

**IN THE HIGH COURT OF NEW ZEALAND  
WHANGAREI REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
WHANGĀREI-TERENGA-PARĀOA ROHE**

**CRI-2024-029-000295  
[2025] NZHC 3149**

**THE KING**

v

**KAYTEE NGAIRE TAHAU**

Appearances: B O'Connor and D Cole for the Crown  
A Fairley and A Pilkington for the Defendant

Sentence: 17 October 2025

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**SENTENCING NOTES OF BECROFT J**

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Solicitors:  
Marsden Woods Inskip Smith, Whangarei  
Thomson Wilson, Whangarei

## **The charges**

[1] Ms Kaytee Tahau, at the age of 48, you appear for sentence having pleaded guilty to one charge of murder<sup>1</sup> and one charge of assault with a weapon.<sup>2</sup>

[2] The presumptive sentence for murder is life imprisonment. In this case, that is the sentence the Court must impose on you. The only issue is the length of the minimum term of imprisonment that you must serve before you are first eligible for parole consideration.

[3] First today, I want to acknowledge the presence and input of the family of the deceased, Ms Saralee Moke, who are here in court today. Saralee was your cousin, Ms Tahau. I acknowledge you all and that the entire wider family has been affected by your actions Ms Tahau.

[4] It is appropriate to pause and to acknowledge that a life has been lost. And it is right to remember that, and to remember Saralee in particular. Nothing that this court does today can bring her life back, and what I am about to say cannot value her life in terms of numbers or in any sentencing approach. But it is nevertheless the approach that must be taken.

## **Facts**

[5] As to the facts of the offending, Ms Tahau, at the time, you lived alone in a caravan at a holiday park in Northland where you worked as a cleaner.

[6] Ms Saralee Moke, your cousin, who you went on to kill, was visiting you at the time.

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<sup>1</sup> Crimes Act 1961, ss 167 and 171. Maximum penalty of life imprisonment.

<sup>2</sup> Crimes Act, s 202C. Maximum penalty of five years' imprisonment.

[7] Also visiting you was Ms Renee Bevan who lived in Australia and had been your partner while you were in Australia. She arrived in New Zealand on 29 March 2024. You and your partner—Ms Bevan—were staying in the caravan. Ms Moke was staying in a tent outside.

[8] On the days leading up to the offending, it seems that some real tension developed between you and Ms Bevan (your partner). You accused her of “having a thing” for your cousin (that is Ms Moke). You were violent towards your partner. This included hitting her several times with an open hand. You appeared to become significantly jealous of Ms Moke at the time, and you thought she was spending undue alone time with your partner.

[9] This incident occurred in the evening of 3 April 2024 and possibly into the early hours of 4 April 2024.

[10] Ms Moke had generously paid for a cabin for you and Ms Bevan because it was your last night together before Ms Bevan had to return to Australia. That allowed Ms Moke (your cousin) to stay in the caravan.

[11] That evening the three of you drank alcohol together. It seems you all became intoxicated. You and Ms Bevan then returned to your cabin for the evening. You fell asleep. But Ms Bevan went back to the caravan, about 60 to 80 metres away, down the hill to drink more with Ms Moke.

[12] Sometime later, Ms Bevan decided to come back to the cabin and to go to bed. Ms Moke walked back up to the cabin with her. When they got there, you were awake, and you were angry. You swore at Ms Bevan and said, “You just had to go down and drink with my cousin”. You then became violent. During the resulting scuffle, you hit Ms Bevan to the head and bit her arm. You also pushed Ms Moke into a mirror which broke, you bit her on the chest, and hit her over the head with a mug.

[13] There was then a brief calm when you left and walked out of the cabin. Out of fear, Ms Bevan shut the door and locked herself and Ms Moke inside. Approximately 15 minutes later you returned. You asked to be let in. You asked for your phone and

keys to be given to you. Ms Bevan and Ms Moke let you in but explained they did not have your keys or your phone.

[14] At this point, at the cabin, another fight broke out. You hit Ms Moke over the head with the broken mirror frame. You then left, taking with you parts of the broken mirror frame. Ms Bevan followed you.

[15] At this stage as you walked down to the caravan, some distance away, you hit Ms Bevan several times over the head with the broken mirror frame. Ms Bevan was cut with pieces of broken wood. This caused her cheek and ear to bleed. While assaulting your partner you said that “she had a thing” for your cousin. It is this incident which is the basis of the assault with a weapon charge which carries a maximum of five years’ imprisonment.

