

POLICE

v

COREY NICHOLAS

Date: 25 September 2015

Counsel: Mr T Manavaroa for the Police
Mr N George for Defendant

**SENTENCING NOTES OF THE HONOURABLE CHIEF JUSTICE TOM
WESTON**

[1] Mr Nicholas you appear here today for sentence having pleaded guilty to a charge of having a utensil for smoking cannabis in your possession - a bong. You have freely admitted that you do use cannabis and indeed you have a previous conviction that relates to your use of cannabis. That use of cannabis has been said to be for pain relief purposes rather than recreational use. You have a physical disability which causes pain and which means that you need to manage it.

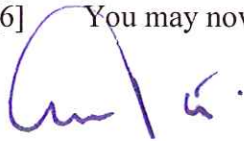
[2] The short point, Mr Nicholas, is that using cannabis is unlawful. You know that and if you continue to do it, you will simply end up in prison for that offending. It all seems a pointless waste of time.

[3] You have good job. You have the support of your family and there is frankly no need for you to be ending up in Court. You have many opportunities that other people do not have and there really is no excuse for you breaking the law particularly when you know that what you are doing is unlawful.

[4] I have been told that you are able to pay a fine and I agree that that is an appropriate penalty in this case. It needs to be a fine that will be sufficiently high to make you sit up and take notice. It may mean that you have to make sacrifices while you pay off the fine but the reality is that if you come back there it will not be a fine, it will be a term of imprisonment most likely. As I say, that would be a spectacular waste both for the Cook Islands and for you and I urge you to reconsider your use of cannabis.

[5] For the record I also enter a formal conviction on the basis of your guilty plea. I believe an appropriate fine would be the sum of \$900.00 and I Order that you pay that fine together with Court costs of \$30.00.

[6] You may now stand down.

A handwritten signature in blue ink, consisting of a large, stylized initial 'W' followed by a surname that is partially obscured and ends in a period.

Weston CJ