

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

**I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

**CRI-2024-092-9731
[2026] NZHC 2699**

THE KING

v

TONI-ASHLEY CRAWFORD

Hearing: 4 September 2026

Appearances: A Al-Janabi and S Arnerich for Crown
K Stoikoff and E Butler for Defendant

Judgment: 4 September 2026

SENTENCING NOTES OF HARVEY J

Solicitors:
Crown Solicitor, Manukau
Public Defence Service, Manukau

Introduction

[1] Toni-Ashley Crawford, at the age of 33, you appear this morning for sentence, having been found guilty by a jury of the murder of Teri Rhind.¹ I acknowledge the whānau and friends of Mr Rhind. Some of you have provided victim impact statements. They are a testament to Mr Rhind as a cherished son, brother, cousin, nephew and father. I thank you all for your attendance today and during the trial. I also acknowledge Ms Crawford's family.

[2] Ms Crawford, life imprisonment is the mandatory sentence for murder unless that sentence would be manifestly unjust.² Your counsel agrees that there is no reason why the presumption of life imprisonment should be disturbed. You will be therefore sentenced to life imprisonment. The main decision that has to be made today is what minimum period of imprisonment (MPI) you must serve before becoming eligible for parole. Ms Al-Janabi, for the Crown, says that an MPI of between 10 and 11 years is just. Mr Butler argues that an MPI of 10 years is the appropriate one.

[3] This sentencing will be in four parts. First, I will describe the facts of your offending. Second, I will briefly touch on the impact that your offending has had on Mr Rhind's family. Third, I will talk about your personal circumstances. Finally, I will fix an MPI for your sentence.

The facts

[4] Ms Crawford, you will know what happened in the early hours of 18 October 2024. However, the law requires that I address in public the facts during this sentencing and refer to those facts that are relevant when setting your sentence. I will therefore refer in this sentencing to parts of the evidence given at trial.³

[5] On the evening of 17 October 2024, you were at home in Waiuku. Around midnight, you were texting an associate, Richard Krammer, and arranged to visit him. You left home after 1.00 am on 18 October, driving your Honda Odyssey. At around

¹ Crimes Act 1961 ss 160(2)(a), 167(a) or (b) and 172. Maximum penalty: life imprisonment.

² Sentencing Act 2002, s 102(1).

³ Sentencing Act, s 24(1).

1.20 am you stopped at Z Waiuku. You were captured on CCTV camera speaking to the gas station attendant, [redacted]. You bought a gaming voucher and petrol. You continued to drive towards Pukekohe. At 1.59 am you were captured on CCTV turning left from Beresford Street onto Wellington Street, travelling northward. That is when you first encountered Mr Rhind, who was not known to you.

[6] He was on the road near 62 Wellington Street. Residents on the street had heard Mr Rhind yelling, and one had seen him on the road. You drove past Mr Rhind. Although it is difficult to see clearly what, if any, exchange took place between you based on the CCTV footage, a male voice can be heard. The Crown case is that this was Mr Rhind. You drove past, and you reached the end of Wellington Street. Rather than driving on, you did a U-turn. You travelled back down Wellington Street, travelling southward, towards Mr Rhind. You crossed the centre line, positioning your vehicle in the northbound lane. The posted speed limit on Wellington Street was 50 kilometres per hour. Your vehicle was travelling at approximately 60 kilometres and accelerating.⁴ At almost exactly 2.00 am, you struck Mr Rhind with your vehicle.

[7] The collision was captured on CCTV camera. The jury's verdict means that they accepted, beyond a reasonable doubt, that you intentionally struck Mr Rhind with your vehicle. The force of the collision threw Mr Rhind into the air, and onto the vehicle's windscreen. His body came back down onto the road, and he slid for several metres before colliding with a nearby parked vehicle. You did not stop. You made no attempt to check on Mr Rhind or give assistance. Instead, you drove on. Your windscreen was shattered. You drove to a friend's address, Lyndsay Knight, not far from where the crash happened. You sought his help. Mr Knight removed the vehicle's windscreen, rolled it up and placed it in a plastic container.

