

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

**I TE KŌTI MATUA O AOTEAROA
ŌTAUTAHI ROHE**

**CRI-2025-009-5284
[2026] NZHC 326**

THE KING

v

NATHAN BOULTER

Hearing: 25 February 2026

Appearances: P A Currie for Crown
P J Shamy KC for Defendant

Judgment: 25 February 2026

SENTENCING REMARKS OF PAULSEN J

Introduction

[1] Mr Boulter, it is now my role to make some sentencing remarks and deliver your sentence. I am going to read from a document which you will subsequently be given a copy of, which I appreciate may be difficult to understand as I am going through it with you today, but you will get a copy of these sentencing remarks later.

[2] On 13 November 2025, you pleaded guilty to the charge that you murdered Chantal McDonald and you appear for sentence today.¹

¹ Crimes Act 1961, s 172: maximum penalty life imprisonment.

[3] The maximum penalty for murder is life imprisonment. As there are no circumstances that would make such a sentence manifestly unjust that is the sentence that will be imposed.²

[4] The issue I must determine is how much of that life sentence you will be required to serve before being eligible to apply for release on parole. That is known as the minimum period of imprisonment or the MPI, and I will refer to it as the MPI throughout these remarks. The Crown says the MPI should be 18 years. Mr Shamy KC, on your behalf, says an MPI of 15 years is appropriate.

Facts

[5] I am going to now to turn to the facts of the case. These are set out in the Crown's summary of facts. I have been advised by your counsel that the summary is not disputed, and I proceed on the basis that it is an accurate statement of the details of your offending. I have to set those out in these remarks.

[6] You were involved in a brief relationship with Ms McDonald which began in May 2025. At that time you were in breach of a release condition in respect to other offending. You were arrested and remanded in custody on 5 June 2025. Ms McDonald broke off the relationship and told you she did not want any further contact from you.

[7] You developed a fixation for her and upon your release from custody began to harass her by phone and using social media. Between 7 and 20 July 2025 you made 581 phone calls to Ms McDonald. She did not respond to any of them.

[8] On 14 July 2025, you emailed Ms McDonald threatening messages, including one which read "Ima chop you down to nothing hoe put you on the level narcissist hoe" and another one which read "one two guess who's coming for you! Your lack of human compassion and empathy will be the death of you one day soon my Lil hoe! Xxx".

² Sentencing Act 2002, s 102(1).

[9] Your behaviour led Ms McDonald to fear for her safety. She began locking her front gate with a padlock to keep herself safe from you and told friends and family about threats.

[10] At around 9.15 am on 22 July, you bought a 19-centimetre “pig sticker” knife and a hunting t-shirt from a Hunting and Fishing store in Christchurch. That knife is the weapon you later used to kill Ms McDonald.

[11] At about 6.50 pm on 23 July 2025, you were watching Ms McDonald’s home which she shared with her two children (aged 17 and seven years), her flatmate and her flatmate’s two children. You concealed yourself and you waited.

[12] At about 7.51 pm, Ms McDonald returned home with her two children. As she pulled into the driveway, you left your concealed spot, crept across the road with the knife, leaving behind your jacket and the sheath of the knife. You crept to the corner of the driveway and, as Ms McDonald came up to close the gates, you attacked her with the knife.

[13] You started to stab Ms McDonald in what the summary of facts describes as a frenzied attack. You inflicted 55 stab wounds to her back, torso, head, arms and face, as well as her knees. She had self-defence wounds around her hands and arms as she tried to protect herself from you. Ms McDonald’s children ran into the house as you were stabbing their mother.

[14] Ms McDonald’s injuries were so extreme that she died within minutes. Police attended and rendered first aid but she was unresponsive. St John’s staff pronounced her dead at 8.13 pm.

[15] You left the address on foot and entered a house on an adjoining street. You talked briefly with the occupants, who were not known to you, and you were told to leave. You went onto the driveway and you made two phone calls, the first to your stepfather and the second to police by calling 111.

