

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>

NOTE: PUBLICATION OF NAMES, ADDRESSES, OCCUPATIONS OR IDENTIFYING PARTICULARS OF ANY PERSONS UNDER THE AGE OF 18 YEARS WHO IS A COMPLAINANT OR WHO APPEARED AS A WITNESS PROHIBITED BY S 204 OF THE CRIMINAL PROCEDURE ACT 2011. SEE

<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360352.html>

NOTE: PUBLICATION OF THE APPLICANT'S PREVIOUS CONVICTIONS PROHIBITED BY S 199A OF THE CRIMINAL PROCEDURE ACT 2011. SEE

<http://www.legislation.govt.nz/act/public/2011/0081/latest/LMS409626.html>

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC 51/2025
[2025] NZSC 117**

BETWEEN T (SC 51/2025)
 Applicant

AND THE KING
 Respondent

Court: Ellen France, Williams and Kós JJ

Counsel: J N Olsen for Applicant
 J M Pridgeon and D Lye for Respondent

Judgment: 12 September 2025

JUDGMENT OF THE COURT

**A The application for leave to appeal is granted
(*T (CA449/2023) v R* [2025] NZCA 136).**

**B The approved question is whether the Court of Appeal was
correct to dismiss the appeal against conviction.**

REASONS

[1] Leave to appeal is granted in general terms. However, counsel are asked to focus on the use of counter-intuitive evidence by the prosecutor and on the effect of the lack of directions to the jury on the use of that evidence.

Solicitors:

Te Tari Ture o te Karauna | Crown Law Office, Wellington for Respondent