

BETWEEN GARY PATRICK BROWN

Appellant

1675
AND

THE POLICE

Respondent

Hearing: 3 December 1984

Counsel: Lawry for Appellant
 Jones for Respondent

Judgment: 3 December 1984

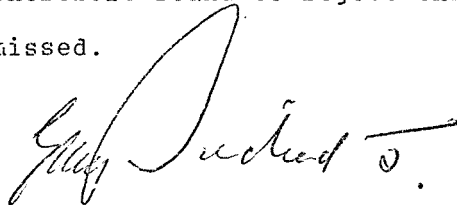
(ORAL) JUDGMENT OF PRICHARD, J.

On 7 July this year, the Appellant was convicted on two charges of stealing motor vehicles, two charges of assaulting police officers, one charge of resisting arrest and one of causing wilful damage to a police vehicle. On each of the theft charges the Appellant was sentenced to two years imprisonment, those terms to be served concurrently. On each of the charges of escaping from lawful custody, he was sentenced to six months imprisonment, those terms to be served concurrently but cummulatively upon the two year sentence on the theft charges. The Appellant was also sentenced in respect of the assault charges and the charge of causing damage to two months imprisonment, those to be served concurrently with the six months in respect of the escaping charges.

The effective sentence was two years six months imprisonment.

It is urged upon me by the Appellant that the learned District Court Judge gave insufficient weight to the fact that the Appellant had been held in custody for some three months awaiting trial and also insufficient weight to endeavours made by the Appellant to overcome an alcohol problem. In dealing with this matter the learned District Court Judge was clearly influenced by the Appellant's history of offending which included a theft charge in February 1982 for which he was sentenced to one years imprisonment.

I think it would be quite wrong for me to tinker with the sentence imposed by the District Court Judge in this case. I am not persuaded that the sentence imposed was manifestly excessive or that it was imposed on any wrong principle. I am therefore bound to reject this appeal. The appeal is dismissed.

A handwritten signature in cursive script, appearing to read "G. J. P. J. J. J.", with a horizontal line extending to the right from the end of the signature.