[16] You stated to police that you had “just killed her now”, that you had “stabbed her to death”, that you had “fucked up”, and that you needed police to come and get you because you had “just killed her”. You were arrested by police a short distance from the home you had entered.

[17] You declined to be interviewed by the police.

Victim impact

[18] Turning to the victim impact statements. Mr Boulter, your actions have caused deep, irreversible harm. You have heard the impact statements read today. Ms McDonald’s daughter, aunts and friend have spoken of the trauma and emotional toll your offending has caused. Other victim impact statements have been provided to me which I have read. They speak of the grief and the pain of losing a loved one so unexpectedly and brutally, as well as the fear you have instilled in them as they go about their daily lives.

[19] Ms McDonald was a loved mother, daughter, niece and friend whose life should not have been taken that day. No sentence I impose can make up for the loss of her life and the continued loss experienced by those who loved her. The trauma suffered by Ms McDonald’s children in witnessing their mother’s death in such a manner will have been immense. They will live with that their entire lives and, of course, they have been robbed of the opportunity to grow up and share their lives with their mother.

Pre-sentence report

[20] Reference has been made to a pre-sentence report. You have not cooperated in the preparation of that report. A pre-sentence report was compiled nonetheless without your input from information held about you by the Department of Corrections.

[21] You are currently being housed in the Intensive Support Unit. The report records that you have complex mental health issues, and since your remand you have shown periods of disruptive behaviour as well as periods of compliance.

[22] The report writer notes your risk of violent offending is linked to your mental stability, and that your refusal to take mental health medication has contributed to some previous offending. You also have a history of substance use. However, it is unknown whether the state of your mental health or substance use contributed to this offending, and it is noted that you have had dealings with community mental health services for many years and you are aware of processes to access the help you require.

[23] You have many criminal convictions which I will come to shortly. There is a pattern of unhealthy fixations with ex-partners, with extreme electronic harassment escalating to threats of violence, and actual violence. It is noted that legal sanctions, including imprisonment and the imposition of specific release conditions, have not prevented further serious offending. Your risk of reoffending and the risk you pose to the community are considered to be very high.

Previous convictions

[24] Mr Boulter, you have 50 previous convictions and have been subject to 42 sentences of imprisonment from 2006 to 2025.

[25] The most relevant prior offending was in 2011 (for which you were convicted in 2012). In that case you had begun a brief relationship with a woman. In breach of bail conditions that you not contact her and reside at an address in Southland, you travelled to Great Barrier Island where you seriously assaulted her and her male friend. You then kidnapped her and for a period of 38 or 39 hours held her in isolated bush on the island, physically abusing her. You were sentenced to eight and a half years' imprisonment for that offending.

[26] You also at that stage received a stage-one warning under what is commonly called the "three strikes" regime under the Sentencing Act.³ I will return to the significance of that later in these remarks.

[27] After being released from prison on those charges you continued to offend. In 2020, you were convicted on 11 charges of causing harm by posting digital

³ *R v Boulter* [2012] NZHC 1337 at [3].

communications, assault with intent to injure and six charges of threatening to kill or do grievous bodily harm.

[28] In 2021, you were convicted of threatening to kill and breaching a protection order.

[29] In 2025, you were convicted of behaving threateningly, possessing an offensive weapon and disorderly behaviour.

[30] Most of your offending was in a family violence context.

Principles and purposes of sentencing

[31] In determining the appropriate sentence, I must consider the purposes and principles as they are outlined in the Sentencing Act. In this case, I consider the critical considerations are:⁴

- (a) firstly, holding you to account for the harm done to Ms McDonald and the community by your offending;
- (b) secondly, denouncing your conduct;
- (c) thirdly, deterring you and others from committing the same or similar offences; and
- (d) fourthly, protecting the community from you.

[32] I turn now to the principles that must be applied in respect of sentencing specifically for murder.

