

17/73**SUPREME COURT OF VICTORIA — COURT OF CRIMINAL APPEAL*****R v DABROWSKI*****Winneke CJ, Little and McInerney JJ****7 June 1973**

CRIMINAL LAW – SENTENCING – ACCUSED PLEADED GUILTY TO ABDUCTION AND ATTEMPTED RAPE OF A FEMALE AGED 16½ YEARS – IN RELATION TO THE CHARGE OF ATTEMPTED RAPE THE VICTIM HAD BEEN SEDATED BY THE ACCUSED AND WAS UNAWARE OF WHAT WAS HAPPENING TO HER – ACCUSED WAS SENTENCED TO FOUR YEARS' IMPRISONMENT ON THE CHARGE OF ABDUCTION AND SIX YEARS' IMPRISONMENT ON THE CHARGE OF ATTEMPTED RAPE TOTAL OF 10 YEARS' IMPRISONMENT WITH A MINIMUM OF 7½ YEARS – ON APPEAL THE SENTENCE FOR THE ABDUCTION REFUSED – IN RELATION TO THE CHARGE OF ATTEMPTED RAPE THE SENTENCE OF SIX YEARS WAS DEEMED TO BE MORE SEVERE THAN THE CIRCUMSTANCES REQUIRED – SENTENCED TO THREE YEARS' IMPRISONMENT MAKING A TOTAL EFFECTIVE SENTENCE OF SEVEN YEARS IN RESPECT OF WHICH A MINIMUM TERM OF FIVE YEARS' IMPRISONMENT WAS FIXED.

[Ed Note: The matters discussed by the Court of Criminal Appeal in relation to sentencing in this appeal are not relevant to the Magistrates' Court]
