

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

**CR 268/01**

**POLICE**

**V**

**TEAUTARATITI**  
**MAROIVA JUNIOR**  
**MOANA**

**Defendant**

Sergeant Howard for Police  
Date: 29 November 2001

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**SENTENCE OF GREIG CJ**

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You are appearing this morning on one charge of cultivating cannabis. You have pleaded guilty to that charge. The facts of this case are rather similar and are linked to the case which I have just dealt with. You were part of a group of young men, you being the oldest of them, who were a sort of gang burgling properties and stealing some items from those properties. The Police executed a search warrant on your property, your house, on the 29<sup>th</sup> of June this year and at that stage they found a small pot plant containing one small cannabis plant. You accepted and admitted to the Police that the plant belong to you. You said that you had planted twenty seeds but only one sprouted. You had been adding plant food from your father's plantations to feed that plant and had provided some crystals to provide some water for that. You said that you grew the cannabis for your own consumption.

Now you, like the last accused, was sentenced on the 31<sup>st</sup> of October this year to 6 months on the charges of burglary and being party to an offence.

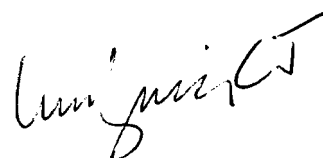
2.

That term of 6 months which you are still serving was to be followed by 12 months probation.

As I said before, the charge of cannabis cultivation is a serious one but in this case although you were clearly totally involved in the cultivation of this plant and in the hope that there would be more than one, it is in fact only the cultivation of one small plant which would not as it turned out have provided a great deal of cannabis.

As before, the decision of the Court already given has pre-empted the sentencing choices here but it is important I think you should be sentenced and sentenced in a way that shows that the community disapproves of this kind of behaviour and will take steps to deter it.

You will be sentenced to two months imprisonment, to be served concurrently with the sentence you are now serving and that to be followed by a term of 12 months probation on the same terms as was imposed in October this year.



**CHIEF JUSTICE**