



Supreme Court of New Zealand | Te Kōti Mana Nui o Aotearoa

15 April 2026

MEDIA RELEASE

F v R

(SC 98/2025)

Hearing in the Supreme Court Wednesday 22 April 2026

CASE HISTORY SYNOPSIS

This synopsis is provided to assist in understanding the history of the case and the issues to be heard by the Court. It does not represent the views of the panel that will hear the appeal in the Supreme Court.

Suppression

Publication of the name, address and occupation or identifying particulars of the complainant is prohibited by s 203 of the Criminal Procedure Act 2011.

Publication of the names, addresses, occupations or identifying particulars of any person under the age of 18 years who is a complainant or who appeared as a witness is prohibited by s 204 of the Criminal Procedure Act 2011.

The appellant's name is anonymised in this Court per *H v R* [2019] NZSC 69, [2019] 1 NZLR 675.

Background

This case raises issues regarding how an adult should be sentenced for offending committed as a young person, in light of the Supreme Court's decision in *G v R* [2026] NZSC 19. That decision was delivered after the Court of Appeal judgment in this case.

In April 2024, F was found guilty of two representative charges of sexual violation by rape. He was sentenced in the District Court to five years and seven months' imprisonment.

F was aged between 15 and 16 years at the time of the offending. He was an adult when charged and 24 years old at the time of sentencing.

F appeals his sentence on the basis that, if he had been charged at the time of the offending, he would have been within the jurisdiction of the Youth Court, where he would likely have received a non-custodial sentence, rather than the sentence of imprisonment received when he was charged in the District Court.

On 4 August 2025, the Court of Appeal dismissed F's appeals against his conviction and sentence. The Court assessed F's sentence appeal with reference to *R v AM (CA 27/2009)* [2010] NZCA 114, [2010] 2 NZLR 750, which provides guidance for sentencing in cases of sexual violation by rape and unlawful sexual connection.

The Court rejected F's argument that cases involving young offenders should receive a starting point for their sentence lower than that specified in *R v AM (CA 27/2009)*.

This appeal

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

Viewing of hearing

The courtroom is open to the public.

The panel

The Hon Justice Miller	The Hon Justice Williams	The Hon Justice Ellen France	The Hon Justice Kós	The Hon Justice Cooke
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Judges as seen from the public gallery

Counsel

- F (Appellant): *N M Dutch and R E Webby*
- The King (Respondent): *J M Pridgeon, L J Sullivan and C A Robertson*

Sitting hours

Court will begin at 10:00am and conclude at 1:00pm with adjournments taken from 11:30am to 11:45am.

Enquiries

Any enquiries about the hearing should be directed via email to supremecourt@justice.govt.nz. While attending the hearing, enquiries can also be directed to the Court Registry, which is located outside the main courtroom in the Supreme Court foyer.

Contact person:

Sue Leaupepe, Supreme Court Registrar (04) 914 3613

Court of Appeal decision: [\[2025\] NZCA 385](#) (4 August 2025)

Supreme Court leave decision: [\[2025\] NZSC 190](#) (9 December 2025)