Murder

[33] In any case where an offender has been found guilty of murder, a sentence of life imprisonment must be imposed unless that would be manifestly unjust.⁵ As I have

⁴ Sentencing Act, s 103(2).

⁵ Section 102.

said, there is no suggestion that it would be manifestly unjust to impose a sentence of life imprisonment in this case.

[34] A sentence of life imprisonment does not mean that you will spend the rest of your life in prison, but you may only be released if the Parole Board is satisfied you no longer pose an undue risk to the safety of the community.

[35] That is not the end of the matter. When imposing a sentence of life imprisonment I must also make an order that you serve an MPI under the sentence, which is the period that must be served before you see the Parole Board to consider your release.⁶

[36] As you have previously received a first warning under the three strikes regime, your conviction for murder is what is known as a stage-two offence.⁷ Therefore, unless it would be manifestly unjust to do so, I must make an order that the MPI you are to serve shall be at least:⁸

- (a) 15 years if none of the circumstances in s 104(1A) of the Sentencing Act apply, and
- (b) 17 years in any other case.

[37] Now the Crown here says that two circumstances in s 104(1A) of the Sentencing Act apply because:

- (a) the murder of Ms McDonald involved calculated or lengthy planning;⁹ and
- (b) secondly the murder was committed with a high level of brutality, cruelty, depravity, or callousness.¹⁰

⁶ Section 103(1).

⁷ Section 86J.

⁸ Section 86P.

⁹ Section 104(1A)(b).

¹⁰ Section 104(1A)(e).

[38] In deciding the appropriate MPI to impose, I approach the matter by addressing the following three issues:¹¹

- (a) First, what notional MPI is called for in this case having regard to other murder cases. This will serve as a benchmark for me for the sentencing exercise;
- (b) The second matter I need to consider is whether any one or more of the circumstances listed in s 104(1A) are present in this case; and
- (c) The third issue I must consider is if I am satisfied that one or more of the circumstances in s 104(1A) apply, but the notional MPI is less than 17 years imprisonment, whether it would be manifestly unjust to impose an MPI of at least 17 years.

The notional MPI

[39] So I turn to the first issue, what is the notional MPI to act as a benchmark for your sentencing?

[40] Both Ms Currie and Mr Shamy have referred me to other Court decisions that guide me in determining the appropriate notional MPI. I have considered all of those cases, as well as other decisions to which I was not referred.

[41] Mr Boulter, in my written sentencing remarks I go through each of those relevant cases, describing the circumstances and the conclusions that were reached by the Court.¹² I do not propose to do that because you will have those before you when you receive a copy of these sentencing remarks. For present purposes, it is sufficient for me to say that, in my view, the case to which I was referred which is most relevant is the case of *R v Kanwarpal Singh*.¹³

¹¹ *Davis v R* [2019] NZCA 40, [2019] 3 NZLR 43 at [25].

¹² See paragraphs [42]–[46].

¹³ *R v Singh* [2023] NZHC 2040.

[42] In *R v Zhou*, following an argument Mr Zhou attacked his wife with a meat cleaver, a knife and a claw hammer.¹⁴ The attack commenced in the kitchen and the wife's body was dragged to the bathroom where the attack continued until she was dead. Mr Zhou made attempts to clean up the scene before police arrived. Mr Zhou inflicted at least 76 wounds, including 39 to the face and head, six or seven to the neck, and six to the left breast of his wife. An MPI of 17 years was imposed.

[43] *R v Li* involved an attack by the defendant against his former wife with whom he was engaged in relationship property proceedings.¹⁵ Mr Li became obsessive about harming his former wife, building up a collection of weapons and speaking about attacking her over years. The day before the attack, Mr Li bought a large hunting knife. Mr Li followed the victim as she left for work. He attacked her as she waited for the bus, stabbing her multiple times; she had 10 stab wounds on the front of her body and two additional wounds on her arm and hand. The Judge determined a 19-year starting point for the MPI was appropriate.

