



COURT OF APPEAL OF NEW ZEALAND

TE KŌTI PĪRA O AOTEAROA

30 April 2026

MEDIA RELEASE – FOR IMMEDIATE PUBLICATION

***Brenton Harrison Tarrant v The King* [2026] NZCA 148**

PRESS SUMMARY

This summary is provided to assist in the understanding of the Court’s judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at www.courtsofnz.govt.nz.

Introduction

1. The Court of Appeal today released a decision declining an application brought by Mr Tarrant to appeal his convictions out of time.

Background

2. On 26 March 2020 Mr Tarrant pleaded guilty to 51 charges of murder, 40 charges of attempted murder and one charge of engaging in a terrorist attack. He was convicted of those 92 offences immediately upon pleading guilty. He was sentenced on 27 August 2020 to life imprisonment without parole.
3. On 3 November 2022, Mr Tarrant filed a notice of appeal against his convictions and sentence in the Court of Appeal. He did so 505 working days out of time. His notice of appeal contains an application for an extension of time to bring his appeals.

4. The hearing in the Court of Appeal was confined to Mr Tarrant's conviction appeal and the accompanying extension of time application.
5. After the hearing Mr Tarrant filed a notice of abandonment, advising the Court that he no longer wished to pursue either his conviction or sentence appeal and the accompanying extension of time applications.

Issues for the Court to decide

6. The Court must first determine whether Mr Tarrant should be permitted to abandon his conviction and sentence appeals and the accompanying applications for extensions of time. If the Court determines that Mr Tarrant should not be permitted to do so, at least in relation to his conviction appeal, it must then consider if Mr Tarrant's application to extend time to appeal his convictions should be granted. The merits of the proposed appeal are an integral consideration in determining whether to grant an extension of time. As a result, the Court will consider the merits of Mr Tarrant's proposed conviction appeal to reach a decision on whether or not to grant him an extension of time. Only if the Court grants Mr Tarrant's application for an extension of time can it decide whether or not to allow his conviction appeal.
7. At the hearing, counsel for Mr Tarrant explained that Mr Tarrant's case was based on the proposition that a miscarriage of justice arose because his guilty pleas were not voluntary and were entered as a direct result of the prison conditions that he was subject to prior to pleading guilty. This argument is the primary focus of the Court in assessing the merits of Mr Tarrant's proposed appeal.

The Judgment

For the reasons set out in its unanimous judgment, the Court has concluded:

8. Mr Tarrant should not be granted leave to abandon his conviction appeal and application for an extension of time. Once the hearing of an appeal has commenced, an appellant loses their absolute right of abandonment and wider public interest considerations are engaged. Mr Tarrant's application and conviction appeal are of significant public interest and should be finally determined. However, as the hearing did not address Mr Tarrant's sentence

appeal, the Court accepts Mr Tarrant's notice of abandonment to the extent it relates to his sentence appeal. His application to appeal his sentence out of time is now at an end.

9. Mr Tarrant's application for an extension of time to appeal his convictions is declined. In assessing the merits of his proposed appeal, the Court undertook two enquiries. The first is what Mr Tarrant's state of mind was when he pleaded guilty, and the second is whether his guilty pleas were voluntary.

a. This Court does not accept Mr Tarrant's evidence about his mental state in the period leading up to his guilty pleas. There are inconsistencies in Mr Tarrant's own evidence about the severity of his mental state. His evidence is also at complete odds with the detailed observations of prison authorities and the assessments of most mental health professionals. They are also at odds with the evidence of his trial counsel. He was not suffering from a mental impairment or any other form of mental incapacity which rendered him unable to voluntarily enter guilty pleas.

b. This Court finds that Mr Tarrant's guilty pleas were voluntary. He was not coerced or pressured in any way to plead guilty. The evidence overwhelmingly demonstrates that he was not suffering any significant psychological impacts as a result of his prison conditions at the time he pleaded guilty.

10. The Court concludes that Mr Tarrant's proposed appeal is utterly devoid of merit. He has also failed to justify the long delay in filing his notice of appeal. The wider interests of society, and particularly the victims of Mr Tarrant's offending, strongly favour declining Mr Tarrant's application to extend time to appeal his convictions.