

JOELI BUKA

v.

THE STATE

[HIGH COURT, 1998 (Townesley J) 6 October]

Appellate Jurisdiction

Sentence- larceny by appellant without good character.

The High Court dismissed an appeal against a sentence of 3 years imprisonment imposed on an appellant with several previous convictions who had previously been bound over and fined.

No case was cited.

Appeal against sentence imposed in the Magistrates' Court.

Appellant in Person

J. Rabuku for the Respondent

Townesley J:

This Appellant on 15th June 1998, on his own admission took a householder's car from his garage, after opening it with a master key, and drove it away, later abandoning it on the roadside, minus its car stereo.

The Appellant was arrested in connection with another case of stealing and police found the car involved in that case with the present complainant's car stereo valued at \$1500 in that car. The Appellant said that he had sold the complainant's stereo for 6 bottles of beer.

The Appellant has 6 previous convictions, 3 of them in 1993 and 1996 for offences relating to property, including one Housebreaking and Larceny. He has hitherto received a Bind Over and fines. Leniency has been lost on him.

His fun with damaging and stealing other people's property came to an end in this case when he was sentenced to concurrent sentences of 6 months imprisonment for Unlawful Use of the Motor Vehicle and 3 years' imprisonment for stripping and stealing the \$1500 car radio from the vehicle.

The Appellant says the sentence of 3 years imprisonment is harsh and severe. He says nothing about the 6 months sentence for Unlawful Use of a Motor Vehicle, perhaps because it is concurrent.

Does it enter the Appellant's mind that his treatment of other people's property may be harsh and severe? preying on another's car with a master-key, and stripping out the car-radio, no doubt damaging the installation?

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A This Appellant, and others like-minded should get the message that his days of running round tampering with and removing other people's property are over.

In this Court's view, the sentences are not a whit too long, and the Appeal is dismissed.

(Appeal dismissed.)