

**POLICE**

v

**SAMMY MATAROA**

Date: 25 July 2017

Counsel: Ms A Mills for the Crown  
Mr W Rasmussen for the Defendant

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**SENTENCING NOTES OF DOHERTY J**

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[10:07:08]

[1] Sammy Mataroa, you have pleaded guilty to setting fire to property of the Cook Islands Police Service.

[2] You took umbrage at the way you were handled by the Police who had arrested you when you were drunk. When you were released you returned back to the police station having gathered up some palm fronds and you set fire to them adjacent to the police station. Immediately adjacent was a police banner which was destroyed or damaged. It cost \$506.

[3] This happened at about 3 o'clock in the morning and you actually got into the police headquarters through the main door and into the public foyer where you commenced to set fire to things.

[4] Bearing in mind that the police station was one that would have been manned at that time your actions were probably always doomed to failure but you did not know that at the time. Luckily they were doomed to failure and the matter was contained.

[5] This seems completely out of character for you. You have got no previous convictions.

[6] The Probation Service who have assessed you on behalf of the Courts say that you are a person at very low risk, you having originally been raised in New Zealand – grown up there and came over here to look after family in 2004, and then you came back again more recently in 2013 and you have remained ever since to carry out that task. You are a member of a church, your faith is important to you, you have got good employment, you are described as being an outstanding employee and a valuable member of the team for whom you work and I have got a letter from them. So all of this seems rather bizarre and completely out of character for you and I suspect caused by your frustration and anger coupled with the alcohol at the way you were treated by the police.

[7] To your credit today you have told me that you want to apologise to the police, you do so publicly from the Court but you also want to do that in person when you can return and I encourage you to do that.

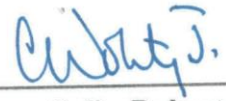
[8] The Probation Service say that notwithstanding the seriousness of this charge when you put it all together, the best interests of the community will be served by having you under a period of supervision and I agree with that. It bears a significant sentence of imprisonment as a maximum sentence but I think that the deterrent aspect and the accountability aspect can be dealt with by way of probation which will include a good dollop of community service where your liberty will be curtailed by you having to do some work for the local community.

[9] You have pleaded guilty today on confirmation of your early guilty intimation to the justices. You are convicted, you are sentenced to 12 months supervision, the first 9 months of that supervision to be by way of community service. And you are also subject to the special conditions:

- a) that you not consume alcohol or illicit drugs during the period of 12 months;
- b) you are to attend any training and workshops as directed by the Probation Service;
- c) you are not to leave the Cook Islands without the approval of the High Court of the Cook Islands;

[10] You are also ordered to pay reparation of \$506 to the Cook Islands Police Service.

[11] Thank you.



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Colin Doherty, J