

IN THE HIGH COURT OF NEW ZEALAND  
TIMARU REGISTRY

GR 101/83

143

BETWEEN

GREENWOOD

Appellant

A N D MINISTRY OF TRANSPORT

Respondent

Hearing: 9 February 1984

Counsel: No appearance of or on behalf of Appellant  
G.D. Pearson for Respondent

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ORAL JUDGMENT OF ROPER J.

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This is an appeal against conviction and sentence on a charge of aiding another, one Bannan, to drive while disqualified. There has been no appearance by the Appellant and he is not represented.

On the 20th November last Traffic Officer Miller pursued and stopped a motorcycle driven by Bannan. The Appellant was a pillion passenger. It was the Appellant's motorcycle. Bannan, after first denying it, admitted that he was a disqualified driver and on inquiry by the Traffic Officer the Appellant admitted that he knew Bannan was disqualified, his explanation being that Bannan intended to buy the motorcycle and was trying it out. There was no cross-examination of the Traffic Officer and in evidence the Appellant said that he must have spoken on the spur of the moment and that in fact he had been unaware that Bannan was disqualified. The learned District Court Judge expressed himself satisfied that the Appellant had told the Traffic Officer that he knew that Bannan was a disqualified driver and so am I.

The appeal against conviction is therefore dismissed. Having regard for the Appellant's list of previous convictions for traffic offences, which is formidable, I am satisfied that no complaint can be made

as to the fine and period of disqualification, and the appeal against sentence is also dismissed.

*W  
C. C. C.*

Solicitors:

Crown Solicitor, Timaru, for Respondent