

**POLICE**

v

**LOUISA MAIREROA**

Hearing: 27 May 2021  
Counsel: Snr Sergeant Manavaroa for Prosecution  
K Ahsin for Defendant  
Sentence: 27 May 2021

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**SENTENCING NOTES  
OF THE HONOURABLE JUSTICE DAME JUDITH POTTER**

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[9:18:18]

[1] Louisa Maireroa is before the Court for sentence on one charge of theft as a servant. The facts are not in dispute. Between 18 August 2020 and 11 January 2021, she stole from her employer, CITC Building Centre at Avatiu, \$5,178.83 in cash. The maximum penalty for this offending is five years' imprisonment. Miss Maireroa entered prompt guilty pleas to the charges.

[2] There is inherent in this type of offending a serious breach of trust, and that is an aggravating factor of which the Court must be cognisant. It is worth noting that the period over which the thefts occurred meant that Miss Maireroa was taking from her employer approximately \$1,000 a month during the relevant period. That is significant.

[3] In considering the principles and purposes of sentencing, clearly deterrence is important; deterrence both of you, Miss Maireroa, that you will not offend in this way again,

but general deterrence so that the community is aware this type of offending will be viewed seriously by the Courts.

[4] In mitigation Miss Maireroa is a young person, she is aged 25. This is her first appearance before the Court. She has paid, by deduction from her final pay due by CITC, \$559.63 in restitution and the Police seek a Restitution Order for the balance of the amount due. I hope that Miss Maireroa will be able to maintain regular employment and meet her obligation in this respect.

[5] I note that Miss Maireroa has been cooperative in entering early guilty pleas and in dealing with the Police; that she accepts full responsibility for her actions and is deeply remorseful. All those matters I take into account in determining the appropriate sentence. I have received helpful submissions from Mr Ahsin for Miss Maireroa. There is a good measure of agreement between the Police and defence counsel as to the appropriate sentence.

[6] The sentence I impose on you, Miss Maireroa, is:

- a) Probationary supervision for 12 months, the first six months to be spent on community service;
- b) You are not to leave Rarotonga without the approval of the High Court; that is this Court;
- c) You are to attend counselling and workshops as directed by the Probation Service;
- d) There will be an order for reparation of \$4,619.20, due to the Cook Islands Trading Corporation Building Centre. Payments are to be made through the Court Registry at regular intervals as discussed with your probation officer.

[7] An interim name suppression order has been in place but will now lapse. There will be no permanent name suppression order.



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**Judith Potter J**