



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

25 FEBRUARY 2025

MEDIA RELEASE

RUEBEN TEIKA v TE WHATU ORA HEALTH NEW ZEALAND

(SC 95/2024)

**Hearing of the Supreme Court in the Christchurch High Court Thursday
13 March 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.

Issue

The appeal concerns whether Mr Teika's application for a writ of habeas corpus under s 6 of the Habeas Corpus Act 2001 should have been granted. A writ of habeas corpus is an order that a detained person be released from detention.

Background

The appellant, Mr Teika, faced five charges of sexual violation by unlawful sexual connection and one charge of obtaining by deception in the District Court.

On 4 April 2024, he was found unfit to stand trial under s 8A of the Criminal Procedure (Mentally Impaired Persons) Act 2003 (CPMIPA).

On 5 July 2024, he was found to have been involved in the offending under s 10 of CPMIPA. The Judge made an order under s 23(1) of CPMIPA directing that inquiries be made as to the most suitable method of dealing with Mr Teika under ss 24 or 25 of CPMIPA. Section 23(4) of CPMIPA provides that such inquiries "must be completed as quickly as practicable and, in any event, within 30 days after the date of the order under which the inquiries are made".

Mr Teika was remanded to a secure hospital facility under s 23(2)(b) of CPMIPA which empowers a court to remand a person to a hospital or a secure facility for the purposes of the inquiries under s 23(1). On 2 August 2024, the District Court ordered that Mr Teika continue to be remanded to the hospital until 26 September 2024. The following day, 3 August 2024, corresponded with the expiration of the 30-day period under s 23(4).

On 4 August 2024, Mr Teika applied for a writ of habeas corpus on the basis that the 30-day period under s 23(1) of CPMIPA had expired, which he alleged meant that there was no lawful basis for his continued detention.

High Court decision

On 8 August 2024, the High Court refused Mr Teika's application for a writ of habeas corpus. The High Court considered that the 30-day timeframe was intended to ensure that the inquiry stage is completed as quickly as practicable and that s 23(4) could not sensibly be interpreted to mean that any delay beyond those 30 days must automatically result in the release of the detained person.

Court of Appeal decision

On 19 August 2024, the Court of Appeal dismissed Mr Teika's appeal against the High Court's decision, holding that the lawful authority for Mr Teika's detention was based on s 168(1) of the Criminal Procedure Act 2011.

This appeal

On 25 September 2025, the Supreme Court granted Mr Teika leave to appeal.

The approved question is whether the Court of Appeal was correct to dismiss Mr Teika's appeal. The appeal will focus on whether there was a lawful basis for Mr Teika's detention. The parties have been asked to address the reasons of the High Court and the Court of Appeal.

The Attorney-General has been granted leave to intervene in this appeal because the case may impact other Crown entities.

Note: Mr Teika is currently detained under an order made pursuant to s 25(1)(b) of CPMIPA. The appeal does not concern this subsequent order.

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

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|------------------------|---------------------------------|-------------------------------|-----------------------------|---------------------------|
| The Hon Justice Kós | The Hon Justice Ellen France | The Hon Justice Glazebrook | The Hon Justice Williams | The Hon Justice Miller |
|------------------------|---------------------------------|-------------------------------|-----------------------------|---------------------------|

Judges as seen from the public gallery

Counsel

- Rueben Teika (Appellant): *A M S Williams and K N Stitely*
- Te Whatu Ora Health New Zealand (Respondent): *B Hawes and A M Harvey*
- Attorney-General (Intervener): *K Laurenson*

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.

Contact person:

Sue Leaupepe, Supreme Court Registrar (04) 914 3613

Court of Appeal decision: [\[2024\] NZCA 390](#) (19 August 2024)

Supreme Court leave decision: [\[2024\] NZSC 125](#) (25 September 2024)