[8] You left Mr Knight's address to meet Mr Krammer, on a different vehicle. You had continued to text him, apparently unaffected by what had happened. On arrival, you made calls to Mr Krammer. He told you he now lived in Australia. You became

⁴ The defence expert, Dr Stevenson, and Crown expert Senior Constable Popping provided a joint statement to the Court that the Honda Odyssey was travelling at a speed of approximately 60 kilometres per hour immediately prior to the collision. Following the collision, as the Honda Odyssey exited the frame of the CCTV footage, its speed had increased to approximately 70 kilometres per hour.

upset, and referenced the collision for the first time, telling Mr Krammer “I just got jacked driving to Puke” and said, “what the fuck” “I nearly fucking died coming to see you”. You then returned to Mr Knight’s workshop. Prior to 5.00 am, a witness Jonathan Steiner arrived to visit Mr Knight’s flatmate. He noticed the windscreen and, suspecting what had happened, asked you and Mr Knight where the body was. Mr Knight responded, “we’ve left him for the rats”. You said something similar.

[9] Mr Rhind was left, lying on the road for at least 30 minutes before he was discovered by a passerby who, with others, called an ambulance. Mr Rhind was admitted to Middlemore Hospital. His level of consciousness had faltered at the scene and had deteriorated further on the way to the hospital. On arrival, Mr Rhind was examined, and injuries were identified including significant abrasions all over his body and fractured ribs. He underwent a CT scan, which did not show any brain injury. Doctors began to operate on Mr Rhind’s fractured ribs. Unbeknownst to them, Mr Rhind had suffered an injury to his right vertebral artery, one of the blood vessels that supplies blood to the brain. As a result of that injury, Mr Rhind’s brain became starved of oxygen and began to swell. Mr Rhind suffered a severe brain injury. Medical evidence at the trial confirmed that, regardless of delay, Mr Rhind’s injuries were not survivable. On 21 October 2024, Mr Rhind was declared brain-dead.

Victim impact statements

[10] I have read victim impact statements from nine members of Mr Rhind’s family:

- (a) [Redacted] — Mr Rhind’s mother;
- (b) [Redacted] — Mr Rhind’s sisters;
- (c) [Redacted] — Mr Rhind’s aunt;
- (d) [Redacted] — Mr Rhind’s cousins; and
- (e) [Redacted] — the mother of Mr Rhind’s [age under 10 years] son, who has written a statement on his behalf.

[11] I have carefully considered each of these, and they have played an important part in imposing a sentence today. Mr Rhind's aunt and sisters read their statements before the Court this morning. I thank you for your courage in speaking today.

[12] [Redacted], Mr Rhind's mother, described the turmoil she continues to experience. Mr Rhind's sisters [redacted] all described the immense pain they have felt with the passing of their brother in such tragic circumstances. They described him with adoration as kind, caring, loyal, protective and as having a wicked sense of humour. They described the way Teri would bring people together, and his love of cooking, and his infectious laugh. They also described the immense love that Teri had for his son, and the compassion he showed to his nephews, taking them to rugby league games and coaching them.

[13] [Redacted], Teri's aunt, described the pain her family has felt, and that every day is a reminder that Teri is gone. She described him as a devoted father and a beloved son and nephew. [Redacted] described the cousin they have lost. They described the difficulties of watching the Court process and the immeasurable loss faced by Mr Rhind's son. [Redacted] shared the whakataukī: "E kore au e ngaro, he kaakano i ruia mai i Rangiaatea."

[14] [Redacted] has written a statement on behalf of herself and Mr Rhind's son. The statement is very moving. [Redacted] described that her son never got the opportunity to say goodbye to his dad, never had one last cuddle, one last conversation, or one final chance to hear his dad tell him, "I love you". Their son is now [under 10] years old. Every day he feels the loss of his dad. His father was his best friend, and they shared a close bond. They adored each other. Mr Rhind was a loving, devoted father who made sure his son always felt safe, loved and cherished. The loss of his dad has had a lasting impact. Mr Rhind's son has become quiet, withdrawn, and struggles with grief and anxiety. He has had to miss school. He has struggled to come to terms with the loss of his father. [Redacted] described that Mr Rhind will miss all of the milestones in his son's life that he should have been there to share. Her son described that his wish was to go to Magic Round together to watch the Warriors play. He will never get to fulfil that dream.

