Wai 3060, #C15(b)

OFFICIAL

"B"

IN THE DISTRICT COURT
AT TOKOROA

CRI-2015-077-001127
[2016] NZDC 17419

NEW ZEALAND POLICE
Prosecutor

v

ROBERT CHARLES FARRAR
Defendant

Hearing: 7 September 2016

Appearances: B Hilton for the Prosecutor
H Roose for the Defendant

Judgment: 7 September 2016

Probation
2 November 2016

NOTES OF JUDGE P W COOPER ON SENTENCING

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[1] Mr Farrar, you have pleaded guilty to charges of assaulting the police, resisting the police, and disorderly behaviour. This plea of guilty came after some discussion and amendment to the charge.

[2] I am aware that there is a background to this matter that goes beyond what happened with this offending, but I am dealing with what you have done. What you did was that on 8 November 2015, you were in a very intoxicated state. You were on State Highway 1. The police were called and they found that you were being restrained on the ground by a family member, or an associate. The concern was that you were going to do something crazy, like running out in front of a truck, which is what you indicated you might do.

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[3] When your associates tried to get you into a motor vehicle, you became very aggressive and abusive. You were lashing out. You were wrestled to the ground by the police and one of your associates. You were resisting, fighting and kicking out. You kicked a constable in the forehead above the eye and you spat into the face of another police officer. Those are the charges that you face.

[4] You have no previous criminal convictions. That is something to your credit.

[5] I have seen the reports from your school. That tells me what you are capable of achieving. I have also seen the report from Raukawa Charitable Trust Alcohol and Drug Service. That tells me of the assistance that you need.

[6] Also, I have seen the pre–sentence report which tells me that you are very remorseful and sorry over what happened here. In fact, you have become somewhat depressed because of how you feel about what has happened. It talks about your previous health issues. It recommends a sentence of supervision.

[7] I had earlier thought that a sentence of supervision would not be sufficient to meet the sentencing needs of this case because assaults on police officers are something that the Court treats very seriously when the officer is simply going about his duties. The officers had a difficult situation that confronted them on this day with your behaviour.

[8] Really, I think the focus of this case needs to be towards your rehabilitation rather than punishment. I say that because you have got no previous convictions, you do have great potential, and you have underlying issues where assistance is necessary.

[9] So you will now be sentenced to 12 months intensive supervision on the conditions in the pre–sentence report. Those conditions are amended to provide for residential treatment, if required, for alcohol and/or drugs issues.

[10] This sentence will be subject to judicial monitoring, in other words, every three months, I will get a report as to how you are going on the sentence. If you are

going okay, that will be great. If you are not, I can have you brought back to Court to be resentenced, if you should breach this sentence. I do not expect that will happen, but I would just like to keep an eye on how you are getting on.

P W Cooper
District Court Judge