

EDITORIAL NOTE: PERSONAL/COMMERCIAL DETAILS ONLY HAVE BEEN DELETED.

**IN THE DISTRICT COURT  
AT ROTORUA**

**CRI-2016-063-000325  
CRI-2015-063-001045  
[2016] NZDC 4391**

**NEW ZEALAND POLICE**  
Prosecutor

v

**JASON RONALD CLEMENT BUST**  
Defendant

Hearing: 14 March 2016  
Appearances: Sergeant R Schreuder for the Prosecutor  
D Hall for the Defendant  
Judgment: 14 March 2016

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**NOTES OF JUDGE P W COOPER ON SENTENCING**

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[1] Mr Bust, you have pleaded guilty to a charge of breach of the Harmful Digital Communications Act 2015, a charge of cultivating cannabis, a charge of possession of a meth pipe, a charge of driving while disqualified, a charge of breach of community work and a charge of breach of release conditions and I also have to deal with an application to review the community work.

[2] You pleaded guilty to these charges after you were given a sentence indication of six months imprisonment. That is actually quite a lenient indication covering all of the charges, but it was the basis on which you pleaded guilty and I am going to impose a sentence in line with that.

[3] The most serious of the charges is the causing harm by a digital communication. That relates to you texting the complainant over what is said to be a drug debt, threatening him and his father in a pretty serious way. There is a charge of cultivating cannabis. That relates to one cannabis plant found at your address. A charge of possession of a meth pipe relating to a meth pipe found at your address. Breach of release conditions for failing to report to the probation officer when you were required and breach of community work. You had done only a short period of a 120 hour sentence and driving while disqualified.

[4] On the charge of breach of the Harmful Digital Communications Act, you will be sentenced to six months imprisonment in line with the Judge's sentence indication. On the charge of driving while disqualified, you will be disqualified from holding or obtaining a driver's licence for a period of six months commencing immediately and I direct that a warning letter be sent to the registered owner of motor vehicle, registration number [vehicle registration number deleted], directing that if there is any further offending by you in that vehicle, it will be liable for confiscation.

[5] On the charge of breach of community work, you will be sentenced to one month imprisonment and the community work sentence is cancelled. That one month is concurrent with the six months. On the charge of breach of release conditions, one month imprisonment concurrent. On the charge of cultivating cannabis, convicted and discharged. One plant does not warrant any addition to the

sentence. On the charge of possession of the meth pipe, one month imprisonment concurrent.

[6] On your release, you will be subject to standard and special conditions of release for six months after the sentence expiry date. The special conditions are set out in the PAC report. There is an extra condition though and that is that you are not to associate with or communicate with the victim in the charge in relation to those text messages.

[7] There will be an order for destruction of the meth pipe and the cannabis.

P W Cooper  
District Court Judge