

IN THE SUPREME COURT OF NEW ZEALAND

**SC 57/2008
[2008] NZSC 84**

STEPHEN WILLIAM GARRETT

v

THE QUEEN

Court: Blanchard, Tipping and McGrath JJ

Counsel: A Stevens for Applicant
S J Mount for Crown

Judgment: 20 October 2008

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The applicant seeks leave to appeal against dismissal of his appeal to the Court of Appeal against a sentence of three and a half years imprisonment imposed after he was found guilty at trial of causing grievous bodily harm with intent to injure.

[2] The proposed appeal does not raise any question of general or public importance and has no prospect of success. This was a deliberate, organised attack inflicting serious, indeed permanent, injury. The sentence was well merited, perhaps even lenient, for the person who organised and directed the attack, as well as

personally participating. We see no reason to differ from the Court of Appeal's view that appropriate credit was given for the offer of a plea of guilty, which the Crown was entitled to reject, and for the payment of reparation.

Solicitors:
Mitchell Mackersy, Dunedin for Applicant
Crown Law Office, Wellington