

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

CR 484.485.565/08

POLICE

V

DAWN NGAERUAITI
Defendant

Senior Sergeant Manavaroa for Police
Dawn Ngaeruaiti in person
Date: 2 October 2008

SENTENCE OF WESTON J

1. Miss Ngaeruaiti is before me for sentence in relation to three charges brought in relation to two separate incidents. One occurred on the 27th of May in which she intentionally and dishonestly took a motor vehicle and on the same occasion she also forged a cheque on a cheque book found in the glove compartment.
2. Some time later, there was a second offence also involving a motor vehicle. It appears that there may have been some influences at work behind this offending including the defendant's step brother and including the use of alcohol.
3. There have been two Probation reports. After I had finished reading the first Probation report, which related to the first offending, I must say I had a very depressed feeling that there really was little hope for you.
4. Subsequently I have received and considered the second Probation report which tells a more positive story and I have today heard helpful submissions from the Police in your favour. I have been able to speak to you as well and your mother has helpfully addressed the Court. I think you are very lucky your mother is here supporting you, despite everything that you have put her through. It is not easy being a mother

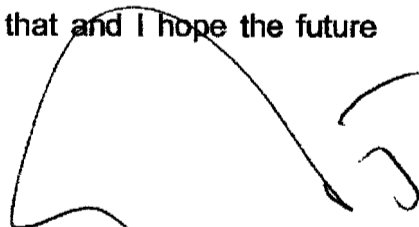
and particularly standing with a daughter facing the Court and I commend her for being here for you and also helping me.

5. The Probation Service have recommended a particular form of punishment which also has quite a lot of rehabilitation built into it and subject to some amendments I am prepared to accept that. So, the sentence that will be imposed on you is that there will be a term of 12 months probation supervision and, for the first 6 months of that, you will serve that pursuant to a community service order under Section 8 of the Criminal Justice Amendment Act. There are a number of conditions to your probation:

1. You are to abstain from the purchase and consumption of liquor;
2. You are not to be abroad between the hours of 7.00pm and 7.00am unless in the course of work or in relation to the Girls Brigade meeting on Monday night or under the supervision of your mother.
3. You are to attend any training or workshop as directed by the Probation Service;
4. You are to surrender your passport if you have one into the care of the Probation Service.

6. You are to pay Court costs of \$30.00.

7. Miss Ngaeruaiti, it is not easy being a teenager. You are growing up and everything is going wobbly all around you at the same time. You now have to try and grow up fast, and make sure that you never appear in front of this Court again. I hope this building course that you are attending works out for you. It is good to see girls training to be carpenters, so I wish you all the luck with that and I hope the future works out for you and your family.



Weston J