

NOTE: ORDER PROHIBITING PUBLICATION OF NAME, ADDRESS, OCCUPATION OR IDENTIFYING PARTICULARS OF APPLICANT PURSUANT TO S 200 OF THE CRIMINAL PROCEDURE ACT 2011. SEE <http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360346.html>

NOTE: PUBLICATION OF NAMES, ADDRESSES, OCCUPATIONS OR IDENTIFYING PARTICULARS OF COMPLAINANTS PROHIBITED BY S 203 OF THE CRIMINAL PROCEDURE ACT 2011. SEE <http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360350.html>

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

**SC 97/2018
[2019] NZSC 4**

BETWEEN	H (SC 97/2018) Applicant
AND	THE QUEEN Respondent

Court: William Young, O'Regan and Ellen France JJ
Counsel: A J Bailey for Applicant
R K Thomson for Respondent
Judgment: 21 February 2019

JUDGMENT OF THE COURT

- A** The application for leave to appeal against the conviction for rape is granted (*H (CA376/2017) v R* [2018] NZCA 376).
- B** The approved question is whether, in dealing with delay, the Court of Appeal correctly dealt with the age of the appellant (including the application of s 322 of the Oranga Tamariki Act 1989).
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REASONS

[1] We direct the Registrar to set the appeal down for hearing on 4 April 2019 and to set a timetable for the filing of submissions so that the respondent's submissions are received no later than 29 March 2019.

Solicitors:
Crown Law Office, Wellington for Respondent