

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

**CR NO. 294/03**

**POLICE**

**V**

**TOKORUA HENRY**

Inspector Patia for Police  
Mr Arnold for Defendant  
Date: 21 November 2003

**SENTENCE OF WILLIAMS J**

- [1] Mr Henry what you did in driving while intoxicated was very bad and you are lucky that you are not facing much more serious charges because fortunately the bicycle rider was not badly injured. That good luck you should be thankful for because it could have been a very nasty accident with serious injuries being caused.
- [2] It is obvious that you must learn to get over your drinking problem, if you don't do something about that drinking you will be back here next time, things will be much much worse.
- [3] Putting to one side this drinking problem you are otherwise a good person, you are a good worker and I am very impressed with the way you have managed to pay in restitution so quickly. It confirms my view that you are a good person apart from the drinking problem. You will have to get to work on the bus or with a friend because you are not going to have a license for the next three months. You must take that disqualification, the taking away of your license very seriously, if you are caught driving or

riding your cycle during these three months the consequence will be very serious. Since this is your first offence and taking into account your good behaviour and paying restitution, the Court orders that you are disqualified from holding or obtaining a drivers license for three months, you are to pay a fine of \$250.00 and you will be on probation for 12 months and in the charge of the Probation officer so far as doing 6 months community service work, just pausing there, if I need to make a separate order for community service under the Act I do so. Special conditions for your probation, you must not go into any licensed premises where there is alcohol for sale except for Edgewater Resort where you work and you must abstain from consumption of alcohol during your period of probation and if the Probation Service directs you to attend any training or workshop program you must do as they say.

**JUDGE**