[15] Nothing I say can change what has happened. The ongoing impact and toll of Teri Rhind's death and the circumstances of it, will remain with the family. Their grieving continues to the present day. I thank all of them for their presence today and during the trial, despite its obvious emotional toll.

Pre-sentence and expert reports

[16] The Department of Corrections filed a report about your personal background. There are also reports by Drs Surendhraj Naidu and David Menkes.⁵ They paint a picture of a life marked by trauma and abuse. You experienced abuse as a young person. You left school at 14, and began to use cannabis and alcohol regularly. You were in problematic and abusive relationships. You began using methamphetamine when you were 18. You had your first child when you were 20. At that time, you were addicted to methamphetamine and your consumption increased to almost daily.

[17] You commenced a relationship with the father of your two younger children in 2016. During that period, you stopped using methamphetamine. In February of 2018 your partner was tragically killed in a motor vehicle accident. You attended the scene, and that was a very traumatic experience for you. The passing of your partner marked your relapse into methamphetamine use, and you experienced poor mental health. Your relapse contributed to the removal of your three children from your care.

[18] You completed a drug and alcohol programme with Emerge in 2019, successfully ceasing methamphetamine use. Your children were then returned to you. However, you relapsed in 2021, which you attributed to stress and missing your partner. You displayed symptoms of psychosis during this time, and your mental health deteriorated.

[19] You have phone contact with your three children and expressed that you wish to have an active role in their lives. You have 14 prior convictions, with the majority

⁵ Dr Naidu prepared a report prior to trial about whether a defence of insanity might have been available to Ms Crawford. Dr Naidu opined that this defence was not available. Dr Menkes also prepared his report prior to trial about whether Ms Crawford might have been affected by methamphetamine-induced psychosis at the time of her offending, and whether a defence might have been available on that basis. While that defence was not advanced at trial, the report provides details of Ms Crawford's methamphetamine consumption and how that has affected her.

relating to breaches of community-based sentences and orders. You have two prior violence-related convictions.

[20] Dr Naidu said in 2025 that you have a diagnosis of a resolving drug-induced psychosis. However, he recorded that it is difficult to distinguish between diagnoses of substance-induced psychosis and an underlying psychotic illness such as schizophrenia, and that a distinction would likely emerge more clearly with the passage of time. Dr Menkes said that you satisfy the criteria for severe methamphetamine use disorder, with associated psychotic features. That disorder has been in remission following your arrest in November 2024. You report that the symptoms of drug-induced psychosis took time to pass but do not affect you now.

Approach to sentencing

[21] There are certain purposes and principles under the Sentencing Act 2002 I must apply. Four of the main purposes of sentencing are first, holding you accountable for the harm done to Mr Rhind, his family and the community. Secondly, denouncing your conduct. Thirdly, deterring you and others from committing offences such as yours. Fourthly, protecting the community. I will take account of the gravity of the offending; the seriousness of the type of offending; achieving consistency with appropriate sentencing levels; and the effect of the offending on Mr Rhind's family.

Should the presumption in favour of life imprisonment for murder apply?

[22] As foreshadowed, I am satisfied that imposing a sentence of life imprisonment would not be manifestly unjust. While I acknowledge that your personal history is marked with difficult circumstances, and there is evidence that you were potentially experiencing the effects of methamphetamine-induced psychosis, those matters did not form a part of your defence at trial.⁶ There is not sufficient evidence before the

⁶ I note that references were made to methamphetamine consumption during the trial, and a statement of agreed facts was read to the Court concerning the use of methamphetamine and its effects. That statement outlined that an intoxicated intent and an intoxicated state of knowledge still amounts to an intent or knowledge for the purposes of the law. The statement also recorded that methamphetamine consumption might be relevant to Ms Crawford's state of mind, intention, and her knowledge of the consequences of her actions, and that the jury was entitled to take evidence of intoxication into consideration when determining whether Ms Crawford had murderous intent. The defence pursued at trial was one of accidental collision.