[44] In *R v Thurgood*, Mr Thurgood dropped his four children at school and then drove to the home of his former partner.¹⁶ He entered the house wearing a beanie with eyes cut out of the fabric and carrying a broken grubber handle. He then attacked his former partner by repeated blows with the grubber handle and stabbed her with a knife. At some point he attempted to strangle her and there was evidence she may have been gagged. The victim received 26 separate injuries, including stab wounds to the right and left sides of her neck and breast areas. The attack would have taken some time to complete, and the victim put up a fight as demonstrated by defensive wounds. The sentencing Judge considered that the appropriate MPI was 18 and a half years, which he increased by a further six months to 19 years because Mr Thurgood had perverted the course of justice by attempting to lay blame for the attack on his son. The Court of Appeal upheld the sentence, saying "the Judge's overall length of sentence cannot be faulted".¹⁷

¹⁴ *R v Zhou* HC Auckland CRI-2005-092-10395, 13 October 2006.

¹⁵ *R v Li* [2020] NZHC 3419.

¹⁶ *R v Thurgood* HC Auckland CRI-2009-055-2162, 3 March 2011.

¹⁷ *Thurgood v R* [2012] NZCA 23 at [26].

[45] *R v Kanwarpal Singh* involved the defendant developing an unhealthy obsession with the victim over a two-year period, including sending threatening messages to her.¹⁸ The defendant waited near the victim's home in his car. When the victim was walking home, Mr Singh approached with a large knife and commenced an attack, stabbing the victim to the stomach and chest. The victim had 12 knife wounds before members of the public intervened and the defendant fled. A notional MPI of 17 and a half years would have been reduced by one year for the defendant's guilty plea but for the application of s 104.¹⁹ Mr Singh appealed to the Court of Appeal.²⁰ His appeal was dismissed. The Court of Appeal concluded that the notional MPI of 17 and a half years was within the appropriate range.²¹

[46] *R v Mandeep Singh* is a case upon which Mr Shamy relied.²² It involved a defendant killing his wife, suspecting she was having an affair with a classmate. On the evening before the attack, the defendant called the classmate and told him he was going to kill his wife. Mr Singh also wrote a note which stated his intention to kill his wife. The next day, Mr Singh waited outside the room where his wife was sitting an exam, having brought five knives with him. He stabbed his wife three times, including a stab wound to her chest which was fatal. He also stabbed the classmate which did not result in death. An MPI starting point of 12 and a half years was considered appropriate for the murder charge alone.

[47] In my view, this case is most similar to *R v Kanwarpal Singh*. As in that case, you were fixated on Ms McDonald and had a strong sense of grievance as to the manner in which you believed you were treated. Just as Mr Singh had done, you planned the attack on Ms McDonald. Mr Shamy submits the offending in that case was more serious due to a much lengthier period of electronic stalking and threats made to the victim. I accept there was a lengthier period of stalking in *Singh* but, Mr Boulter, your harassment of Ms McDonald, although relatively brief, was extreme and you also made threats to her. In addition, in your attack Ms McDonald suffered many more wounds than the victim in *Singh*, the attack occurred directly next to her

¹⁸ *R v Singh*, above n 13.

¹⁹ Due to factors in s (104)(1)(b), (e) and (h) applying.

²⁰ *Singh v R* [2025] NZCA 546.

²¹ At [71].

²² *R v Singh* [2015] NZHC 2369.

home where she was entitled to feel safe and where her two children were present. They are significant aggravating features of this case.

[48] Mr Shamy relied on the case concerning *Mandeep Singh* to assist in his submissions, and I should refer to that case. Mr Boulter, in my view, your offending was more premeditated than occurred in that case, and that you alluded to Ms McDonald's death in a threatening message on 14 July 2025, and bought a hunting knife the day before the attack. Further, the presence of Ms McDonald's children at the time of the attack is a serious aggravating factor when compared to the *Mandeep Singh* case and, indeed, the *Kanwarpal Singh* case to which I have referred, and the other cited cases which may have involved a higher level of brutality.²³

[49] Mr Boulter, standing back and assessing the circumstances of your offending and the decisions to which I have been referred and which I have considered,²⁴ I have decided that the appropriate notional MPI before making allowance for your personal circumstances is 17 years.

