

**IN THE DISTRICT COURT
AT HUTT VALLEY**

**CRI-2015-096-002717
[2016] NZDC 9461**

THE QUEEN

v

LAREEZE JOHNNY HAENGA

Hearing: 6 April 2016
Appearances: C M Gisler for the Crown
K F Preston for the Defendant
Judgment: 6 April 2016

NOTES OF JUDGE P J BUTLER ON SENTENCING

[1] Mr Haenga, you are for sentence today on two charges of aggravated robbery. You accepted a sentence indication given by me to you on 21 October last year. The delay in finalising sentencing to today has been made necessary by me having to calculate discount factor for assistance given or co-operation with the police following your arrest. That is now calculated at five percent and I will deduct that in the sentencing process.

[2] There was also a delay in obtaining a pre-sentence report which I wanted to read to see if it contained any other factors which would entitle you to further discount from the indicated sentence. The pre-sentence report is not particularly helpful for you. You spoke to the author of the report and saying that the offending was carried out because you needed a buzz and you associated with the influence of a peer group who were with you at the time.

[3] Secondly, you knew in advance that your associate or associates were armed with weapons and thirdly, at the time of the offending you were living with friends who were anti-social.

[4] You spend most of your time consuming alcohol and in fact the robberies you say were committed to fund the purchase of more alcohol. Nothing in that pre-sentence report would justify further reductions in the sentence in my view.

[5] I started with a starting point of five years' imprisonment. That was based on the tariff case of *R v Mako* [2000] 2 NZLR 170 (CA). I allow a five percent deduction for your co-operation with the authorities, which reduces the sentence by three months, a year for your youth and good record which reduces the sentence to three years and nine months and then applying the full *Hessell v R* [2010] NZSC 135, [2011] 1 NZLR 607 discount of 25 percent. That entitles you to another year off the sentence, leaving you with a sentence of two years, nine months.

[6] That is the term of imprisonment I impose. Orders for reparation on the charging document for the aggravated robbery of the liquor store, \$57.65 and for the dairy, \$40.

P J Butler
District Court Judge