[16] You then returned to the caravan and began throwing out your partner’s clothes and her luggage packed for the return journey to Australia. You ripped up photos of her. You and Ms Moke then began to fight again. The fight started on the porch—in front of the caravan and ended up on the grass near the caravan. You and Ms Moke were each punching each other and pulling each other’s hair amongst other things. At one point you were on top of her; and, at another point, she was on top of you. All the while Ms Bevan was trying to break up the fight but was unable to do so.

[17] Eventually, you and Saralee stopped fighting.

[18] You then went and got a 30 cm long kitchen knife from inside caravan which you later described as a butcher’s knife. You first approached Ms Bevan who ran away. Saralee then came up onto the deck and you began to scuffle again. During this scuffle you stabbed Saralee with the knife twice—once to her abdomen and once to and through her arm into the back of her upper chest.

[19] Ms Bevan, your partner, ran up the track screaming for help. People came to assist, and emergency services arrived shortly afterwards. Tragically, Saralee Moke was unable to be resuscitated. Her wounds were mortal. She was pronounced dead at the scene.

[20] The stab wound to her abdomen was over five cm long and 10 cm deep. It penetrated the chest wall, rib cartilage, liver and into the portal vein.

[21] The wound to her arm was four cm long and also 10 cm deep. The knife penetrated the back of her left arm, went through the deltoid muscle, the muscles of the upper left back, and penetrated the left lung.

[22] There were other incision wounds caused earlier by being hit over the head by you with the solid mug. The cause of death was recorded as multiple stab wounds.

### **Procedural history**

[23] You were charged with murder on 4 April 2024. On 21 July 2025, the morning your jury trial was set to begin, you pleaded guilty to murder and assault with a weapon. Your plea was on the basis of a reckless not an intentional murder. This means you intended to injure Saralee Moke and you knew that a likely result of that injury was death, but you continued with the assault anyway. And you were reckless as to whether death ensued or not.

### **Victim Impact**

[24] I want to address the impact of your offending. It is incalculable.

[25] It is a profound tragedy that I have to acknowledge. Ms Moke's loss is very deeply and keenly felt by all members of her whānau. The loss of every person in circumstances such as this indeed is a tragedy for the entire community.

[26] I have this morning heard from Saralee's daughter, also speaking on behalf of her brothers and family. I have also heard from Saralee's brother. They have each spoken of the immense grief that losing Saralee has caused them. They describe how they miss her and will continue to miss her presence at all significant family events; and how this tragedy has rippled throughout their entire family.

[27] Her death, one said, has left a hole that cannot be filled. Saralee's daughter is frankly furious that you chose violence and in a jealous rage killed her mother—with that killing, certain she says, to echo down the generations. Each speak on behalf of the wider family. Some of the family do not feel able to address the court respectfully and with appropriate dignity, such is their heartache and anger.

[28] Saralee's brother speaks as one who shares with Saralee the same whakapapa—the 'Tūwharetoa bloodline' as he puts it. And he emphasises that the entire whānau suffers the sentence for this horrendous crime.

[29] At present, he honestly and frankly acknowledges that the hurt, the mamae, is just too deep for forgiveness at this stage. Her death is all the more tragic because you, Ms Tahau, are part of that whānau. You were a cousin to Saralee and her siblings, and a niece to her parents. In the words of her brother, your offending has torn the whānau apart; shattering it in ways that can never be repaired.

[30] Ms Bevan's victim impact report speaks of the trauma that she experienced both through your violence towards her and as a result of witnessing the murder of Saralee. She has been diagnosed with PTSD and experiences frequent anxiety and panic attacks. She says she finds it nearly impossible to feel safe in her own home and community.

[31] And finally, I acknowledge the other victims, who have provided victim impact reports for me to read. Those family members are understandably all heart broken. And they feel her loss and everything she contributed to their whānau. My words Ms Tahau cannot properly explain the depth of the enduring damage that you have caused. But you heard, and you have read, and you must know that in that moment of alcohol fuelled jealous, angry rage what you have done.

### **Principles and purposes of sentencing**

[32] Today I need to send a clear deterrent message that this sort of gratuitous, vicious, knife violence is unacceptable in any civilised community. I need to hold you

accountable for the harm done to the victim and the community. That incalculable harm is expressed through the victim impact reports.

[33] Your conduct must be denounced. You and others must be deterred from committing similar offences. And for the time being there is also the need for the protection of your former partner.