[50] I now must consider your personal circumstances. The Crown submits that an uplift upon the notional MPI of 18 months is appropriate to recognise your prior convictions and the fact that you offended while on release conditions. Mr Shamy accepts the 2012 convictions warrant an uplift of 12 months on the notional MPI.²⁵

[51] I consider these matters are an aggravating feature and must be taken into account. This is not to punish you a second time for earlier offending. It is because repetition of similar offending requires the imposition of a sentence that protects the community when there is a high risk of reoffending.²⁶ Your prior offending shows a consistent pattern of abusive and controlling behaviour towards women. The 2012 convictions are the most relevant of those. As gravely serious as that offending was, however, your current offending represents a significant escalation in the level of violence used. I consider this factor justifies an 18-month increase on the notional MPI.

²³ *R v Thurgood*, above n 16; and *R v Zhou*, above n 14.

²⁴ See also *R v Wilson* [2023] NZHC 2376 as cited by the Crown; and *R v Singh* [2019] NZHC 148.

²⁵ Citing *R v Robertson* [2015] NZHC 1849.

²⁶ *R v Fahey* [2015] NZHC 78.

[52] In his written submissions, Mr Shamy has submitted that you should receive a two-year deduction on the notional MPI, reflecting your early guilty plea.²⁷ Ms Currie has submitted that a deduction of 18 months would be warranted in this case, and correctly notes that a deduction for your plea is “significantly constrained” in a case involving a minimum period of imprisonment.²⁸

[53] A deduction to reflect your guilty plea is warranted. However, I accept the Crown’s submission that the strength of the case can appropriately be taken into account, and, even putting your 111 call aside, there were multiple eyewitnesses to your actions. The case against you was always going to be overwhelming. I allow an 18-month deduction to reflect your guilty plea.

[54] In addition, I have considered whether there is any basis to give you credit for any expression of remorse by you in respect to your offending but there has been none. You have provided the family and friends of Ms McDonald with no explanation for your actions and expressed neither remorse nor empathy. Your conduct in refusing to cooperate in the sentencing process will have inflicted additional distress upon them.²⁹

[55] Mr Shamy has quite appropriately raised today the issue of your mental health. As I have noted, there is reference to mental health issues in your pre-sentence report, and to the fact that the state of your mental health at the time of the offending is unknown. However, you did not cooperate in the preparation of that report to provide any relevant information. I note that, in an earlier hearing before this Court, your counsel advised that a report from a forensic psychiatrist on the state of your mental health had been sought, and I understand that was obtained. It has not been put before the Court. There is, therefore, no evidence before me as to what your mental state was at relevant times, or to suggest any causal connection between such mental health issues and your offending, and I cannot therefore make any allowance for this.

²⁷ Citing *Frost v R* [2023] NZCA 294 at [72]–[89].

²⁸ *R v Cable* [2021] NZHC 3129 at [101], citing *Momoisea v R* [2019] NZCA 528 at [35]–[36]; and *Malik v R* [2015] NZCA 597 at [25]–[37]. See also *R v Brider* [2023] NZHC 56 at [68].

²⁹ *R v Brider*, above n 28, at [69].

[56] After taking into account your personal aggravating and mitigating circumstances, I conclude that the appropriate notional MPI for your offending is 17 years.

The applicability of circumstances in s 104(1A)

[57] I turn then to consider the issue of the applicability of s 104(1A). The Crown says that s 104(1A) applies due to calculated planning³⁰ and the presence of a high level of brutality, cruelty and callousness.³¹ Mr Shamy submits these factors are not present to a sufficient degree in this case.

