

**18/86****COUNTY COURT OF VICTORIA*****R v MARCINIAK*****Judge Nixon****15 May 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.**

An appeal by **Rhonda Marciniak** against a nine-months' gaol sentence imposed for falsely receiving social security payments of \$60,767.50. The defendant had been convicted on 24 counts of imposition whereby she had claimed dual family allowance benefits and dual supporting parent benefits. She had also invented three fictitious names of children in order to claim extra benefits and had used another name in her application forms for benefits. In refusing the appeal, His Honour said that offences such as those committed by the defendant were "all too prevalent in our community"; her offences were "devious, cunning and planned"; and her appeal against the gaol sentence was "impudent". — *The Age*, Friday 16 May 1986.

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