



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

15 JULY 2025

MEDIA RELEASE

G (SC 130/2024) v THE KING

(SC 130/2024)

Hearing in the Supreme Court Tuesday 22 July 2025

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

INTERIM ORDER PROHIBITING PUBLICATION OF THE APPELLANT'S NAME, ADDRESS, OCCUPATION AND IDENTIFYING PARTICULARS, AND OTHER PRIVATE INFORMATION ABOUT THE APPELLANT CONTAINED IN THE SUBMISSIONS (BEYOND INFORMATION ABOUT HIS CURRENT AGE, AND HIS AGE AT THE TIME OF THE OFFENDING) UNTIL FURTHER ORDER OF THE SUPREME COURT.

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 NAME, ADDRESS, OCCUPATION OR IDENTIFYING PARTICULARS OF COMPLAINANT PROHIBITED BY S 204 OF THE CRIMINAL PROCEDURE ACT 2011. SEE

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

Background

In August 2023, G pleaded guilty to two charges of sexual violation by unlawful sexual connection and was found guilty following a jury trial on one charge of sexual violation by rape. He was sentenced in the District Court to three years and four months' imprisonment on 9 April 2024.

G was 15 when he offended, 19 when he was charged and 22 when he was sentenced. He appeals on the basis that, if he had been charged in the Youth Court at the time of the offending, he would likely have received a rehabilitative non-custodial sentence, rather than the sentence of imprisonment he received when he was charged in the District Court.

Court of Appeal decision

On 29 November 2024, the Court of Appeal dismissed G's appeals against his conviction and sentence. The Court assessed his sentence appeal with reference to *R v AM (CA27/2009)* [2010] NZCA 114, [2010] 2 NZLR 750. That judgment provides guidance for sentencing in cases of sexual violation by rape and unlawful sexual connection.

The Court rejected G's argument that cases involving young or disadvantaged offenders should receive a starting point for their sentence lower than that specified in *R v AM*. The Court held that youth should be considered at the next stage in the sentencing methodology, which is when the Court determines appropriate discounts for mitigating factors personal to the offender. The Court found further that the District Court Judge did not err in relation to other aspects of the application of the sentencing methodology.

This appeal

On 4 April 2025, the Supreme Court granted G leave to 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 Kós	The Hon Justice Glazebrook	The Rt Hon Chief Justice Winkelmann	The Hon Justice Williams	The Hon Justice Miller
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Judges as seen from the public gallery

Counsel

- G (SC 130/2024) (Appellant): *L C Ord and E T Blincoe*
- The King (Respondent): *E J Hoskin and W J Harvey*

Sitting hours

Court will begin at 10:00am and conclude at 1:00pm with an adjournment 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 Leapepe, Supreme Court Registrar (04) 914 3613

Court of Appeal decision: [2024] NZCA 626 (29 November 2024)

