

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

**I TE KŌTI MATUA O AOTEAROA
TE ROTORUA-NUI-A-KAHUMATAMOMOE ROHE**

**CRI-2025-063-949
[2025] NZHC 3462**

THE KING

v

MARK KELVIN JEFFERSON

Hearing: 11 November 2025

Appearances: A Gordon for Crown
A Hill for Defendant

Sentence: 11 November 2025

SENTENCING NOTES OF BECROFT J

Solicitors/Counsel:
Gordon Pilditch, Rotorua
A Hill, Rotorua

Charges

[1] Mr Mark Kelvin Jefferson you appear today for sentence for the manslaughter of Mr Stuart Maxwell Stobie.¹ I am also sentencing you for two additional charges connected to the fatal incident being:

(a) Unlawful possession of a firearm;² and

(b) Unlawful hunting.³

[2] I say two things by way of introduction.

[3] First, as has been explained Mr Jefferson, manslaughter carries with it the fact of the death of another human being by an unlawful act but without any intention to kill. As you have been in tears throughout most of this sentencing, your acceptance of that charge is clear.

[4] The second thing to say is that it is appropriate that I acknowledge that a life has been lost. Nothing said today of course can bring Mr Stobie back to his family and community. I acknowledge his family, his whānau, his relatives and supporters here today. I just want to emphasise what Mr Hill said. Despite all the submissions as to starting points and mitigating factors and percentage allowances, no value in terms of years, can be ascribed to Mr Stobie's life.

Facts

[5] At 10.00 pm on the evening of 20 March 2025, Mr Jefferson, you and Mr Stobie travelled by quadbike into Timberlands Ltd forestry land. This is about 7 km west of Minginui in the central North Island.

¹ Crimes Act 1961, ss 160(2)(a), 171 and 177. Specifically, it is alleged that by an unlawful act, namely carelessly using a firearm, Mr Jefferson caused the death of Mr Stuart Maxwell Stobie and thereby committed manslaughter.

² Arms Act 1983, s 45(1). Maximum penalty of four years' imprisonment.

³ Wild Animal Control Act 1977, ss 8(2) and 39(1). Maximum penalty of two years' imprisonment.

[6] You carried a .308 calibre bolt-action Tikka rifle, equipped with a thermal scope for hunting at night. The rifle belonged to Mr Stobie.

[7] Mr Stobie held a current firearms licence. You did not hold a firearms licence. You had not held a firearms licence since your previous licence expired in April 2008. Police information suggests they would have opposed any renewal due to your firearms history and drug use.

[8] Hunting in forests managed by Timberlands Ltd is only allowed with a valid permit, during daylight hours and in the hunting season between May and September. Accordingly, you would not ever have been permitted to hunt in the forest in the circumstances: you were not within approved months and outside daylight hours.

[9] At approximately 1.00 am on 21 March 2025, you sighted two deer running from the road into the bush or forest. You dismounted the quadbike, leaving Mr Stobie behind. You took the rifle and walked into the forest in an attempt to locate the deer.

[10] Approximately 40 metres into the forest you located one of the deer and shot at it. You missed. It ran off. You then followed the deer for another 40 metres into the forest and shot at it again. You hit it, but did not kill it. When it rose from the ground, you shot it again and killed it.

[11] When taking all three shots, you were not, as the law requires, under the immediate supervision of a licenced firearms holder.

[12] While you were in the trees away from the road, Mr Stobie drove the quadbike a short distance down the road (about 60-80 metres, although you suggest it was slightly further) apparently in order to be closer to where the deer had been shot. He remained there stationary, seated on the quadbike.

[13] You then used the thermal scope on the rifle to look for the other deer. You were looking from the forest towards the road. You observed a thermal image of what in fact was Mr Stobie's head through the scope. You failed to identify that it was a human being. Believing it to be the head of a deer, you shot at and hit Mr Stobie.

[14] The bullet hit Mr Stobie by the left side of his mouth, it passed through his neck and exited the back of his neck.

[15] The summary says you immediately had a gut feeling that you may have shot your friend. You called out to him. You made your way to him. He was slumped over, sitting on his quadbike in a pool of blood. You established that he was dead. You laid him down on the side of the road and you lay down beside him.

[16] Shortly afterwards, you rode the quadbike to your brother's address. You alerted the authorities and showed them where Mr Stobie was at the scene.