Court that you were labouring under the effects of mental ill-health to such a degree that you had no control over, or appreciation of, your actions. The jury found you guilty of murder, and I am not persuaded that in the circumstances of this case, it would be manifestly unjust to impose a sentence of life imprisonment.⁷

Minimum period of imprisonment

[23] Where life imprisonment for murder is imposed, the minimum period of imprisonment must not be less than 10 years.⁸ This is the minimum term required to satisfy any or all of the sentencing purposes for murder, as I have outlined.⁹ In addition, if one or more specified aggravating factors are present in your offending, then an MPI of at least 17 years must be imposed unless it would be manifestly unjust to do so.¹⁰ Crown counsel say that s 104 of the Sentencing Act is not engaged for the imposition of a 17-year minimum period of imprisonment. I agree. But that does not diminish the effects and impact of this offending on everyone involved.

[24] Instead, Ms Al-Janabi argued that a starting point for the MPI for your offending should be between 11 and 12 years' imprisonment. Mr Butler, your counsel, agreed that range is appropriate. As I mentioned at the start, I have to decide what length of MPI, at or above the ten-year minimum, I must set to achieve the relevant purposes of sentencing.

Aggravating features

[25] Crown counsel submitted several aggravating factors are present, and your counsel accepted that, apart from premeditation. I now consider those factors.

⁷ The threshold for displacing the presumption of a sentence of life imprisonment for murder is "a high one": Mathew Downs (ed) *Adams on Criminal Law* (online ed, Thomson Reuters), at [SA102.02]. See also *Van Hemert v R* [2023] NZSC 116, [2023] 1 NZLR 412 at [80]–[81]. Dr Menkes in his report recorded that while Ms Crawford's methamphetamine use disorder and consequent methamphetamine-induced psychosis played a possibly causative role in her offending, Ms Crawford has effectively experienced complete psychological recovery. While a discount might be available at the second stage of the sentencing exercise for a defendant's psychiatric condition, it is impermissible to give a discount for impairment as a result of voluntary consumption of alcohol or drugs at the time of the offending. A discount can be given for psychosis secondary to drug consumption developing over a period of time: *Smith v R* [2014] NZHC 3033 at [26].

⁸ Sentencing Act, s 103.

⁹ Section 103(2).

¹⁰ Section 104(1).

- (a) **The manner of your driving** — you were driving at an excessive and increasing speed when you drove your vehicle into Mr Rhind. You were in the wrong lane. You were also disqualified from holding a license at the time.
- (b) **Use of a weapon** — Ms Al-Janabi says that you used your vehicle as a lethal weapon.¹¹ The vehicle’s size and weight, when coupled with its speed, contributed to the unsurvivable nature of Mr Rhind’s injuries. Mr Butler accepted that this factor was present.
- (c) **Vulnerability of the victim** — Mr Rhind was walking alone at night, and he was struck from behind without warning, by a vehicle travelling in the wrong direction down the road.¹² Mr Rhind was also experiencing what was described as an “episode” — an aspect of the challenges he personally faced with his mental health and drug-use.¹³
- (d) **Callousness and post-offending conduct** — you made no effort to seek assistance for Mr Rhind. You did not stop and call an ambulance. Instead, you travelled to an associate’s house to seek assistance from [associate two]. You made attempts to conceal what had happened, enlisting [associate two] to remove the vehicle’s windscreen and searching online for a replacement in the days following the collision.
- (e) **Extent of loss, damage and harm** — the loss of life resulting from your offending, Ms Al-Janabi contended, means this factor is engaged to the highest degree. The victim impact statements read in Court today illustrate the immense harm suffered, and loss that will continue to be felt by Mr Rhind’s family.
- (f) **Premeditation** — Ms Al-Janabi argued that while your offending was impulsive and unsophisticated, it still involved a degree of premeditation. You

¹¹ The use of a motor vehicle as a lethal weapon was identified as an aggravating factor in *Collings v R* [2022] NZCA 605 at [8(a)].

