviewed the Registrar's decision, I uphold it. My reasons are

(a) The information sought relates to the administration of the Court, and is thus not a "document" or part of the "court file" in terms of r 6(1) of the Court of Appeal (Access to Court Documents) Rules 2009 (the Rules). The definition of "document" for the purposes of the Rules is found in r 3, and expressly excludes "any material that relates to the administration of the court". The definition of "court file" is "a collection of documents that relate to an appeal and are in the custody or control of the court". The information sought by the appellant does not fall within that definition for the same reason that it is not a "document".

(b) If I am wrong in the conclusion expressed in (a), and the request was properly made under r 6(1) of the Rules, then I direct under r 6(3) that the information requested by the appellant not be made available to him or any lawyer he may instruct. I do that because the appellant has no legitimate interest in obtaining the information. It has no relevance to his ability to advance his appeal or defend the cross-appeal.

[4] In the result, the application for review of the Deputy Registrar's decision is dismissed.

Solicitors:
Wilson Harle, Auckland for Second Respondent