Calculated or lengthy planning

[58] I deal first with the issue of calculated or lengthy planning. Ms Currie says you developed an unhealthy fixation on Ms McDonald and you electronically harassed her. The threatening emails sent on 14 July 2025 demonstrate you had turned your mind to harming her and allude to her death. Ms Currie also notes you purchased the hunting knife the day before you killed Ms McDonald (a weapon designed to cause quick, effective bleeding) and waited, concealed, outside her address for an hour, attacking her as soon as she returned. Ms Currie submits these facts demonstrate a level of calculated planning and patience.

[59] Mr Shamy submits the planning involved in your offending does not meet the threshold of being “calculated or lengthy”. He accepts the murder was premeditated, but says the planning was not so prolonged as to bring your offending into the “worst type” of cases.³² He submits that planning must be present “to a heightened degree, either because of the period of time over which it has taken place, or because of the degree of thought which has gone into it”.³³

[60] Against that, I note on similar facts the High Court and Court of Appeal in the *Kanwarpal Singh* case, to which I earlier referred, found s 104(1A)(b) was engaged.³⁴

³⁰ Sentencing Act, s 104(1A)(b).

³¹ Subsection (1A)(e).

³² Citing *Desai v R* [2012] NZCA 534.

³³ *Desai v R*, above n 32, at [59] and [60].

³⁴ *Singh v R* (CA), above n 20, at [55].

However, I accept that in this case there is less evidence of a clear intent over a prolonged period to kill Ms McDonald. The strongest evidence of planning is your email on 14 July 2025, stating Ms McDonald would be dead soon, and the purchase of the hunting knife the day before the murder. The same lengthy period of obsession and threats that existed in the *Kanwarpal Singh* case are not present here. Although the nearly 600 calls made to Ms McDonald following your release from prison are highly concerning, they too do not demonstrate a plan to kill her.³⁵

[61] So, on balance, I do not consider your premeditation reached the threshold of being “lengthy planning”, nor was it of the necessary period of time or degree of thought required to make this an “exceptional murder” for that reason.³⁶

High level of brutality, cruelty, depravity, or callousness

[62] I turn then to consider the level of brutality, cruelty, depravity or callousness.

[63] Ms Currie acknowledges that any murder will likely involve an element of brutality, cruelty, depravity, or callousness.³⁷ However, the Crown submits a number of factors give your offending a high level of each of these factors.³⁸

[64] Ms Currie submits the attack itself—involving 55 stab wounds to Ms McDonald’s head, face, arms, knees and torso—was a brutal, frenzied and prolonged attack. She submits the number and locations of the stab wounds means a high level of brutality was present. She further submits the preceding calls and messages to Ms McDonald, the presence of children at the commencement of the attack, and that the offending occurred at Ms McDonald’s home meant your offending was particularly cruel and callous.

[65] Mr Shamy submits the stabbings occurred in a frenzy, using a single weapon in a short period of time. He says it was not a prolonged attack, nor was it one which caused sustained suffering to Ms McDonald. He further submits that, although her

³⁵ *R v Singh*, above n 24, at [10].

³⁶ *Desai v R*, above n 32, at [59] and [60].

³⁷ Citing *R v Slade* [2005] 2 NZLR 526 (CA) at [40].

³⁸ *R v Gottermeyer* [2014] NZCA 205.

children were present and this was an awful feature of the attack, it does not reflect such a high level of callousness so as to engage s 104(1A)(e).³⁹

[66] I am satisfied that section is engaged. As with *Kanwarpal Singh*, your offending involved a brazen, frenzied attack in public with a high level of violence.⁴⁰ You stabbed Ms McDonald 55 times all over her body, the wounds being so extensive that she died within minutes. The Court of Appeal has noted that the fact a victim dies quickly or even instantaneously does not mean the murder could not have been committed with a high level of brutality, cruelty, depravity or callousness.⁴¹ Ms McDonald was returning home from the grocery store with her children, she was at her home where she was entitled to be safe. She was unarmed. She did nothing to provoke you, whereas you were lying in wait for her. This displays a brazen level of callousness. You also attacked her while her two children were present. This, along with the number of stab wounds, signifies a high level of brutality.

