

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

CR NO. 59/03,60/03

POLICE

V

WILLIAM WARREN
Defendant

Mr Titaa for Police
Mr Arnold for Defendant
Date of sentence: 4 July 2003

DECISION OF SMITH J

You are charged with two counts of driving under the influence of drink or drug causing injury but it's rather unusual in this instance that both injuries arose in the one incident, you were driving a truck at the time and collided with a motor cycle with pillion passenger, and it happened that two people were injured as a result of that. One wonders at the efficacy of bringing two charges but never mind, the charges were brought and you pleaded guilty to them. You have made every endeavour from what we can see to recompense anyone who lost anything in respect of those accidents, some \$3800 paid to your employer for damages to your employer's truck and the motorcycle which was damaged was replaced, I don't know the price of that. It is being suggested that the two persons who were injured have sustained some measure of loss as to salary or work related expenses and that there may be a continued injury or defect to one of them. I note from the Probation Report that both of them admit that you'd call to see them and they were happy to see you and accepted the apologies which you gave to them. You're 67 years of age, you've gone 67 years without appearing before any Court on any charge and then suddenly in one stupid



2.

Reading the file and looking at the circumstances of the accident, it is unfortunately one of those accidents that could happen to many of us but perhaps it was aggravated by the fact that you had been drinking and did not have proper control of the vehicle.

Having regard to the recompense you've already made, the fact that you have seen fit to visit the victims and express your remorse, the fact that Mr Little your employer has spoken very highly of you, this Court is not going to impose a monetary fine as suggested by the Probation Service but you are directed on both counts to come up before this Court if called upon within 6 months, you are disqualified from obtaining or holding a driver's license for a period of 1 month on each charge to be served concurrently and that's to take effect from the 5th of July.

A handwritten signature in black ink, appearing to read 'N. King', written in a cursive style.

JUDGE