



**Supreme Court of New Zealand  
Te Kōti Mana Nui**

**19 November 2019**

**MEDIA RELEASE – FOR IMMEDIATE PUBLICATION**

**BROOKE CHRISTIE ROLLESTON v THE QUEEN (SC 17/2019)**

**BRANDON JAMES ROCHE v THE QUEEN (SC 18/2019)**

**[2019] NZSC 129**

**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 will be available at Judicial Decisions of Public Interest [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz)**

**Suppression**

This judgment is subject to suppression orders under ss 203 and 204 of the Criminal Procedure Act 2011 and s 32B of the Juries Act 1981. These suppression orders prevent the publication of the names, addresses, occupations or identifying particulars of the complainant, any person under 18 who appeared as a witness in the proceeding, and any juror who attended for jury service in this proceeding.

There are also suppression orders in place preventing the publication of minutes issued by the Supreme Court in relation to this proceeding.

**Background**

The appellants were found guilty by a jury of sexual offending against a teenage complainant. The appellants appealed their convictions first to the Court of Appeal and then to the Supreme Court on the basis that the trial was unfair. They said that one of the jurors knew the first appellant’s brother.

After an initial oral hearing, the Supreme Court appointed a barrister to undertake an inquiry as to whether the juror knew the brother and, if so, the nature of that association. Having received the barrister's report, the Court held a second oral hearing to address any further concerns in light of that report. During this second hearing, the appellants applied to cross-examine the juror.

### **The Supreme Court's decision**

The Supreme Court has decided to decline the application to cross-examine the juror, and to dismiss the appeals.

The Court will give its reasons for this decision in due course.

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