[17] However, you initially told both your brother, and the police, that Mr Stobie had accidentally shot himself. It was only three days later that you eventually voluntarily informed the police that you had shot Mr Stobie.

[18] You also admitted to being a daily smoker of cannabis and having consumed some cannabis immediately prior to setting off hunting.

Victim impact

[19] The impact on the victims has been profound. Mr Stobie's daughter, who lives in Australia, heard about the news indirectly. She said her dad, "is a very experienced hunter. He doesn't make mistakes. Especially around gun safety." She talks about her profound sense of loss and the great difficulty she had in explaining to her daughter that her grandfather had died. She incurred costs of \$6,000 in travelling back to New Zealand and finding someone to look after their property and care for the racehorses they look after.

[20] You need to know, Mr Jefferson, that she wishes you no ill will. However, she finds it hard to feel forgiveness for what you have done and struggles with the fact that this happened despite you having grown up in the bush and hunting. She believes you should have known better.

[21] A family friend provides a very detailed insight into the impact of Mr Stobie's death on his family, relatives and wider friend group. They feel shattered and hold you directly responsible for what, from her perspective and in her words, is a "monstrous crime".

[22] Clearly, what you have done has sent ripples throughout the whole community. And by your nodding head, you clearly accept that.

Principles and purposes of sentencing

[23] The dangers arising from hunting with firearms ought now to be crystal clear, not only to the hunting community but to all of New Zealand. Careless and irresponsible use of firearms can cause needless and devastating loss of life and unspeakable tragedy. All the, now growing number of, previous cases before the Courts provide silent testimony to this very risky part of New Zealand rural life. The high standards for hunters set out in the Firearms Safety Code ought to be honoured and enforced. Part of this sentencing is to make those responsibilities crystal clear. Those who fall below those responsibilities, and here significantly, must be held accountable. This is particularly so when the hunter has no firearms licence and is unlawfully hunting. In my view, an unequivocal deterrent message is required.

[24] I must also, Mr Jefferson, publicly denounce what you have done in the strongest possible terms. And I must acknowledge and provide for the interests of the victims.

[25] All that said, I must also provide as best I can for your own rehabilitation and ensure that you can return to the community, as you one day must do, equipped to participate in New Zealand life in a responsible and law-abiding way. And the law makes clear I must impose on you the least restrictive sentence in all the circumstances.

Aggravating features of the offending

[26] The background is that you agree that you were fatigued after a long, busy day on the farm, including milking and scrub cutting. Mr Stobie arrived at your house, perhaps unexpectedly from your point of view, and invited you to go hunting. I infer that you simply could not resist the invitation even though you had smoked cannabis earlier and had told friends you were too tired for hunting.

[27] In that context, there are at least six aggravating features of your offending.

[28] First, you failed to properly identify your target beyond all reasonable doubt. This is set out as Rule 4 in the Firearms Safety Code. This was a significant breach of one of the most fundamental of all obligations when hunting. That you had a virtual immediate gut feeling that you may have shot your friend, tells all. As Ms Gordon noted, the Firearms Code emphasises that in 80 per cent of incidents the shooter and the victim are in the same group. In 92 per cent of cases, the shooter is less than 75 metres away. Here, you were 87 to 89 metres away.

[29] Also, you failed to check your firing zone which is another of a hunter's responsibilities. This is in Rule 5 of the Code. You fired towards the road in an area not far from where you knew Mr Stobie to be, but on an angle. Mr Hill has carefully and in a nuanced way, said you were not firing directly back towards the road but at about a 60-degree angle, but still generally towards the road—and certainly not, relative to where you had come from, shooting forwards [away from the road and Mr Stobie]. And you knew that Mr Stobie was on the road, in the quadbike and in reasonable proximity to where you were firing. And you were shooting in the dark.

[30] The area where he was shot was about 60 to 80 metres further along the road from where he originally parked. Mr Hill explains that you were not expecting Mr Stobie to move from the point where you left him—but him moving his bike perhaps to be closer to where the first deer shot, could not be reasonably discounted.

[31] In all the circumstances in terms of breach of the Firearms Code, my view is that you were grossly careless. Mr Hill submits the breach of the Firearms Code was clearly the major aggravating feature. But I need to be frank and say that your criminal behaviour is, in my view, much worse than that.

