X

IN THE HIGH COURT OF NEW ZEALAND AUCKLAND REGISTRY

M.791/84

1226

BETWEEN ALFRED JOHN NICHOLLS of

Auckland, Labourer

Appellant

AND

POLICE

Defendant

Offence:
Dealt With:

Sentence:

Assault (1) Assault with intent to injure (1) 3 April 1984 At: Auckland By: Wallace DCJ

Periodic Detention 5 months

Appeal Hearing:

· 17 September 1984

Counsel:

Appellant in person

D B H Jones for respondent

Oral Judgment:

17 September 1984

Decision:

APPEAL DISMISSED

(ORAL) JUDGMENT OF HENRY J.

The appellant, who appears in person, appeals against sentences of 5 months Periodic Detention imposed in the District Court at Auckland in respect of one charge of assault and a second charge of assault with intent to injure. In my view, both assaults could be described as of a comparatively serious nature and undoubtedly called for punishment commensurate with their nature.

I do not think in any way it can be contended that the imposition of Periodic Detention was inappropriate.

nor do I think the terms imposed in either case could possibly be said to be excessive. Both appeals must therefore be dismissed.

The appellant will first report to the Periodic Detention Centre on Friday next, 21 September 1984.

Agenny J

Solicitors:

Crown Solicitor, Auckland, for respondent