



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

23 March 2026

## **MEDIA RELEASE**

JESSICA MULFORD v R

(SC 110/2025)

**Hearing in the Supreme Court Tuesday 31 March 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**

**The High Court order prohibiting publication of any material referring to specified background facts remains in force: see [\[2025\] NZCA 444](#) at [1], n 1.**

#### **Background**

This is a sentence appeal concerning the starting point adopted by the sentencing Judge and the discounts given for mitigating factors, namely youth and background factors.

#### *High Court*

The appellant, Jessica Mulford, was tried in the High Court on two charges arising from serious violence against her partner's two-year-old daughter: (1) injuring with intent to injure, in relation to a strangulation incident in November 2021; and (2) murder, in relation to a serious assault in April 2022 involving application of force to the child's abdomen causing catastrophic internal injuries and death. The jury found Ms Mulford guilty of injuring with intent but acquitted her of murder, instead finding her guilty of manslaughter.

Ms Mulford was sentenced on 21 February 2025. The Judge found that the manslaughter involved serious violence against a very young and vulnerable child, a breach of trust, and that the earlier strangling incident was an aggravating feature of the later manslaughter. Because Ms Mulford was aged under 18 at the time of the November 2021 incident, the Judge held that pursuant to s 18 of the Sentencing Act 2002, imprisonment could not be imposed for that offence. He therefore discharged her on that count. In relation to the manslaughter offence, the Judge adopted a starting point of seven years' imprisonment. He then allowed discounts of 15 per cent for youth and five per cent for background factors, producing an end sentence of five years and seven months' imprisonment.

## *Court of Appeal*

Ms Mulford appealed her manslaughter sentence to the Court of Appeal, arguing that the sentence was manifestly excessive because the seven-year starting point was too high, that the Judge had wrongly taken the earlier injuring offence into account despite s 18 of the Sentencing Act, and that the discounts for personal mitigating factors were insufficient. On 2 September 2025, the Court of Appeal dismissed the appeal. It held that the sentencing Judge had not erred in treating the earlier strangulation as an aggravating factor: the earlier offending was directly connected to the manslaughter and showed an escalation in a pattern of violence, rather than being separate offending. The seven-year starting point was within the available range and the youth and background discounts did not disclose error warranting appellate intervention. The Court concluded the sentence was not manifestly excessive.

### **This appeal**

On 18 December 2025, the Supreme Court granted Ms Mulford leave to bring a second appeal against sentence. The approved question is whether the Court of Appeal was correct to dismiss the appeal.

The overall issue before the Court is whether for any reason, there is an error in the sentence imposed on conviction so as to require imposition of a different sentence, as set out in s 256(2)(a) of the Sentencing Act. The Court will consider the starting point adopted by the sentencing Judge and the discounts applied for mitigating factors.

A further matter of principle may arise, namely whether s 18 of the Sentencing Act (as at the time of the sentencing) prohibited consideration of prior offending committed while the defendant was aged under 18 years as an aggravating factor in sentencing for later, adult offending.

### **Remote viewing of hearing**

Members of the public may apply to the Court for permission to view this hearing remotely. The [Protocol for Remote Viewing of Hearings](#) will apply. No recording is permitted.

If you wish to view this hearing remotely, please email your request with your name and phone number to the Supreme Court Registry, [supremecourt@courts.govt.nz](mailto:supremecourt@courts.govt.nz), before 1 pm on Monday 30 March.

### **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**

- Jessica Mulford (Appellant): *N M Dutch*
- The King (Respondent): *P D Marshall and N J Wynne*

### **Sitting hours**

Court will begin at 10.00 am and conclude at 1.00 pm with an adjournment taken from 11.30 am to 11.45 am.

## Enquiries

Any enquiries about the hearing should be directed via email to [supremecourt@justice.govt.nz](mailto: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

High Court sentencing notes: [\[2025\] NZHC 249](#) (21 February 2025)

Court of Appeal decision: [\[2025\] NZCA 444](#) (2 September 2025)

Supreme Court leave decision: [\[2025\] NZSC 194](#) (18 December 2025)