[34] It is for purposes that must be met by the minimum period of imprisonment I impose on you.<sup>3</sup>

[35] However, more generally, the sentence I impose should promote in you a sense of responsibility for the harm done and assist in your rehabilitation and reintegration into the community as a responsible adult—which one day will occur.

### **Starting point**

[36] As to the minimum period of imprisonment that the Court is required to impose, I explain again to the wider family that sometimes people confuse this sentence with life imprisonment. The minimum term of imprisonment is not the sentence that a person must actually serve—and no more, it is the time that he or she must wait before, in this case Ms Tahau is even entitled to apply for parole. It is entirely a matter for the Parole Board to determine when Ms Tahau should be released on parole under a sentence of life imprisonment. No matter what minimum term I impose this means it is for the Parole authorities to determine when Ms Tahau is released. They will only do so when they are satisfied that Ms Tahau has addressed—and the prison authorities have addressed—all the issues that Ms Tahau obviously faces. And then a person like Ms Tahau, who is sentenced to life imprisonment, is subject to be recalled to prison for the rest of her life. Particularly, if she ever offends again in any way after being released on parole.

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<sup>3</sup> Sentencing Act 2002, s 103.

[37] I now turn Ms Tahau to your appropriate sentence. There is presumption of life imprisonment unless that sentence would be manifestly unjust.<sup>4</sup> There is no dispute here that there is nothing that would make a life sentence manifestly unjust—so life imprisonment is what I must impose on you.

[38] The minimum period of imprisonment that I must impose must be no less than 10 years and must be the minimum term necessary to satisfy the purposes that I just mentioned.

[39] I need to mention that there are certain circumstances when a minimum period of 17 years must be imposed.<sup>5</sup> But the Crown is quite clear that those circumstances are not engaged here, as bad as your violence was. And the Crown does not seek that.

[40] Here, there are four particularly aggravating features of the murder:

- (a) First, the use of a 30 cm long knife—like a butcher’s knife, or perhaps like a carving knife. Such a knife carries with it the capacity for very serious injury if used against another person—given the depth it can penetrate into the body, as was the case here.
- (b) Second, you used it not once but twice in a deliberate attack. This was not a single “one stab attack”.
- (c) Third, there was certainly an element of premeditation. You chose to go back into the caravan to uplift the 30 cm knife with the clear inference that when you came back with it, you intended to use it. In other words, you deliberately armed yourself. It was not an instinctive grabbing and use of a knife in one moment. And it was in the context and part of an ongoing violent incident that night.
- (d) And finally, I cannot ignore here the extent of the loss to the wider family of the deceased.

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<sup>4</sup> Sentencing Act, s 102.

<sup>5</sup> Sentencing Act, s 104.



[41] The Crown submits that the appropriate starting point for the murder is a minimum period of 11 years' imprisonment. The Crown has referred me to four previous cases involving attacks with knives. I won't list them all here today but will footnote them in your sentencing decision.<sup>6</sup>

[42] Your lawyer, Mr Fairley originally contended for a minimum period starting at 10 years' imprisonment. Responsibly, he now accepts this must be higher because of the double use of the knife. But he emphasises this was a reckless rather than intentional murder and to that extent can be distinguished from the case of *Millar* to which the Crown refers and which Mr Fairley says must be regarded as an intentional killing.

[43] I have come to the view that an 11-year minimum term as sought by the Crown is the appropriate starting point. That corresponds to the *Millar* case (referred to by the Crown) which in its facts is similar to your offending even if it was an intentional murder. Here, there was more premeditation, and you used the knife, a long knife, twice. In that case, a group of four were socialising and drinking alcohol. Nothing was amiss until something was said that annoyed the defendant. He got up and retrieved a knife. When he came back, he was challenged as to why he had the knife. He then got into a scuffle with the female victim, took the knife, and stabbed her once in the neck, killing her. As I say, that is a similar case to here. But you had more premeditation and there are two stabbings.

[44] An 11-year starting point is the absolute minimum that is appropriate. And I must impose the least restrictive sentence in all the circumstances. Also I observe that Saralee Moke did nothing to deserve this kind of violence and she did not begin it. You did.

