



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

24 June 2026

## **MEDIA RELEASE**

Southern Cheyenne Thompson v The King

(SC 76/2024)

**Hearing in the Supreme Court 7 July 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.

#### **Background**

This case concerns the correct approach to the “manifest injustice” exception to the presumptive minimum period of imprisonment (MPI) of at least 17 years in murder cases where the defendant has been sentenced to life imprisonment and the deceased was a vulnerable person.

Under section 102 of the Sentencing Act 2002, a court usually must sentence a person convicted of murder to life imprisonment. If the court does so, section 103 provides that the court must order that the offender serve an MPI of at least 10 years or that the offender serve the sentence without parole. Section 104 of the Sentencing Act requires the court to impose an MPI of at least 17 years in certain circumstances—including, under section 104(1A)(h), where “the deceased was particularly vulnerable because of their age, health, or any other factor”—unless the court is satisfied that it would be “manifestly unjust” to do so.

The appellant, Ms Thompson, pleaded guilty to the murder of her daughter, Comfort Jay Thompson. Comfort died in Waikato Hospital aged 18 months from a non-survivable brain injury caused by blunt-force trauma. Ms Thompson also pleaded guilty to two charges of ill treatment of Comfort and one charge of injuring her with intent.

On 13 May 2022, Lang J, in the High Court, sentenced Ms Thompson to life imprisonment with an MPI of 17 years.

Ms Thompson appealed her sentence to the Court of Appeal, arguing the MPI imposed was manifestly unjust, given her difficult personal background and her remorse. On 25 June 2024, the Court of Appeal dismissed Ms Thompson’s appeal.

## This appeal

On 5 March 2026, the Supreme Court granted leave to appeal. The approved question is whether the Court of Appeal was correct to dismiss the appeal.

The Court asked counsel to address the correct approach to manifest injustice under section 104(1A)(h) of the Sentencing Act and its application to the facts of this case.

In support of her appeal, Ms Thompson seeks leave to adduce new evidence in the form of a psychiatric report which she alleges provides further insight into her mental state at the time of the offending. The Court said the application for leave to offer new evidence on appeal will be decided at the hearing of the appeal.

## Viewing of hearing

The courtroom is open to the public.

This hearing of the appeal will also be live-streamed. Details about access to the live-stream and the conditions of access will be posted on the [Courts of New Zealand website](#) shortly before the hearing. No recording is permitted.

## The panel

The Hon Justice Miller	The Hon Justice Ellen France	The Rt Hon Chief Justice Winkelmann	The Hon Justice Williams	The Hon Justice Cooke
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Judges as seen from the public gallery

## Counsel

- Southern Cheyenne Thompson (Appellant): *S J Gray, T J Conder and C Shao*
- The King (Respondent): *M J Lillico and B So*

## Sitting hours

Court will begin at 10:00am and conclude at 4:00pm with adjournments taken from 11:30am to 11:45am and from 1:00pm to 2:15pm. There is no afternoon adjournment.

## 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 decision: [\[2022\] NZHC 1038](#) (13 May 2022)

Court of Appeal decision: [\[2024\] NZCA 266](#) (25 June 2024)

Supreme Court leave decision: [\[2026\] NZSC 12](#) (5 March 2026)