

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

566-577
CR NO. /2007

POLICE

V

JOHN PEPE
Defendant

Senior Sergeant Howard for Police

Mr John Pepe in person

Date of sentence: 14 September 2007

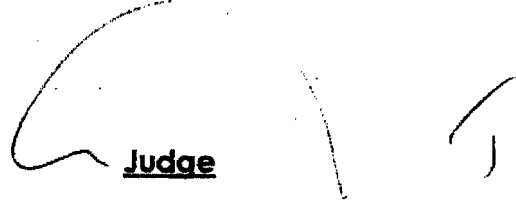
SENTENCE OF WESTON J

1. Mr Pepe, you are here today for sentence having pleaded guilty to 12 offences of burglary, each of which carries a maximum term of 10 years imprisonment. You were not represented; you were given the opportunity of addressing the Court; you told me you were aware of the probation recommendation of 9 months imprisonment; you were able to speak to me and give me such information as you thought I needed to hear.
2. The Police in reply submitted that the recommended term of 9 months was too light, bearing in mind not only your record of convictions but also the extensive number of burglaries that were involved.
3. In preparing for the matter today, I dug out one of the earlier sentencings which took place in 2004, a decision of the then

Chief Justice and at that time the Chief Justice said to you, "you are a young man, you have a rather arrogant appearance, if you go on committing offences you will find yourself back in prison. At your age, you should take stock of yourself and try and look for something better. I am not going to accept the Probation Officer's recommendation and I am going to give you a chance, to put you under probation and supervision to see if you can take some steps to put yourself on the right course."

4. It is abundantly plain that you have failed to do that and you have gone on with complete contempt to commit further offences and offences that just cause a lot of grief to people.
5. It seems to me there is very little by way of good news in the materials that I have read and, other than your early guilty plea, I do not see any basis for extending leniency to you.
6. I accept the Police approach that the starting point for your sentencing would be somewhere around 2 to 2 ½ years in prison for what you have done with your record. But the fact that you have pleaded guilty means that the Court would typically give you a significant discount. I believe the term of 9 months imprisonment that has been recommended is too light; I sentence you to 15 months in prison.
7. In addition I make orders of reparation in terms of the probation report, the various amounts as set out in that report and they are taken to be incorporated in this decision. The only figure that is

not so incorporated and which needs to be incorporated is that of \$184.50 payable to the Bond Liquor Store.

 Judge