[32] This is because, secondly, you did not hold a firearms licence at the time of the offending. You had not held a licence since your previous licence expired on 17 April 2008. You had no explanation for not renewing your firearms licence. It is said that you turned to hunting with a bow as you could not have a gun, but certainly you used to show other people where deer were even if you were not using firearms much yourself.

[33] It is clear the police would have opposed any renewal of your licence due to your firearms history and drug use. The reality is you were considered not to be a fit and proper person to own or possess a gun in the first place. Frankly, you should never even have had a gun on this night—at least not without immediate supervision. In taking off in pursuit of the deer and leaving that supervision behind you, you were, as indicated by your guilty plea, in unlawful possession of the firearm. Supervision from a licenced firearms holder is important in your case because you suggest in your affidavit that you are inexperienced in the use of thermal imaging scopes—which is another reason you should not have been in unsupervised control of Mr Stobie's rifle when you fired it.

[34] Therefore, I have to say that yours was a flagrant and deliberate breach of the firearms law. It may be that you are, as suggested by many, a very experienced hunter, and Mr Hill reminds me that your licence had not been taken of you or revoked. And it may not have been a breach in the top end of the scale because Mr Stobie was, when he invited you, considered to be in supervision of you that night. But the law is the law. You were required to have a firearms licence. You knowingly failed to obtain one for at least 17 years. This will be hard, Mr Jefferson, for you to hear but had you been abiding by the law, and you nod your head, this would never have happened.

[35] Third, you did not have a permit to be hunting in the area. In addition, there was no prospect of you being able to ever obtain a permit because you were hunting outside of the hunting season and at night both of which were prohibited, even for approved hunters. The Crown's submission, which you accept, is that you would have been well aware of these conditions having twice been previously trespassed from Kaiangaroa Forest in 2013 and again in 2015 but without any details available to this Court as to why you were trespassed. Suffice to say, it may have related to unauthorised access rather than breaches of hunting conditions. But this is another aggravating feature. I have to be blunt: this was unlawful/illegal hunting. Mr Hill suggests, and Ms Gordon accepts, that unlawful hunting in the Kaiangaroa Forest is typical by locals who live in the area. I have no evidence of this—but irrespective of any local custom, the restrictions are there for a reason and must be upheld and by your guilty plea, you accept that.

[36] Fourth, you had consumed cannabis shortly before going hunting with Mr Stobie. While the Crown accepts that the level of cannabis in your system is unknown, and Mr Hill is right to say I must not speculate, you must have been, at least to some extent, affected by your cannabis consumption. The combination of your fatigue and drug taking with firearms use, must at least be considered to elevate the risks of clouded, or less than optimal judgement, while hunting with a lethal weapon.

[37] The fifth aggravating feature is you initially lied to the police about the cause of Mr Stobie's death. I accept it was spur of the moment—probably in the state of trauma and shock and you do not know why you did it. But as seen in the Victim Impact Statement of Mr Stobie's daughter, the suggestion that her father had accidentally shot himself caused her considerable distress. It may not be a hugely significant aggravating factor, but in my view your lies do aggravate your position, and the lies are more than a "neutral factor" as argued by Mr Hill. The lies not only caused three days of needless anxiety to Mr Stobie's family but also, as Ms Gordon emphasises, you would probably have been tested for drug consumption if you had immediately explained the truth of what happened. And we will never know the true extent of any drug influence on you.

[38] And sixth and finally, the impact on Mr Stobie's family and friends is far reaching and the victim impact statements set out the devastating consequences of your offending and of Mr Stobie's utterly needless death.

[39] All these factors mean that, with great respect, this was more than just a tragic accident, as perhaps suggested by Mr Hill and some of your referees. With respect, and I say again, if you had been complying with the law, this would never have happened.

Starting point

[40] The first step for me is to assess the appropriate starting point for your offending bearing in mind the six identified aggravating factors.

[41] There is no single tariff or guideline case for offending such as this. Every case must be assessed in the context of its own facts. Your culpability or blameworthiness must be assessed in the context of relevant comparable cases. Both Ms Gordon and Mr Hill point to three relevant cases, and I need to summarise each of them. They help to put your offending in context.