### **Uplift for assault with a weapon**

[45] I must then uplift that starting point to take into account your offending against Ms Bevan. The use of a weapon is inherent in that charge but the fact that you attacked

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<sup>6</sup> *R v Millar* HC Auckland CRI-2010-090-5044, 21 June 2011; *R v Te Maru* [2020] NZHC 2084; *R v Ray* [2014] NZHC 599; and *R v Browne* [2017] NZHC 2389.

Ms Bevan's head aggravates the offending. As does that there was a protection order not only in force against Ms Bevan but also against you to protect Ms Bevan. And there were multiple strikes to her head. The Crown submits that a one-year uplift is appropriate. Mr Fairly suggests six months. Taking into account the totality of all the offending, I am satisfied that the least possible uplift is 12 months or one year on top of the 11 years for the murder.

### **Reductions for personal mitigating features**

[46] As to your personal and mitigating factors. You were 47 at the time of your offending. You are a first offender with no previous convictions in New Zealand of any kind. But there is perhaps one Australian charge involving violence against the father of your children for which you seem to have been eventually discharged after two years good behaviour.

[47] Mr Fairley seeks a six-month reduction for your guilty plea entered, as I say, on the morning your trial was to begin. This followed discussions with the Crown. The intentional murder was amended to one of recklessness. The Crown agrees that a six-month reduction is appropriate which spared Saralee's wider family, and Ms Bevan, from giving evidence. I accept that is an appropriate reduction.

[48] Finally, Mr Fairley has filed on your behalf both a statement from you and an alcohol and other drug report. Those reports identify that you were exposed to both violence, many forms of abuse, and then alcohol from a young age. These have been ongoing features of your life and relationships.

[49] Your detailed personal statement is extensive. And it is insightful and in its own way moving. It is not corroborated, but there is no reason for me to disbelieve you. Your upbringing seems to be, as you describe it, as if you were in the movie *Once Were Warriors*. You describe your father—your late father, as clearly a very violent man, especially when drunk. You experienced regular beatings as a child. You began using cannabis at age 10, introduced to you by wider family members. You were drinking heavily by the age 13 and 14. That is very typical, particularly of young offenders.

[50] There are other matters which you set out, which I mention today for transparency but will suppress from any form of publication. And they will be redacted from the sentencing notes. These include episodes of [redacted]. These are all consequences and part of your upbringing. They have clearly had a profound effect on you. You finally were able to enter a relatively stable, though violent, adult relationship and you had two children in your early twenties. It seems you have been a good mother to those two children, and they have done very well.

[51] The relationship with the father of your daughters ended. You say that you almost drifted into a relationship with Ms Bevan that was self-destructive with a combination of jealousy, arguments, anger, and alcohol—which led to bullying, aggressive and violent behaviour between the both of you. You say as quickly as the anger and aggression started, it would stop. And then you were close and loving again. But then with alcohol-fuelled emotions and aggression, the rollercoaster of violence continued. Each of you obtained protection orders in Australia against the other.

[52] Eventually you left Australia believing the relationship to be at an end, but you say that Ms Bevan wished to come to visit you afresh and you invited her to come to see you.

[53] None of what happened on the night is remotely excusable. However, your profoundly violent and apparently disadvantaged childhood and background helps to explain why, when under the influence of alcohol, you resort to violence to resolve conflict situations.

[54] The Alcohol and Drug Report writer diagnosed you with a severe alcohol use disorder which is said to be in sustained remission in the controlled prison environment. There are also provisional diagnoses of PTSD, OCD and a major depressive disorder. You have already undertaken several courses in prison as a way of starting to change the behaviour and habits of a lifetime that were responsible for your offending.

[55] Having read both your statement and the expert report, I am satisfied that your exposure to violence from an early age and throughout your relationships as well as your early exposure to alcohol have causatively contributed to this offending.<sup>7</sup> I am prepared to reduce your sentence by a further six months to reflect this.

[56] That brings the total sentence to life imprisonment with a minimum period of imprisonment of 11 years. That is what the Crown seeks.

## **Result**

[57] Ms Tahau, please stand.

[58] I sentence you to life imprisonment. There is a minimum period of imprisonment of 11 years.

[59] For the record, I impose a concurrent sentence of one years' imprisonment for the assault with a weapon charge.

[60] As a result of your pleas, all the other outstanding charges against you were to be withdrawn by the Crown. For the record, as part of today's sentencing, I record they have been withdrawn and I formally dismiss them all.

[61] Please stand down.

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**Becroft J**

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<sup>7</sup> *Berkland v R* [2022] NZSC 143, [2022] 1 NZLR 509, at [16(c)].