

IN THE HIGH COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY

M.19/84

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BETWEEN _____ EDWARDS
Appellant

A N D THE POLICE
Respondent

Hearing: 20 February 1984
Counsel: D.J. Taffs for Appellant
G.K. Panckhurst for Respondent

ORAL JUDGMENT OF ROPER J.

This is an appeal against a sentence of corrective training on seven charges of unlawfully taking motor vehicles. Between the 13th November last and 23rd November the Appellant and two others travelled from Auckland to Christchurch, the journey being undertaken by a series of car conversions. The Appellant is 17, she has previous convictions, all for burglaries, and the sentences were imposed all at the same time in 1982. I must agree with Mr Taffs that with her background it is surprising she has not got more of a criminal list.

Mr Taffs has taken issue with the sentencing Judge's comment that of recent times the Appellant has had every advantage. By and large she has had few opportunities or advantages during her life and the background is quite appalling. What the sentencing Judge was referring to was that following her convictions in 1982 she went into the care of a relative who is a minister in the Maori Evangelical Church, a Mr She was released on probation on that occasion on the understanding that she would accept his offer of what was in essence a foster placement, which she did. She resided with the Reverend for eight months and got into no trouble in that time but then went flatting. It was then that her problems started. One other offender

who was involved in this who had no previous convictions was sentenced to 100 hours' community work. I was rather surprised to learn that the Appellant has again gone flatting pending the determination of this appeal. The learned Judge was at pains to point out the prevalence of car conversion, a factor which cannot be disregarded.

In all the circumstances I cannot regard this sentence of corrective training as either manifestly excessive or inappropriate in the circumstances, and accordingly the appeal is dismissed.

A handwritten signature in black ink, appearing to be 'D.J. Taffs', written in a cursive style.

Solicitors:

D.J. Taffs, Christchurch, for Appellant
Crown Solicitor, Christchurch, for Respondent