

ALBERT JOHN RHODES

v

THE QUEEN

Court: Elias CJ, Blanchard and Wilson JJ

Counsel: C J Tennet for Applicant
F E Guy Kidd for Crown

Judgment: 12 March 2010

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed.

REASONS

[1] The proposed appeal is against a sentence of life imprisonment imposed for manufacturing methamphetamine and other serious drug offending (32 counts). The applicant wishes to argue that there is an inconsistency with another Court of Appeal case¹ (in which this Court refused leave) because the persons in the other case, who also received life imprisonment, had dealt in larger amounts of drugs. But, as counsel for the Crown responds, that is a fallacious argument if, as the Court of Appeal concluded and we agree, the applicant's activities were serious enough to merit life imprisonment. The fact that someone else's offending was worse is beside the point.

Solicitors:
Crown Law Office, Wellington

¹ *Wei Feng Pan v The Queen* [2010] NZSC 4.