

JASON LLOYD JONES

v

THE QUEEN

Court: Tipping, McGrath and William Young JJ

Counsel: Applicant in Person  
M H Cooke for Crown

Judgment: 18 June 2012

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**JUDGMENT OF THE COURT**

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**The application for leave to appeal is dismissed.**

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**REASONS**

[1] The applicant seeks leave to appeal from a sentence of 13 years imprisonment, with a minimum period of six years, imposed by the Court of Appeal. The applicant was sentenced in the High Court to nine and a half years imprisonment with no minimum period. The Solicitor-General appealed and was successful to the extent indicated.

[2] The offending comprised two counts of rape involving different victims within the space of six weeks. The applicant's conduct was of a predatory kind. He has filed extensive handwritten submissions and several testimonials. These have been carefully considered. In essence the applicant seeks to diminish the degree of pre-meditation involved and the overall seriousness of his offending. He contends that the trial Judge was better placed than the Court of Appeal to assess the appropriate sentence. He also raises matters relating to his belief in consent and the factors the Court of Appeal took into account.

[3] The appropriate sentence in this case turned very much on the Court's assessment of a number of features particular to the applicant's offending. Neither his submissions nor any other aspect of the case raises any point of general principle such as would justify the granting of leave in a case of this kind. We do not consider that a substantial miscarriage of justice might arise if leave is refused.

[4] For these reasons the applicant has not demonstrated any of the statutory grounds justifying leave. His application must therefore be refused.

Solicitors:  
Crown Law Office, Wellington