[42] In the first and most recent,⁴ a Mr Peters and his son were hunting possums from their car along a road in a rural area at about 10.30 pm. They had come across another hunting party. Mr Peters was supervising his son, who had a rifle which they were using to shoot the possums. That rifle had thermal imaging, which his son was using. Mr Peters, after his son identified an possum, would then check and confirm the target with his own hand-held monocular. After shooting several possums, Mr Peter's son picked up another heat source at the side of the road, located behind a damaged culvert. Despite being aware other people were hunting in the area, on this occasion Mr Peters did not check with the thermal monocular or the scope before giving the okay for his son to take the shot. The son was instructed to retrieve the possum but returned severely distressed. He had shot a man in the hunting party they had come across.

⁴ *R v Peters* [2024] NZHC 3743.

[43] The aggravating features there were the failure to identify the target—as here, hunting in an area where they knew others were present, failure to have a firearm’s licence—as here, and the victim impact. A starting point of four years’ imprisonment was adopted.

[44] In the second case,⁵ a Mr Davidson was part of a hunting party of six on a South Island high country station. He had consumed alcohol earlier in the evening. His breath alcohol level was calculated to have been between 500-700 micrograms of alcohol per litre of breath—the legal limit for a driving charge being 400 micrograms.⁶ At one point, at about 3.00 am in the morning, the hunting party spotted deer adjacent to the main track on the Station. Mr Davidson and another member of the party shot at two deer, killing one and apparently wounding the other. Mr Davidson and his friend, the deceased, recovered the first deer, gutted it and brought it back to the truck.

[45] The deceased and at least one other member of the party then continued up to the top area of the paddock and began to search for the other wounded deer. One of that group was wearing a high visibility jacket. Mr Davidson then spotted a deer near these people. He told his friend in the high visibility jacket to stay still so he could shoot at the deer. He mistakenly assumed that his friend, the deceased, had already returned to the vehicle. Mr Davidson shot at the deer. Tragically, he hit his friend in the left cheek killing him instantly. Mr Davidson said he was 100 per cent certain it was a deer he was shooting at. He believed his friend was back down near their truck.

[46] The aggravating features were hunting having consumed alcohol, shooting in the dark as here, knowing that a friend was in close proximity and, as here, failure to identify the target. The starting point there was four and a half years.

⁵ *R v Davidson* [2012] NZHC 3448.

⁶ As noted in *R v Davidson*, above n 5, at [11], this was the legal limit at the time. Subsequently, the legal limit for breath alcohol while driving has been decreased to 250 micrograms of alcohol per litre of breath for drivers 20 years’ old and older. This lower limit can trigger only an infringement offence. See ss 11 and 56 of the Land Transport Act 1998.

[47] Finally, in the third particularly relevant case,⁷ Mr Mears was hunting in the Kaimanawa Forest park near a known and approved campsite near an access road. The victim and her partner were camping there, innocently brushing their teeth, both wore head torches. Mr Mears and his three friends had received news that two deer had been spotted beforehand on the access road and decided to investigate. Mr Mears saw the two lights and mistook them for the eyes of a deer when they were in fact the head torches of the victim and her friend.

[48] Mr Mears was 15 to 26 metres away, firing uphill. The bullet hit the victim in her mouth causing fatal brain injuries. She died at the scene. Mr Mears said he had a permit to hunt and a firearms licence but was in breach of the permit by shooting, as here, at night. Other aggravating features included having no detailed familiarity with the area into which he was shooting, a failure to identify his target and a failure to consider the particular firing zone. Again, the appropriate starting point was four and a half years.

[49] In my view, the collection of aggravating features in your case means the starting point must be higher than any adopted in the three cases I have mentioned. In short, you breached your fundamental obligations in the Firearms Code particularly your outright failure to identify the target; you knew you should never have been using a firearm unsupervised; you were unlawfully and deliberately hunting at night; with limited experience with a thermal imaging scope; to some unknown degree fatigued and under the influence of cannabis; and, you provided for the first three days a deliberately false account of what took place.

[50] And like all other cases, the impact on Mr Stobie's family and friends is wide-ranging and profound.

[51] Setting a starting point is not an exact science or mathematical exercise.

[52] The Crown submits that the charge justifies a starting point in the region of four years nine months to five years' imprisonment.

⁷ *R v Mears* HC Rotorua CRI 2010-069-2211, 2 February 2011. In that case, Priestley J observed "I consider a band of four to five years is right for a homicide of this type."

[53] On the other hand, Mr Hill identifies that a starting point of four years' imprisonment is appropriate on the facts of this case. He has made careful and nuanced submissions.

