

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

CR NO: 148/14, 196-199/14, 211-219/14

POLICE

v

DOMINIQUE TARU

Date: 23 September 2014

Counsel: Ms C King for the Police
Mr W Rasmussen for the Defendant

SENTENCING OF THE HONOURABLE CHIEF JUSTICE TOM WESTON

[1] Mr Taru, you are here for sentencing today in relation to some 15 offences, All of which are essentially dishonesty offences. Two of these are burglary and the balance are being party to a burglary.

[2] The offences all took place between January and April of 2014. In each case, you and others targeted tourist accommodation and stole various items from that accommodation. You pleaded guilty to these offences and you are of course entitled to a discount for that early plea of guilty.

[3] The Crown has submitted that the pattern of offending is serious and towards the higher end of this type of offending. They describe this as a sustained criminal spree and Mr Rasmussen, your counsel, did not seriously disagree with that description.

[4] The Crown went through the various aggravating factors in its submissions referring to the fact that tourist accommodation was targeted and, in a large proportion of the relevant cases, people were asleep in the premises when they were burgled. The Crown also notes that on one night alone, you and others broke into nine different units in the space of a couple of

hours. The Crown has also noted that you are not a first offender. I was referred to the sentencing notes when you were last sentenced on 30 March 2012. As it happens, I was the sentencing Judge. At that time you were appearing for sentence in relation to six charges, most of which were also dishonesty charges.

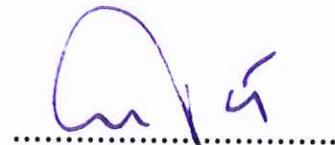
[5] At that time, I referred to the pattern of offending as “dismal” but then was prepared to give you a chance. It seems you blew that chance.

[6] The Crown takes account of these various aggravating factors and balances against them the relevant mitigating factors. At the end, it submits that a term of 3 years would be appropriate for you.

[7] Mr Rasmussen realistically accepts that it is difficult for him to say much by way of mitigation. He refers to the early guilty plea. I asked him whether he wished to make particular submissions about the 3 year period submitted by the Crown. But he said he could not assist further on that. He did refer to the recommendation in the Probation report that there should be only community service. But, when asked by me, he immediately accepted that that was unrealistic. A term of imprisonment is indeed inevitable.

[8] Taking account all of the factors that I have mentioned, Mr Taru, you are sentenced to a term of imprisonment of 3 years on each of the charges to be served concurrently. Which means that you have an overall sentence of 3 years imprisonment.

[9] You may step down.



Tom Weston CJ