

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

CR NOS: 231/2004,248/2004
249/2004,250/2004
251/2004,252/2004
253/2004

POLICE

V

HERVE J E FORICHON
Defendant

Sgt Howard for Police
Mr Forichon for himself
Date of Sentence: 9 July 2004

DECISION OF GREIG, CJ

Sam Derek also known as Herve Forichon, you appear for sentence on a number of charges of dishonesty. On the 7th of February 2004 you entered with intent to commit a crime a shop in Nikao. On the 23rd of May this year there was a series of offending. You unlawfully entered or interfered with five motor vehicles and from one of them you stole an Olympia digital camera, that camera was recovered very quickly.

You were born in Paris but in about 1999 left your home in Paris. You then lived in the USA where you worked as a Software Technician, in 2001 you left there to go to Tahiti and in October 2003 came to the Cook Islands for three weeks. You claim that your money and your air ticket were stolen but you were refused a work permit because by then you had become an overstayer. You have pleaded guilty and explained the reasons for the offending that you wanted to be "recognized" and sent away, deported. The Court accepts that you should be deported but I think that in addition there should be some punishment for the things that you did. There will be a shorter term of imprisonment that might be

usually accepted in order to ensure you deportation. You will be sentenced to one month imprisonment on each charge and thereafter you will be on probation until you are deported but not to exceed six months and on the condition that you live where the Probation Service approves.



CHIEF JUSTICE