

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

CR NO'S 359/12, 378/12, 461/12 & 596/12

POLICE

v

BISHOP BAILEY

Hearing: 7 September 2012
Counsel: Ms C King for the Police
Sentence: 7 September 2012

DECISION ON BAIL OF WESTON CJ

[1] Mr Bailey, you were remanded to a Court hearing today for sentencing on a number of charges to which you have pleaded guilty including several burglaries, a charge of receiving and then a contempt of Court charge on 31 July.

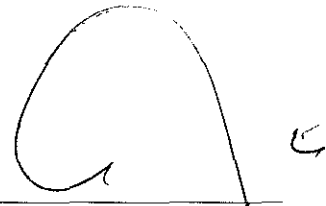
[2] Mr George is your appointed counsel and he has told the Court that he is sick and not able to attend Court today. The Court accepts that that is a justified reason for him not being here. In his absence we cannot proceed to sentence you. However, I do need to review the terms of your bail which was set back in April of this year. You were ordered to reside with your parents, a curfew was ordered and there were non association orders also made.

[3] It seems that you have been in breach of those terms at least once because you have since been charged that on 31 July you were out in breach of your curfew and, as I see from your file, you have also pleaded guilty to that.

[4] There is a balancing act I need to undertake between having regard to your age and the fact that you have already pleaded guilty to breaching the terms of bail that were ordered back in April.

[5] I have had regard to the background to your offending and your previous convictions. It seems to me inevitable that when you are sentenced at the next sitting of the Court, which will occur in about two months time, you will be sentenced to a reasonably significant term of imprisonment. Certainly, it will be a term longer than the two months which is the period between now and when you will be sentenced.

[6] Having regard to the various factors that I mentioned, I intend remanding you in custody from today and you will be remanded through until the second Friday of the next sitting of the Court, 9 November 2012.

A handwritten signature in black ink, consisting of a large, stylized 'W' shape with a small 'e' to its right, positioned above a horizontal line.

Tom Weston
Chief Justice