

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV-2016-485-781

BETWEEN MALCOLM EDWARD RABSON
Applicant

AND JUDICIAL CONDUCT
COMMISSIONER
First Respondent

JUSTICES ELIAS, YOUNG, ARNOLD,
GLAZEBROOK AND O'REGAN
Second Respondents

Hearing: 31 October 2016

Counsel: M E Rabson (in person)
C Cross for First Respondent
H Carrad for Second Respondents

Minute: 1 November 2016

MINUTE OF WILLIAMS J

[1] Ms Carrad seeks removal of the Justices of the Supreme Court named as Second Respondents. She relies on the decisions of this Court in *Rabson v Judicial Conduct Commissioner*¹ and *Creser v Judicial Conduct Commissioner*.² The position is clear that the Judges of the Supreme Court are not properly joined and are struck out accordingly.

[2] An award of costs is appropriate. Ms Carrad is to file a memorandum accordingly.

[3] In the meantime, timetabling orders for the Commissioner's strike-out application are made as follows:

(a) the Commissioner is to file and serve his submissions and bundle of

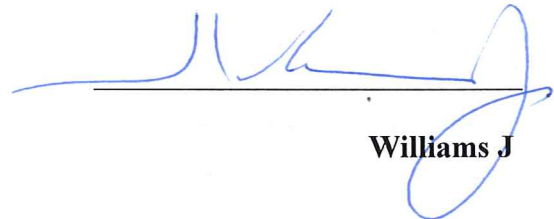
¹ *Rabson v Judicial Conduct Commissioner* [2016] NZHC 884.

² *Creser v Judicial Conduct Commissioner* [2016] NZHC 1513.

authorities by **14 November 2016**; and

(b) Mr Rabson is to file and serve his submissions and bundle of authorities by **28 November 2016**.

[4] By consent, the application may be dealt with on the papers.



Williams J