¹² *Salt v R* [2026] NZCA 62 at [21]–[23].

¹³ Vulnerability can also arise where a victim is intoxicated: *Sheppard v R* [2013] NZCA 639 at [15] citing *R v Donaldson* (1997) 14 CRNZ 537 (CA). However, there is no evidence that Ms Crawford was aware of Mr Rhind’s intoxication.

did not strike Mr Rhind as you drove past him northward up Wellington Street, but you drove to the end of the street, completed a U-turn and then intentionally drove at him at speed.

[26] Your counsel disagreed, arguing that your offending cannot be said to have been premeditated. Mr Butler referred to the CCTV footage of the collision, which shows that there was only a 46-second window between your initial journey up Wellington Street, past Mr Rhind, and your second journey as you travelled down the street and struck him. I agree with Mr Butler that, while your offending was in many ways unexplainable, premeditation was limited. Mr Rhind was not known to you, and there is no evidence that you set out that night to hurt or kill someone. Your choice to turn around on Wellington Street was impulsive. The randomness of the attack, I consider, is more appropriately weighed as going to the callousness of the offending.

Mitigating features

[27] Both counsel agree that there are no mitigating features of your offending. For completeness, as foreshadowed, several matters were raised on the evidence that might be suggested to have direct bearing on your culpability, including your methamphetamine use and struggles with mental health.¹⁴ However, Ms Al-Janabi argued that those matters did not form a part of your defence, and to reflect this, it is appropriate to consider your personal circumstances at the second stage of sentencing when I assess the mitigating factors personal to you. I agree.¹⁵

Comparison with other cases

[28] When deciding on a minimum period of imprisonment, I must consider similar sentences in cases with similar features. Ms Al-Janabi referred to three involving murders committed by intentionally hitting pedestrians with vehicles. First, in *R v Collings*, the offender was parked outside an associate's house, and deliberately drove

¹⁴ The Crown referred to *Collings v R*, above n 11, at [5] and [9] where the sentencing Judge took into consideration that the defendant “was in a depressive state as a result of the recent death of his daughter and that this, combined with the emotional after-effects of methamphetamine taken the night before and his diagnosis of post-traumatic stress disorder (PTSD) constituted a form of provocation” as a mitigating factor.

¹⁵ See *Van Hemert v R*, above n 7, at [79]; and *Smith v R*, above n 7, at [19]–[22].

at the victim as he walked in front of his car.¹⁶ The offending followed a short exchange between Mr Collings and the victim, who were not friendly. Mr Collings turned the vehicle's wheel toward the victim, accelerating until the vehicle finally crashed. He made no attempt to brake, despite the reaction of passengers in the vehicle. The victim tried to evade the vehicle, but could not, and was dragged underneath. The vehicle hit a tree, and the front was lifted into the air. Mr Collings then reversed and drove around the victim as he lay on the ground. He drove away without stopping or checking on the victim's condition. The victim died at the scene.

[29] The sentencing Judge identified aggravating factors of brutality, cruelty, and callousness, emphasising the senseless and sudden circumstances, the use of a motor vehicle as a lethal weapon, the vulnerability of the victim because he was in front of the car and defenceless, the clear and continued intention to cause significant harm, and Mr Collings' flight from the scene without any regard for the victim. The Judge accepted that Mr Collings' depressive state was a mitigating factor. The Court of Appeal upheld a starting point for the MPI of 11 years, observing that it "may in fact be regarded as generous."¹⁷

[30] Second, in *Pukeroa v R*, Mr Pukeroa hit the victim in a stolen utility vehicle. That followed a sequence of serious violent incidents arising from tensions between Mongrel Mob and Tribesmen gang members.¹⁸ Mr Pukeroa drove through a fence, pursuing the victim and another person. The victim tripped on a clothesline and was hit, sustaining serious multiple injuries, including a fractured skull and brain trauma, causing his death.¹⁹ Mr Pukeroa was convicted of murder and other serious violent offending.²⁰ On appeal, an MPI of 13 years' imprisonment was substituted.²¹ The Court held that the murder, standing on its own, justified the minimum period of 10

¹⁶ *Collings v R*, above n 11, at [4] citing *R v Collings* [2022] NZHC 1275. Leave to appeal to the Supreme Court was refused: *Collings v R* [2023] NZSC 67.

