

IN THE SUPREME COURT OF NEW ZEALAND

SC 72/2014
[2014] NZSC 126

BETWEEN RAZDAN RAFIQ
Applicant

AND GOOGLE NEW ZEALAND LIMITED
Respondent

Court: McGrath, William Young and Glazebrook JJ

Counsel: Applicant in person
W Akel, T J Walker and B J Thomson for the Respondent

Judgment: 17 September 2014

JUDGMENT OF THE COURT

- A The application for leave to appeal is dismissed.**
- B The applicant is to pay costs of \$2,500 plus all reasonable disbursements (to be fixed, if necessary, by the Registrar) to the respondent.**
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REASONS

[1] Mr Rafiq applies for leave to appeal against a decision of Harrison J, dismissing his application for review of the decision of the Registrar of the Court of Appeal refusing to waive security for costs.¹

[2] The underlying appeal to the Court of Appeal is in respect of an order for security for costs made against Mr Rafiq by Associate Judge Doogue in the High Court.²

¹ *Rafiq v Google New Zealand Limited* [2014] NZCA 320.

² *Rafiq v Google New Zealand Limited* [2014] NZHC 551.

[3] The High Court proceeding is a defamation claim against Google New Zealand in respect of search results returned by the Google Search Service. Mr Rafiq claims that the search results lead to a third party website where comments are made about a Human Rights Review Tribunal decision where Mr Rafiq was a party.

[4] There was no error of principle in Harrison J's approach and there is no risk of a miscarriage of justice. Further, no issue of general or public importance arises.

[5] The application for leave to appeal is dismissed.

[6] The applicant is to pay costs of \$2,500 plus all reasonable disbursements (to be fixed, if necessary, by the Registrar) to the respondent.

Solicitors:
Simpson Grierson, Auckland for the Respondent