

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

CR NOS.105/02,106/02,205/02
209/02,219/02,165/02
218/02,166/02,97/02
220/02

POLICE

v

ANTHONY KARATI

Defendant

Mr Elikana for Police

Mr McDonnell for Defendant

Date: 27 June 2002

DECISION OF GREIG CJ

Anthony Karati. you are appearing before me on a number of charges, the most serious ones that I have to take into account are the ones that concern dishonesty. There is a charge of theft of a DVD player and 3 DVD discs, there is a charge of being found in the Backpackers in Kavera, there is a charge on conversion of a motor cycle and a charge of receiving a pearl pendant necklace and a pair of pearl earrings valued at \$1820. There are two other charges which are in effect charges of breach of bail.

It seems that unfortunately you cannot resist the temptation of theft or being involved in dishonesty. You come before me with a considerable list of


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previous convictions and if I take into account only those that have occurred in Rarotonga, it still includes a charge of burglary and a charge of unlawful taking. It also includes a number of charges of breaches of what appears to be probation so that on that score at least you have been unwilling to accept the terms of probation; to take the chance that that involves.

I have read the letter you have written and I accept that you are remorseful for the time being for what you have done. I can see that there have been very serious difficulties in your upbringing and in your life but I have no alternative at this stage but to send you to a sentence of imprisonment. I take into account the fact you have pleaded guilty which has saved the costs and trouble of trial. I take into account the fact that you have been in prison already and in any event a short term is appropriate to give you a warning again that you must end your ways.

On the charges of theft, conversion and receiving you will be sentenced to 6 months imprisonment on each charge to be served concurrently.

On the charge of being found at the Backpackers you will be sentenced to 1 months imprisonment, again to be served concurrently and on the two charge of breach of bail you will be convicted and discharged.



CHIEF JUSTICE