

17/86

COUNTY COURT OF VICTORIA

DPP v JAEGER

Judge Ravech

17 April 1986

CRIMINAL LAW – SENTENCING – SOCIAL SECURITY OFFENCES – OBTAINING BENEFITS NOT PAYABLE – PENALTY CONSIDERATIONS: SOCIAL SECURITY ACT 1947 (CTH) SS83, 138; CRIMES ACT 1914 (CTH) S29B.

Appeals by the Commonwealth DPP in respect of fines imposed on **Colleen Mary Jaeger and Peter Jaeger** for falsely receiving welfare benefits. Mrs Jaeger who had been receiving a widow's pension, continued to receive the pension after her marriage to Mr Jaeger. The total amount of benefits falsely received by the couple was more than \$26,000. His Honour allowed the appeals and in respect of Mrs Jaeger imposed fines totalling \$3,450 on 23 counts, a two-year suspended gaol sentence on the remaining 4 counts, and a \$1,000 three-year good behaviour bond. In respect of Mr Jaeger, His Honour Judge Ravech imposed fines totalling \$3,410 on 31 counts, an 18-months' suspended gaol sentence on 3 counts and a \$1,000 three-year good behaviour bond. His Honour was reported as commenting that "penalties for welfare fraud should not be designed to rehabilitate offenders but to deter others from committing the crime. People guilty of welfare fraud had to realise that they would be gaoled and that sentences would be aimed at deterrence rather than rehabilitation". —*The Age*, Friday 18 April 1986.
