

**IN THE HIGH COURT OF THE COOK ISLANDS**  
**HELD AT RAROTONGA**  
**(CRIMINAL DIVISION)**

**POLICE**

**V**

**TAIMATAITI METUA**

Defendant

Mr Elikana for Police  
Mr George for Defendant  
Date of hearing: 16 June 2003  
Date of Decision: 16 June 2003

**DECISION OF SMITH J**

Having heard the evidence of the Complainant and the corroborative evidence of Ngatamaine Cheron Tomokino - the Court finds that the Complainant was not voluntarily made and that there was collision between the two. The complaint was not filed at the earliest opportunity, nor dispute the Complainant's comments that she did not know what to do - did she at the time of driving her friend to or from work confide in her. The charges arose only after being confronted by Tomokino later in the afternoon.

Under the discretion afforded the Judge, the Court finds the charges unwarranted.

The Jury is discharged and the Accused acquitted of both charges.

Order for release of Exhibits.

  
**JUDGE**