

COURT OF CRIMINAL APPEAL
SUPREME COURT
SYDNEY N.S.W. 2000
TELEPHONE: 9230 8717

**NOTIFICATION OF COURT'S DETERMINATION
OF APPLICATION**

Regina v JAMES PATRICK FLETCHER
MIN: 379869
(DOB: 20/11/41)
CCA FILE NO: 2004/521 CCAP
DC FILE NO: 04/31/0056
H REF: Unknown
CNI: Unknown

The 23RD day of September 2005

This is to give you notice that the Court of Criminal Appeal has this day considered the application of James Patrick Fletcher for leave to appeal against:

SENTENCE

CHARGE(S): Count 1: Commit an act of indecency towards a person under 16 years and under authority (doo between 15/12/89 & 31/01/90).
Counts 2-9: Homosexual intercourse with a male of or above 10 and under 18 years (doo between 16/03/90 & 30/11/91).

SENTENCE: Count 1: Imprisonment for a fixed term of 1 year to commence on 6/12/2004 and expire on 5/12/2005.
Counts 2 & 3: On each count, imprisonment for a fixed term of 3 years and 6 months to commence on 6/12/2004 and to expire on 5/06/2008.
Counts 5 & 7: On each count, imprisonment for a fixed term of 4 years and 6 months to commence on 6/12/2004 and expire on 5/06/2009.
Counts 4 & 6: On each count, imprisonment for a fixed term of 3 years and 6 months to commence on 5/06/2008 and expire on 4/12/2011.
Counts 8 & 9: On each count, imprisonment for 7 years to commence on 5/12/2007 and expire on 4/12/2014.
Non-parole period of 4 years and 6 months to expire on 4/12/2014.
Total sentence: Imprisonment for 9 years, 11 months and 29 days to commence on 6/12/2004 and expire on 4/12/2014, with a non-parole period of 7 years 5 months and 30 days to expire on 4/06/2012.

AND HAS ORDERED THAT:

1. Appeal be dismissed.

Entered: *John Morony*
Date: 14-10-05
at John Morony 1 CC
Verified by:
Date:



FOR THE REGISTRAR

WARRANT OF COMMITMENT TO CORRECTIONAL CENTRE

Section 62, Crimes (Sentencing Procedure) Act 1999.

TO THE GOVERNOR of the Correctional Centre at Metropolitan Remand and Reception Centre in the State of New South Wales

YOU ARE HEREBY DIRECTED to receive the offender into your custody and (subject to the Crimes (Administration of Sentences) Act 1999, and to any order under that Act) to detain the offender there by way of full time detention for the term of the offender's sentence.

THIS WARRANT COMMANDS all Constables of Police in the State of New South Wales to take and safely convey and deliver the offender to the Governor of the Correctional Centre.

Name of Offender: **James Patrick FLETCHER**
 Date of Birth: **20/11/1941**
 CNI Number: **657816910**
 Sentence Date: **11 April 2005**
 Court: **District Court, Sydney- Judge G. Armitage**

Appealed.


The Offender has been found guilty of the following offence or offences:

Sentence Details (like offences with like sentences may be grouped)

Charge (H) No.	Offences and dates of offences and counts		Terms of Sentence	Commence	Expires	Indicate if Consecutive
04/31/0056	Count 5- Homosexual intercourse child between 10- 18 years (1/6-30/6/90) Count 7- Homosexual intercourse child between 10- 18 years (1/11-25/12/90)	2	Sentence: 4 years & 6 months Non Parole Period:	06/12/2004	05/06/2009	
	Count 8- Homosexual intercourse child between 10- 18 years(1/1-31/12/91) Count 9- Homosexual intercourse child between 10- 18 years (1/11-30/11/91)	2	Sentence: 7 years Non Parole Period: 4 years & 6 months	05/12/2007	04/12/2014	
	Count 2- Homosexual intercourse child between 10- 18 years (16-31/3/90) Count 3- Homosexual intercourse child between 10- 18 years (1-30/4/90)	2	Sentence: 3 years & 6 months Non parole Period:	06/12/2004	05/06/2008	
	Count 4- Homosexual intercourse child between 10- 18 years (1-30/6/90) Count 6- Homosexual intercourse child between 10- 18 years (1-30/8/90)	2	Sentence: 3 years & 6 months Non Parole Period:	05/06/2008	04/12/2011	

The earliest day the offender is eligible for release is: **04/06/2012**
 The Court recommends:

ENTERED ON O.M.S. PARKLEA
1244



SENT BY:

11- 4- 5 ; 18:53 ; COURT SECURITY UNIT→

CorrServNSW 12

96267781;# 2/ 4

Dated: 11 April 2005
at: Sydney



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Registrar/Prescribed Officer



A VICTIMS COMPENSATION LEVY APPLIES TO THIS MATTER - A NOTICE IS ATTACHED

NOTICE**COMPENSATION LEVY**

(Victims Compensation Act 1996)

A person who is convicted of an offence is, by virtue of the conviction, liable to pay a levy of:

- (a) \$70.00, if the person is convicted on indictment or pursuant to a committal under section 51A of the *Justices Act 1902* in the Supreme Court or District Court, or
- (b) \$30.00, if the person is otherwise convicted (ie the matter is dealt with in the Local Court or the Children's Court) For this purpose, *conviction* includes an order made under section 10 of the *Crimes (Sentencing Procedure) Act 1999* and an order made under section 33(1)(b)-(g) of the *Children (Criminal Proceedings) Act 1987*.

The levy is in addition to, and does not form part of, any pecuniary penalty or order for payment of compensation imposed in respect of the offence.

A person under the age of 18 years is not liable to pay the levy if the court which convicted the person otherwise directs.

The levy is to be paid within 28 days of the imposition of the pecuniary penalty or order for payment of compensation.

Where a person has been sentenced to imprisonment or children's detention, a notice is sent to the Director General of the Department of Corrective Services who will, where payment is not made, deduct the payment of the levy from the person's prison earnings.

NAME OF OFFENDER: James Patrick FLETCHER

AMOUNT OF LEVY: \$630.00

