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IN THE HIGH COURT OF NEW ZEALAND
HAMILTON REGISTRY

M.404/84

1694

BETWEEN: KEVIN WILLIAM THOMPSON
Appellant

A N D: POLICE
Respondent

Hearing: 18 December 1984
Counsel: Ms Mills for Appellant
Mr Almao for Respondent

ORAL JUDGMENT OF BISSON, J

This appeal against a sentence of eighteen months imprisonment imposed in respect of five convictions; two of burglary, two of theft and one of using a document dishonestly.

Ms Mills for the Appellant, has made the most she could of a hopeless appeal. The only point she could secure was in respect of a reference in the Notes on Sentencing where the learned District Court Judge referred to this Appellant as being a co-offender with two other persons who went on a buying spree in the Te Puke/Bay of Plenty area using cheques which were valueless. The only connection with them was in respect of the one charge of using a document, that being one of the cheques which had been given to the Appellant by those others.

However, the charges in this case of burglary and theft admittedly do not involve those other offenders, but when one considers the previous offending by this Appellant, involving a number of previous convictions of burglary and other crimes of dishonesty over the years and twice previously in 1984, and when one considers the Probation Officer's report referring to the Appellant as a regular offender and not recommending Probation, I have no hesitation in dismissing the appeal as the sentence of eighteen months imprisonment is clearly not excessive in the circumstances.

William J.