

**IN THE HIGH COURT OF NEW ZEALAND
ROTORUA REGISTRY**

CRI 2009-463-97

BETWEEN CHIEF EXECUTIVE OF THE
 DEPARTMENT OF CORRECTIONS
 Applicant

AND KEVIN NEIL PHAIR
 Respondent

Hearing: 10 December 2009

Appearances: Fletcher Pilditch for Applicant
 Harry Edward for Respondent

Judgment: 10 December 2009

JUDGMENT OF HARRISON J

SOLICITORS

Gordon Pilditch (Rotorua) for Applicant
Harry Edward (Rotorua) for Respondent

[1] The Chief Executive of the Department of Corrections has applied for an extended supervision order: s 107F Parole Act 2002. He seeks an order against Mr Kevin Phair, presently a serving prisoner at Rangipo Prison for the maximum term of 10 years.

[2] I am satisfied that Mr Phair qualifies for and is an eligible offender within the statutory meaning. He has committed a number of serious offences. On the last occasion he was sentenced to a term of 10 years and six months imprisonment in this Court on 12 September 2000. His statutory release date is 9 January 2010.

[3] I have also had the benefit of reading extracts from a comprehensive report by Jacqui Gregory, a clinical psychologist, prepared on 10 September 2009.

[4] When Mr Phair originally appeared this morning he was unrepresented. He has since had the benefit of legal advice from Mr Harry Edward. As a result he consents to an order in the terms moved but without any special conditions.

[5] Accordingly I make an order for Mr Phair's extended supervision for a term of 10 years to commence on his statutory date of release from imprisonment which will be 9 January 2010.

Rhys Harrison J