

IN THE HIGH COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY

No. AP246/86

BETWEEN PETER ANTHONY JACKSON

Appellant

1991  
**NOT  
RECOMMENDED**

A N D POLICE

Respondent

Hearing: 26 November 1986

Counsel: E.T. Higgins for Appellant  
M.N. Zarifeh for Respondent

Judgment: 26 November 1986

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ORAL JUDGMENT OF HOLLAND, J.

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The appellant was sentenced to three months' imprisonment on a charge of receiving stolen goods valued at \$2,990. The offence occurred on 1 June 1986. On 12 June 1986 the appellant was sentenced to a total of twelve months' imprisonment on a series of charges separate and distinct from this receiving charge. There were eight charges of false pretences, two of theft, two of receiving stolen property and other charges. The present charge came before the Court on 12 June but he was remanded. Presumably he was not at that stage prepared to plead guilty in respect of the other charges for which he was sentenced. The District Court Judge expressed the view that as this offence was committed while the appellant was awaiting sentence on these other charges a cumulative sentence was appropriate.

Counsel has submitted that this 19 year old was entitled to have before the Court a report as to how he was

responding to prison conditons before a cumulative sentence was imposed. With respect to counsel, I agree with the District Court Judge that regardless of whatever that report might have contained offending of this nature by a man with this record which goes back a long way should have received a cumulative sentence. The sentence that was imposed was one of three months' imprisonment which as the District Court Judge observed was a relatively small one.

No grounds exist for this Court interfering with the sentence and the appeal is dismissed.

A D Healey