[54] I agree that the appropriate starting point should be five years' imprisonment, given this constellation of aggravating features and their cumulative effect. Mr Hill is right to say this is not simply a numbers game of "adding up" the number of aggravating features. But here the situation is more serious. There are aspects of all the three cases that I have just analysed, and their aggravating factors, in your case. In fact, there are some aspects of some of the cases, such as alcohol consumption, when compared alone with your case, would seem to make that other case more serious. But it is the presence of all the six aggravating features in your case which I cannot ignore and which, in my view, leads inevitably to a higher starting point than any of those three cases discussed at length by counsel.

[55] The manslaughter charge is self-evidently the lead or most serious charge. The other two charges you face of unlawful possession of a firearm and unlawful hunting are rolled up within the aggravating features of the manslaughter charge and do not require a further uplift from the five-year starting point.

[56] However, there must also be an uplift for your relevant previous convictions. I simply cannot ignore that you were convicted for unlawfully possessing a firearm in 2012. Also, you were convicted of possessing six firearms without a licence also in 2012; and also again, separately, in 2020. Uplifts should be modest to avoid sentencing you a second time. An additional three months' imprisonment is appropriate to reflect those convictions, and your previous poor history with firearms licencing requirements, so that the overall starting point is five years three months' imprisonment.

Mitigating factors

[57] That is only half the sentencing exercise. The Sentencing Act 2002 requires that I balance those aggravating features with the mitigating factors which are provided for by law. These are sometimes unhelpfully and misleadingly called

discounts. In fact, they are allowances for factors identified in the Sentencing Act which reduce your culpability and properly mitigate your offending.

[58] I address those factors as follows. But first, I briefly summarise your personal circumstances.

[59] You are now aged 47 and in a stable relationship with your partner who has herself provided an affidavit to the Court. You have been together for 14 years, when her children were three and four; now 16 and 17. It is said, and everyone agrees, that you have “stepped up” to be their father.

[60] She confirms that you do not just “love hunting” but hunting is your life. Your whole life growing up was on farms with farm animals and hunting.

[61] You left school at 16 to work on the dairy farm in Reporoa. Your father tragically passed away from cancer just after you turned 20. After that time, you started working for the Department of Conservation (DOC) as a tracker of kiwis at Minginui. After your father’s death, Mr Stobie kept visiting you to go hunting. He looked after you and looked out for you.

[62] You have now stopped working in the bush for DOC. You appear to be spoken of positively and well from a variety of referees from the Minginui area and also those involved in the conservation estate. You are obviously considered an experienced bushman, guide and hunter, with much to offer the outdoors community. You are described as reliable with a high work ethic, who cares for others, who is known to demonstrate having high safety standards and for whom this offending is considered surprising, if not shocking.

[63] With that in mind, I list the mitigating factors.

Guilty plea

[64] First, I accept as does the Crown, that you entered a guilty plea at an early stage in the proceedings. The law requires I allow you a 25 per cent reduction for that responsible approach. And I do so.

Remorse

[65] Second, it is clear beyond any doubt that you are genuinely remorseful for killing Mr Stobie whom you had met as one of your father's friends. Since your father's death, he had effectively been a mentor and role model for you. I accept that you were very close and hunted together often. I accept that at the time of discovering his body, you lay down next to him and contemplated taking your own life.

[66] Since that time, you have been plunged into periods of depression, despair and anxiety. You have generally retreated from the community. Your partner and friends have noticed this profound change in you. You have undergone counselling. You have contemplated suicide on more than one occasion but have said that your commitments to your partner and children will mean this will never happen.

[67] Your own affidavit to the Court, and background documents, present a picture, as emphasised by Mr Hill, of you as a "broken man plainly struggling with the enormity of your actions". The pre-sentence report says, "you presented as a very broken man, with an almost hopeless disposition". You say there has not been a day where you don't think about what happened and you continue to get really bad flashbacks of the moment you found Mr Stobie. You have a profound sense that you have let everybody down.

[68] You say you want to write an article for the New Zealand Hunting magazine about gun safety with thermal scopes. You say you think people need more training around them. You say you are committed to preventing things like this happening.

[69] One thing I do need to gently but firmly say, Mr Jefferson, is that you would need to make clear in the article that you are not permitted to use or own firearms and that it may be some time before you are able, if ever, to do so. In this context, I would caution you before writing, that you make particularly clear that on this night you were hunting unlawfully, unsupervised and without a licence. That would be a completely honest and transparent article. And I record that you have confirmed in Court that you would not intend to write simply about the dangers of untrained use of thermal scopes.

