

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

CR NOS. 434/05,435/05
436/05,437/05
438/05,439/05
440/05,441/05

POLICE

v

ELIZABETH HOSKING
Defendant

Mr Elikana for Police
Mr Arnold for Defendant
Date of Sentencing: 25 November 2005


SENTENCE OF WILLIAMS CJ

[1] Elizabeth Hosking, you appear for sentence on 4 charges of using a document to gain a pecuniary advantage and 4 charges of theft as a servant. As you know, all offences carry significant terms of imprisonment. As your counsel has said, the Court has always taken a dim view of those who offend in this way and breach the trust that is placed in them to look after other people's money. In your case the offending was spread over a fair time and the amounts were not insignificant. In the normal course you would probably be sentenced to a term of imprisonment.

[2] The things that stand in your stead are that you have given a full account of what has happened, you have made arrangements for repayment and you have expressed remorse especially for the shame you brought upon yourself and your family. It is obvious that you are an intelligent person who can be a useful member of the community.

[3] It is not appropriate for the Court to comment in detail on your domestic circumstances except to say that it is obvious that you are carrying on your shoulders the main burden of raising your children and being the breadwinner. It is fair to say that to some extent the pressures brought about by the hurricane damage to your house and the delays caused in getting funding to fix it, have had an effect. But as you quite rightly and honestly say, none of that provides any excuse for what happened.

[4] I have come to the view that the recommendation of the Probation Service, which both you and your counsel accept, is the correct one in the circumstances. I will ask the Probation Service not to treat you in any special way but to bear in mind, when allocating your duties under the Community Service order, that you are carrying a rather significant burden at home. So the sentence of the Court is that you will be serving a term of 12 months community service pursuant to s. 8 of the Criminal Justice Amendment Act. I wish you well in the future and I feel confident that we will not see you here again.


CHIEF JUSTICE