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SUPREME COURT OF VICTORIA — COURT OF CRIMINAL APPEAL

R v McCORMACK and ORS

Young CJ, Kaye and McGarvie JJ

26 June 1980 — [1981] VicRp 11; [1981] VR 104; (1980) 2 A Crim R 405

CRIMINAL LAW - RIOT - SENTENCING - MATTERS TO BE CONSIDERED - YOUTH OF OFFENDERS - NO PRIOR CONVICTIONS - CUSTODIAL SENTENCE APPROPRIATE.

YOUNG CJ: The Court is of the opinion that each of these applications should be granted and the sentences varied. I publish the Court's reasons. The order of the Court is in each case the application is granted, the appeal treated as instituted and heard *instanter* and allowed. The sentence is quashed. In lieu thereof the applicant is sentenced to be imprisoned for a term of nine months. *[His Honour set out the facts and the relevant sentencing principles. As this decision has no particular relevance to Magistrates' Courts it is not reported.]*
