



court record” and public access is generally available to documents which are within that definition. Applications for leave to appeal are not within the definition.

An application for access to an application for leave to appeal in those courts would be addressed in terms of criteria stipulated in the rules. These include, among others, the orderly and fair administration of justice, the principle of open justice (that is encouraging fair and accurate reporting on the Court’s decisions), the privacy interests of parties and the freedom to seek and impart information. In the absence of specific rules which apply to documents held by this Court but given r 5(2) of the Supreme Court Rules, I propose to assess the present application by reference to those criteria.

[4] The reason for which Mr [redacted] says he seeks access is that he is investigating a story on the case. Access to documents may be appropriate for a representative of an organisation of the kind described in s 198(2) of the Criminal Procedure Act 2011, who is investigating a matter related to an appeal or application for leave to appeal. Such media organisations are subject to standards aimed at promoting fair and accurate reporting of the Court’s proceedings. However, Mr [redacted] is not a representative of such an organisation.

[5] In those circumstances and in the absence of any other reason for seeking access, I do not consider that providing him with a copy of the application for leave to appeal, which does not form part of the formal Court record, would be calculated to promote the ends of justice.

[6] I therefore decline Mr [redacted] application for a copy of the notice of application for leave to appeal in relation to this matter.