

MINUTE OF ORDER

S.C.App No. 59/85

Coram: Hon Sir John Summerfield

CHRISTOPHER WIGHT V R

17/9/85

Hearing of Appeal

Order: There was ample evidence, supported by the sketch plan, to justify the learned Magistrate's finding on fact and the reasons he gave therefor. The findings fully support the charge. There are no grounds for my intervention on the conviction and the appeal against conviction is dismissed.

As to sentence, the maximum for this offence is unrealistically low in prevailing circumstances, but I do not think that that in itself justifies imposing almost the maximum for a first offence. If so how does one deal with a second offender in a more serious case? In the circumstances I will reduce the fine to \$100. The disqualification must remain as a deterrent. The appeal against sentence is allowed to that extent but is otherwise dismissed.


Chief Justice