¹⁷ *Collings v R*, above n 11, at [11], [32] and [34].

¹⁸ *Pukeroa v R* [2013] NZCA 305 at [2]–[5].

¹⁹ At [5].

²⁰ At [1].

²¹ At [38]. The sentencing Judge had imposed an MPI of 15 years' imprisonment.

years,²² and that an uplift of five years was appropriate to reflect the other serious offending.²³ The Court made an allowance of two years to reflect provocation.²⁴

[31] Third, in *R v Kinghorn* the defendant drove past the victim, who was not known to him, turned his car around, and drove off the road and onto the grass verge where she was walking.²⁵ Mr Kinghorn was travelling between 27 and 39 kilometres per hour, and drove directly into the victim.²⁶ She was propelled across the bonnet of the car. Her head shattered the windscreen. She was flung off the bonnet onto the grass.²⁷ Mr Kinghorn began breaking around the point of impact, stopped his car and got out, picked the victim up and laid her in the back seat.²⁸ The victim was knocked unconscious and never awoke.²⁹ Mr Kinghorn drove to a paddock and then left the vehicle in a carpark, and the deceased's body. He went to a nearby house, asking the occupant to call the police and his mother.³⁰ The Crown had invited the sentencing Judge to infer that the offending was committed in the course of a sexual assault.³¹ The Court of Appeal rejected the submission that the Judge had erred in declining to draw that inference, and upheld an MPI of 13 years' imprisonment.³²

[32] Ms Al-Janabi submitted that your offending is most broadly comparable to that in *Collings*. She contended that your offending was more premeditated, because you did a U-turn to drive back towards Mr Rhind, and because the offending in *Collings* happened in the context of threats against the offender's family. Counsel argued that overall, taking account of the aggravating factors of your offending, and the cases referred to, an MPI in the vicinity of 11–12 years' imprisonment is appropriate. Ms Al-Janabi also accepted that *Pukeroa* and *Kinghorn* are, standing back, were more serious than your offending, for reasons that I consider are self-evident. While on first blush the essential facts of *Kinghorn* might appear similar, the context of the appeal

²² At [43].

²³ At [43]. Mr Pukeroa was convicted of two counts of aggravated burglary, one count of injuring with intent to injure, one count of attempted murder, and one count of participating in an organised criminal group: at [1].

²⁴ At [45].

²⁵ *R v Kinghorn* [2014] NZCA 168 at [7]–[8].

²⁶ At [8].

²⁷ At [8].

²⁸ At [9].

²⁹ At [10].

³⁰ At [11]–[12].

³¹ At [14].

³² At [30].

— with the Crown alleging that the offending occurred in the course of sexual offending, and the limited focus on the factors weighed in imposing the MPI, limits the decision’s utility for present purposes.

[33] The circumstances of your offending means that comparisons with other cases are imperfect. I consider *Collings* is most informative. As in *Collings*, I am unable to exclude that you intended to kill Mr Rhind as opposed to being reckless as to whether death ensued, based on the jury’s verdict.³³ Taking into account the cases referred to by counsel, and the unique features of your offending, I consider that a starting MPI of 11 years is appropriate.

