

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

CR NO. 281,282,527/2007

POLICE

v

TEREAPII RONGO
Defendant

Senior Sergeant Howard for Police
Mr C Petero for Defendant
Date of sentence: 14 September 2007

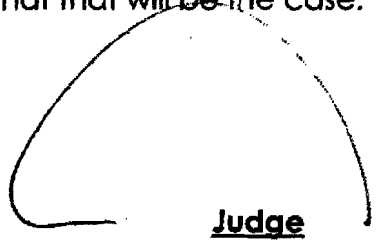
SENTENCE OF WESTON J

1. Mr Rongo, you appear for sentence having pleaded guilty to three charges; possession of cannabis, dealing and then for the offence of contempt in relation to your failure to report in when required. You have one previous offence, a traffic offence. This is your first time before the Court in relation to drugs.
2. The drug involved was cannabis, I understand, about 63 grams. The statutory presumption for dealing is 28 grams and consequently you would be presumed to have been dealing unless you are able to prove otherwise. The fact that you have pleaded guilty means that you have accepted that you had marijuana for dealing.
3. Notwithstanding that, you have explained in answer to my question that while that was your initial intention, you then changed your mind. Whatever other thoughts you may have

had on the topic, the matter was brought to head by your wife reporting the situation to the Police.

4. It strikes me that you have a remarkably tolerant wife, obviously a very talented one, and she has stood by you through some pretty difficult times. In the most recent report from the Court, it says that you admit your stupidity and it seems to me that that is a fair acknowledgement. Your wife is a talented woman and you have been the one that has been making life unnecessarily difficult for her.
5. In the normal course, I would be inclined to send you to prison for what you have done. I have been giving a lot of thought to what your wife says because she does strike me as a sensible woman and I am conscious that if you are to get through the problems that you have, that you may well need her assistance. So if I can do anything to make her job easier, then I must say I am inclined to listen carefully to what she has to say.
6. For those reasons I am going to accept the Probation Service recommendation that you should do community service but I believe it should be a longer period than the 6 months that has been recommended. Consequently, I sentence you to 9 months community service. There will be Court costs of \$30.00.
7. In relation to name suppression, Mr Petero has asked that it continue in order to protect your wife's interests from the consequences of your stupidity. I am extremely sympathetic to her position. She has been placed in this difficulty through no

fault of her own and through every effort to make you see the error of your ways. While I am sympathetic to her position, I decline the application for suppression. I regret that it may have some consequences for her but in declining the application I make it clear that I have had the utmost admiration for the stand that she has taken. I hope that she may see it in her way to stand behind you Mr Rongo as you work through these issues and I would like to think that you go on and become a famous Cook Islands artist. I trust that that will be the case.



Judge

