

IN THE COURT OF APPEAL OF NEW ZEALAND

**CA341/2013
[2014] NZCA 152**

BETWEEN PHILIPPA CURRIE & ORS
Appellant

AND VINCENT JAMES CLAYTON & ANOR
Respondent

Court: Harrison, Stevens and White JJ

Counsel: J C Pike QC for Appellants
P N Allan for Respondents

Judgment: 16 April 2014 at 3.15 pm
(On the papers)

JUDGMENT OF THE COURT

The application for leave to intervene in this appeal is declined.

REASONS OF THE COURT

(Given by Harrison J)

[1] We refer to Randerson J's comprehensive minute dated 28 March 2014 and memoranda filed by Mr Machirus and by Ms Currie and others dated 4 April and 8 April 2014 respectively.

[2] Mr Machirus seeks leave to intervene and present submissions in relation to this appeal. Ms Currie opposes. At [4] and [5] of his minute, Randerson J noted that, first, Mr Machirus is not a party to the proceeding currently before this Court and, second, pointed out in particular that, as the issues arising on this appeal are largely of a legal nature, there is little that a self represented party in an unrelated proceeding could materially add. Randerson J also noted that Mr Machirus is

entitled to be present at the hearing of this appeal but is not entitled to address submissions. Mr Machirus consented to the application being dealt with on the papers.

[3] Mr Machirus' memorandum dated 4 April 2014 does not address the points made by Randerson J. He has not advanced any substantive or arguable grounds in support of his application to intervene. We are not satisfied that it is in the overall interests of justice to allow his intervention, whether by an appearance or in writing.

[4] Mr Machirus' application for leave to intervene in this appeal is declined.

Solicitors:
Crown Law Office, Wellington for Appellants