

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

CR NOS. 790,791,792
802/08

POLICE

V

TEOKOTAI RAUKETE
Defendant

Senior Sergeant Manavaroa for Police
Teokotai Raukete in person
Date: 9 October 2008

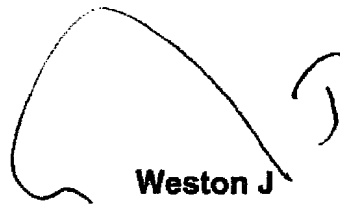
SENTENCE OF WESTON J

1. Mr Raukete, you are here for sentence on four charges. First, giving false information, a maximum fine of \$100.00 for that. Second, driving with excess breath alcohol which carries a maximum of 12 months imprisonment or a fine of \$1,000.00. Third, unlawful taking which carries a maximum of 5 years imprisonment. Fourthly, escape from lawful custody which carries a maximum term of 5 years imprisonment. This is your sixth appearance before the Court for a variety of offending. As I understand it, the previous most recent offence for which you were sentenced was a cannabis offence where the Chief Justice sentenced you in November 2005 to 3 months imprisonment.
2. The Police report sets out the pattern of offending that has led to the charges against you to which you have pleaded guilty. They reflect the fact that alcohol was a factor in your offending but that is no excuse.
3. The Probation report records that what you did was stupid and you take full responsibility for what has happened. Frankly though, I doubt that the pattern of your offending suggests that you are not yet ready to deal with your drinking. The Probation Officer recommended community service for your offending but frankly I do not think that is

appropriate. The Police have sought a custodial sentence of 6 months. Equally, that is too high. However, I do believe that a custodial sentence is appropriate. The offending viewed in its totality is significant and there is of course the significant aggravating factor that this is your sixth appearance.

4. Taking the offending as a whole into account, I sentence you to 3 months imprisonment. When you are released you will be subject to a 12 months probation supervision term with the following conditions:

1. You are to abstain from the purchase and consumption of liquor;
2. You are not to enter any licensed premises without the approval of the Probation officer.



Weston J