

**NOTE: PUBLICATION OF NAME, ADDRESS, OCCUPATION OR
IDENTIFYING PARTICULARS OF COMPLAINANT 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 O AOTEAROA

**SC 12/2025
[2025] NZSC 59**

BETWEEN	TYSON WADE FRANCIS REPIA Applicant
AND	THE KING Respondent

Court:	Ellen France, Williams and Kós JJ
Counsel:	P K Hamlin and S J R Baird for Applicant E J Hoskin for Respondent
Judgment:	27 May 2025

JUDGMENT OF THE COURT

- A** **The application for leave to appeal is granted (*Repia v R* [2024] NZCA 677).**
- B** **The approved question is whether the Court of Appeal was correct to dismiss the appeal on the basis that Mr Repia’s reasonable belief in consent was excluded from inquiry in the involvement hearing under s 10 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.**
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Solicitors:
Te Tari Ture o te Karauna | Crown Law Office, Wellington for Respondent