[70] But I accept your intentions are genuine. And provided you paint a full picture of your offending, it could be a very useful reminder, a call, to all those in the hunting community that the law must be obeyed and properly trained use of firearms for hunting is absolutely vital. That you could do.

Restorative justice

[71] As to restorative justice, you and Mr Stobie's partner, with your mother, participated in a properly facilitated conference. When properly conducted, restorative justice is far from a soft option. It was demanding on you and, of course, Mr Stobie's partner. It was a time for blunt honesty, emotion and hard words.

[72] I do not want to intrude on the sanctity of that conference. Suffice to say Mr Stobie's partner has been devastated by the loss of what she calls her "larger than life" partner who she noted was much invested in you and your brother's wellbeing. She notes that you and her partner regularly hunted together—usually once or twice a week.

[73] Your mother also participated in the conference. She, herself, is clearly devastated, her family having known Mr Stobie for about 50 years. As a mother, she realistically said, "I can't fix this".

[74] Your main purpose for the conference was to meet and to apologise to Mr Stobie's partner face-to-face. The report records that you were not concerned about your own sentencing consequences, but you wanted to try to personally apologise as best you could and to emphasise the many good thoughts and positive memories you have of her partner.

[75] As I understand it, Mr Stobie's partner felt able to hug you and to forgive you. And to assure you that you have all her love and support moving forward; and that her partner, Mr Stobie, would have felt the same.

[76] These are profoundly human and intimate moments, and it was courageous of Mr Stobie's partner to go through this to give you the opportunity to reassure her of your deep and ongoing remorse.

[77] Mr Hill suggests that an allowance for your remorse and participation in restorative justice process should be combined in one statutory allowance of 15 per cent, which I accept.

Other factors

[78] I acknowledge that since the offending, you have struggled with deep-seated depression, moderate anxiety and likely post-traumatic stress syndrome. In one sense, Mr Jefferson, these are expected consequences of your offending and, humanly speaking, there would be something wrong if you didn't experience them. I accept that a period of imprisonment for someone who has chosen, like you, to live a rural outdoor lifestyle dominated by the bush and outdoor pursuits will be particularly challenging. But imprisonment could not be said to be a disproportionately severe sentence.

[79] As to rehabilitation, I accept your counsel's submissions, and the conclusion in the pre-sentence report, that it is virtually certain that this type of offending will not happen again. You have learnt an extremely hard and profound lesson. It will never be repeated. In that sense, this is not a case where deep-seated and long-term rehabilitation is required. I agree with Ms Gordon, accepted by Mr Hill, that it should not be the subject of any separate allowance.

[80] As to the effect on your family, this is a natural and inevitable consequence of your offending, and it also does not justify a separate allowance.

Good character

[81] Mr Hill was not advocating for such an allowance on the basis that I would not uplift the starting point because of your previous firearms offences. However, I have already explained that there must be that uplift. Therefore, I will make some small

allowance for your good character which is testified to by so many. But, Mr Jefferson, that must be tempered by the reality of your character in respect of firearms and that your compliance with firearms law and lawful hunting has been far from exemplary. However, in the recognition of your contribution to the Mingingui community, I am prepared to make a further three per cent allowance which is more than token.

[82] Therefore, the total allowance for your personal mitigating features is 43 per cent or about 27 months.⁸

Conclusion

[83] Mr Jefferson, please stand.

[84] Can I say that your failure need not define you for life. In one sense, it will be a life sentence for you but, on behalf of the community, I hope you can come to understand your offending more completely and perhaps eventually one day come to terms with it. And that in the future, that you can make a positive and meaningful contribution to the community.

[85] The 63-month starting point—that is five years and three months is balanced against reductions and allowances for your mitigating factors of 27 months—which arrives at a sentence of 36 months or three years’ imprisonment. That is your sentence.

[86] On the firearms and unlawful hunting charges you are sentenced to nominal concurrent sentences, for the record of 18 months and one year’s imprisonment respectively. But the sentence is three years’ imprisonment.

[87] You may stand down.

Becroft J

⁸ Taking 43 per cent of the starting point (60 months) gives a reduction of 26 months which would bring the final sentence to three years and one month’s imprisonment. However, on this occasion, I am content to round this down to three years’ imprisonment. See *Mo’unga v R* [2023] NZHC 1967 at [27]–[39].