

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

**CR NO: 415/05**

**POLICE**

**v**

**JOE TEOKOTAI RAUKETE**

Defendant

Mr Elikana for Police

Mr Raukete for himself

Date of Sentencing: 25 November 2005

**SENTENCE OF WILLIAMS CJ**

[1] Mr Raukete, the facts of the case are that on the 19<sup>th</sup> of September a complaint of marijuana being sold at Avatea School was reported to the Police. The investigation revealed that you and your 13 year old cousin were clearing family land in Arorangi when you found the marijuana plants. You took it out and kept it. Later that evening your cousin asked you for some marijuana leaves to take to school. You gave him two rolls and told him to sell it for NZ\$20 a roll.

[2] At school the 13 year old gave the rolls of marijuana to a classmate. When questioned by the Police you admitted you had given the rolls to the 13 year old to sell at school. The 13 year old also admitted receiving the rolls from you. No explanation was given by you at the time. The Probation Report says that you did not agree with everything in the police summary, but because you

did not want to get your cousin into trouble, you took the blame on yourself. I find that your admission to the police expresses the true position. The result is that we have a situation where you have committed an offence under the Narcotics and Misuse of Drugs Act Section 6.


[3] We are dealing with a controlled drug. It may be said that it is not a Class A drug but, of course, as the Prosecution has pointed out, the critical factor here is that you were prepared to bring a drug onto school property for the purpose of arranging it to be sold to your people. Against conduct like that the Court must take strong action. The idea that in this country we will have drugs being sold at school is completely unacceptable.

[4] Regrettably this is not the first time that you have appeared before the Court. At your young age of 20 you already have two separate burglary convictions to your name. You have already served 14 days imprisonment for breach of probation and you have already served 3 months community service.

[5] As to your family circumstances you have been residing with a good family for 6 months. They say that you have been trying to stay away from trouble. But this last incident has angered Mr Taru who is the husband in the house where you stay. Fortunately for you, they have said that they will continue to give you support. You are very fortunate they are going to stand by you.

[6] You have been employed and still are under employment as a trainee mechanic at the Beco Ltd firm and you are enjoying that job. One would hope that it might be still available to you. But in the circumstances I have no alternative, because of the fact that you were prepared to sell drugs on school property, to sentence you to 3 months imprisonment. The Court takes a very

dim view of what you have done and imposes this sentence as a deterrent to any others who may think it appropriate to engage in this kind of behaviour.

  
**CHIEF JUSTICE**