

**VAI FETERIKA**

v

**THE QUEEN**

Court: Blanchard, McGrath and Wilson JJ

Counsel: I Sapolu and J Milo for Applicant  
M D Downs for Crown

Judgment: 27 August 2008

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**JUDGMENT OF THE COURT**

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

**REASONS**

[1] This is an application for leave to appeal against a sentence of 10 years' imprisonment for wounding with intent to cause grievous bodily harm. The complaint concerns the way the Court of Appeal dealt with rehabilitation and an issue of alleged disparity in relation to the sentence imposed on a co-offender.

[2] In relation to rehabilitation the Court of Appeal took the view that the applicant's prior convictions for serious violent offending, coupled with his leading

role in the serious offending in this case, justified the sentence and said that rehabilitation was a matter for prison authorities.

[3] On disparity the Court of Appeal was satisfied that the applicant's circumstances were quite different from those of another co-offender in relation to whom it is said there was a disparity.

[4] No question of principle warranting an appeal to this Court arises in these circumstances. Nor is there any basis for an argument that there has been a miscarriage of justice in relation to the sentence. The application is accordingly dismissed.

Solicitors:  
Sapolu Law, Manurewa for Applicant  
Crown Law Office, Wellington