Personal circumstances

Criminal history

[34] I now turn to your personal circumstances. Ms Al-Janabi accepted that your criminal history, while including some prior convictions that bear relevance to your present offending, does not justify a distinct uplift. However, counsel argued that those convictions stop you from receiving any good character deduction. You have 14 prior convictions, accrued between 2019 and 2024. You have convictions for driving a vehicle in a dangerous manner and failing to stop for red and blue flashing lights, committed on 30 August 2019, and you were disqualified from driving. You were also convicted of wilfully setting fire to property, endangering life, committed on 15 August 2018. You were sentenced to five months’ home detention for that offending.

Personal background, mental health, and addiction

[35] Your counsel argued that the sentence imposed should recognise your personal history and circumstances. Mr Butler relied on the reports of Drs Naidu and Menkes, alongside supporting letters from: your aunts, [redacted]; your father, [redacted]; and a letter you have written to the Court. Earlier I described your background as set out in the reports before the Court. As I observed, your background is marked by trauma and abuse. In particular, as a child you witnessed your mother suffer serious domestic abuse, and at age seven you were forced to move to live with your maternal aunt

³³ *R v Collings*, above n 16, at [21].

[redacted]. You left school at 15 years old, and you moved in with your older boyfriend, who was abusive, and with whom you abused substances and alcohol. At 19 you married, and your husband was abusive and an alcoholic. You now have three children, two of whom you share with your partner who passed in 2018.

[36] The impact of your drug use is also a factor that counsel acknowledge is important to take into consideration in imposing your sentence. You disclosed to the pre-sentence report writer that you have struggled with methamphetamine addiction for some time, and that at one point you used the drug multiple times daily. You disclosed that you had consumed methamphetamine approximately 10 minutes before leaving the house on the morning of 18 October 2024.

[37] Dr Menkes provided an opinion to the Court that the events leading to Mr Rhind's death strongly suggest your "methamphetamine use disorder and consequent methamphetamine-induced psychosis played an important, possibly causative, role in this tragedy." However, because Dr Menkes had only met with you a year after the offending, once you had undergone "essentially complete psychological recovery", he was unable to comment with confidence on the accuracy of your narrative or your capacity to form criminal intent at the material time. The available evidence suggested you had consumed a substantial quantity of methamphetamine in the hours prior to the incident, and you reported being convinced that Mr Rhind posed a threat to your daughter and was intending to assault her. Dr Menkes opined that this reflected paranoid thinking and a delusional interpretation consistent with methamphetamine-induced psychosis.

[38] Ms Al-Janabi argued that given that your account to Dr Menkes was not tested at trial, and ran contrary to the defence case pursued, caution should be exercised when deciding the weight to be placed on any link between your drug use and your offending. However, counsel accepted that your history of drug use and methamphetamine induced psychosis, including at the time of the offending, can be appropriately taken into account as a mitigating feature personal to you. Ms Al-Janabi argued that a reduction of up to one year would be appropriate to take account of your

personal mitigating features. I agree. I consider that those factors were at least causally connected to your offending such that a reduction is justified.³⁴

Remorse

[39] Although no distinct deduction was sought for your remorse, it is appropriate to record the letter you have provided to the Court. You express your immense regret for your actions and take ownership of your addiction and the way that this contributed to your offending.

Sentence

[40] I repeat that the sentence that is being imposed today is one of life imprisonment. You must serve at least the minimum period of imprisonment I will now impose before you can be considered eligible for parole. That decision will depend on the Parole Board's assessment of the risk you pose to the community. After the passing of that minimum period, you will remain in prison until the Parole Board decides otherwise. Ms Crawford, please stand. For the murder of Teri Rhind, I sentence you to life imprisonment, with a minimum period of imprisonment of 10 years.

Please stand down.

Harvey J

³⁴ *Berkland v R* [2022] NZSC 143, [2022] 1 NZLR 509 at [107]–[109]; and *Smith v R*, above n 7, at [26]. I note that the legislative policy mandated for murder, as reflected in s 103(2), means such factors carry less weight in murder sentencing and should not lead to an adjustment in the minimum term as though it were the determinate sentence: *Frost v R* [2023] NZCA 294; *Purutanga v R* [2023] NZCA 442; and *Thompson v R* [2024] NZCA 266 at [25]–[26].