[67] I therefore find s 104(1A)(e) applies. It follows that an MPI of 17 years is warranted unless it would be manifestly unjust to make such an order. As I have found the notional MPI to be 17 years, it is not manifestly unjust to make such an order in this case.

Second strike offence

[68] Mr Boulter, I need to deal with the fact that is a second strike offence further. As I mentioned, in 2012 you received a warning for committing a first-stage offence under the three strikes regime.⁴² Now that you have been convicted of a stage-two offence, I am required to give you a warning of what will happen if you commit a further (third) qualifying offence.⁴³ What follows is that warning.

³⁹ In distinction to *R v Gottermeyer*, above n 38; *R v Eddy* [2014] NZHC 1543; and *Dawood v R* [2013] NZCA 381.

⁴⁰ *Singh v R* (CA), above n 20, at [61].

⁴¹ At [60].

⁴² *R v Boulter*, above n 3, at [3].

⁴³ Sentencing Act, s 86L.

[69] Mr Boulter, the warning I am about to read is not straightforward. To ensure that you have notice of it, a written notice explaining what I am about to say will be given to you before you leave the Court precinct today.

[70] The warning that I am required to give is as follows.

[71] Mr Boulter, if you are convicted of any qualifying offence, other than murder or manslaughter, committed after this warning and the Judge determines that a sentence of more than 24 months' imprisonment is required and you are not sentenced to preventive detention, then—unless it would be manifestly unjust—you will be sentenced to a maximum term of imprisonment if you plead not guilty, or at least 80 per cent of the maximum term of imprisonment if you plead guilty. That will be served without parole or early release.

[72] Secondly, if you are convicted of manslaughter committed after this warning and the Judge determines that a sentence of more than 24 months' imprisonment is required and you are not sentenced to preventive detention, then—unless it would be manifestly unjust—you will be sentenced to at least 10 years' imprisonment if you plead not guilty, or at least eight years' imprisonment if you plead guilty. Again, that will be served without parole or early release.

[73] Thirdly, if you are convicted of any qualifying offence other than murder and sentenced to preventive detention, the Judge must sentence you to a minimum term of imprisonment. The minimum term of imprisonment will be equal to the term of imprisonment the Judge would have been required to impose if the Judge had not imposed preventive detention, unless it would be manifestly unjust.

[74] Fourthly, if you are convicted of murder committed after this warning, and the Judge determines you should be imprisoned for life and does not require you to serve the sentence without parole, then—unless it would be manifestly unjust—the Judge must impose a minimum period of imprisonment of at least 20 years if you plead not guilty, or at least 18 years if you plead guilty.

[75] I state again Mr Boulter, you will also receive a written notice explaining the possible consequences as I have just outlined them and a list of the qualifying offences.⁴⁴ A record of this warning that has been given to you will be entered on your permanent court record.

Sentence

[76] Mr Boulter, I am now going to impose sentence upon you.

[77] The sentence I impose is that you are to serve life imprisonment for the murder of Chantal McDonald.

[78] I impose a minimum period of imprisonment of 17 years.⁴⁵

[79] I record, for the purposes of s 86P of the Sentencing Act, that the minimum period of imprisonment I would have imposed but for the application of that section is 17 years.

[80] I make an order authorising destruction of the murder weapon, being the 19 cm knife.

[81] Mr Boulter, that concludes my sentencing remarks. You will remain in the court precincts until you have been given the written copy of the stage-two warning.

Paulsen J

Solicitors:
Crown Solicitor, Christchurch
Copy:
P Shamy KC, Christchurch

⁴⁴ Section 86N.

⁴⁵ Section 86P(2)(b).