

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

**CR NO 686/2020**

**POLICE**

v

**KELEPI RANADI**

Date: 8 October 2021 (via Zoom)  
Counsel: Ms L William for the Crown  
Ms L Rokoika for the Defendant  
Sentence: 8 October 2021

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**SENTENCING NOTES  
OF THE HONOURABLE JUSTICE DAME JUDITH POTTER (via ZOOM)**

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[10:30:23]

[1] The defendant, Kelepi Ranadi, has entered a guilty plea to a charge of indecent assault under s 154A of the Crimes Act 1969. This offence carries a maximum of five years imprisonment.

[2] The facts may be briefly stated. On the 7<sup>th</sup> December 2020 the defendant was at the Hula Bar in Nikao celebrating his birthday. The victim was also there but was unknown to the defendant. The defendant became drunk that night. He went into the men's toilet, came up behind the victim and put his hands under and between the victim's legs and grabbed his balls while the victim was at the toilet.

[3] Security at the premises was alerted because the defendant had been acting in an unruly manner and the police were called. He was escorted back to the police station where he was cautioned, arrested and charged. He was uncooperative.

[4] I have received comprehensive submissions from both the Crown and the Defence and a helpful probation report.

[5] Mr Ranadi is a gentlemen aged 50 years. He is currently employed as a grounds person at the Manuia Beach Resort. There is a positive letter of support from his employer and this offending is described as totally out of character by both his employer and his cousin, Ms Redevo with whom he shares accommodation.

[6] This is his first appearance before the Court. He is apologetic, he is remorseful. He entered an early guilty plea. Fortunately there was no question of physical injury to the victim. He simply describes himself as being embarrassed by the whole incident.

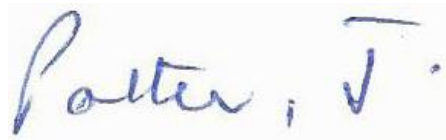
[7] The Probation Service recommends a non-custodial sentence and that recommendation is purported by both the Crown and the Defence.

[8] I consider this is an appropriate case where a sentence of imprisonment need not be imposed. Accordingly, the sentence that will be imposed is 12 months' probation supervision and I order that the first six months be served on community service.

[9] The following conditions are to apply:

- a) Throughout the term of your probation supervision you are not to purchase or consume alcohol;
- b) You are to attend counselling and any workshop directed by the Probation Service; and
- c) You are not to leave the Cook Islands without the approval of the High Court.

[10] That is the sentence imposed. You may stand down.

A handwritten signature in blue ink that reads "Potter, J." with a horizontal line underneath.

**Judith Potter, J**