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BETWEEN RAYMOND KIU

Appellant

A N D THE POLICE

Respondent

Hearing: 28th March, 1984.

Counsel: Miss P. A. B. Mills for Appellant.
C. Q. M. Almao for Respondent.

Judgment: 28th March, 1984.

ORAL JUDGMENT OF TOMPKINS, J.

The Appellant has appealed against sentences of two years/^{imprisonment} that were imposed on two charges of car conversion. He was also convicted of a charge of reckless driving, for which he was sentenced to three months' imprisonment, all these terms to be concurrent. He was also disqualified from holding or obtaining a driver's licence for a period of 12 months.

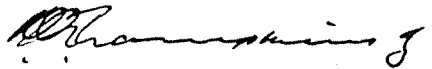
The Appellant, who was 18 years of age at the time of the convictions, has an impressive list of previous convictions, including no less than 20 convictions for either converting or unlawfully interfering with motor vehicles. The circumstances of these two charges of conversion demonstrate an attitude towards converting cars that could only be described as cavalier. Notwithstanding all the previous sentences that have been imposed on him, he appears to regard motor vehicles as being there for the taking.

On his behalf Miss Mills submitted that I should respond to the plea that he makes in his notice of appeal in

which he asks for an opportunity to try a period of periodic detention. I am not prepared to accede to that request - a request that was repeated by Miss Mills in her submissions to me to-day. I am left in no doubt that a term of imprisonment is appropriate.

I have given some consideration to the possibility of varying the sentences imposed to one of corrective training, but I have decided against that course. However, notwithstanding the Appellant's very substantial list and his attitude towards car conversion, I am also left in no doubt that a sentence of two years' imprisonment for these charges is excessive.

I therefore propose to vary the sentences for the two charges of car conversion to sentences of 15 months in each case, the sentences to be concurrent. The disqualification stands.



Solicitors:

Crown Solicitor, Hamilton, for Respondent.