

IN THE HIGH COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY

NO. M.435/84

1183

BETWEEN CECIL RALPH RICHARDSON-WILSON

Appellant

A N D THE POLICE

Respondent

Hearing: 14 September 1984

Counsel: Appellant Appears In Person
 B.M. Stanaway for Respondent

(ORAL) JUDGMENT OF COOK J.

The appellant came before the District Court on a total of 26 charges, obtaining cash or credit by false pretences. Between January and June 1984, he opened first one and then a second bank account and on each wrote a number of worthless cheques, a substantial amount being involved.

Unhappily, he has a long list of convictions dating back to 1962, generally of a dishonest nature, with a number of convictions for false pretences. He had last appeared before the Court in June 1983 when he was sentenced to 6 months imprisonment, so cannot have been in the community long when the first of the present charges was committed.

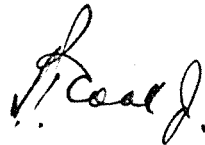
The District Court Judge considered that; also the submissions by counsel for the appellant as to the affect upon him of alcohol. He considered the public had a right to expect that the Courts would afford some protection and imposed 18

months on certain of the charges and 9 on others, all to be served concurrently.

Mr Richardson-Wilson, I have read the probation report. I have noted that you have a history of excessive drinking but I also note that the report says that, while a present desire to control your drinking could be seen as a positive move, it is unlikely that you would follow up the good intentions that you now show. I trust that later you will show that those good intentions have continued.

The appellant now makes a plea for a final chance and stresses his alcohol problem and says he is seeking help, but that his present position precludes him from receiving it; he wishes to have the guidance of the Probation Service. I fear, however, that it would not be proper to interfere with the sentence which the District Court Judge has very properly imposed in this case. There will be probation on your release and I am sure the assistance to overcome your alcoholism will be available then just as it may be now and if you still wish to avail yourself of it.

The appeal must be dismissed.



Solicitors:

Appellant Appears In Person
Crown Solicitor's Office, Christchurch, for Respondent.