

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

**CR NO. 209/18**

**POLICE**

**v**

**SHEREE ANN McCALLUM**

Date: 31 May 2018

Counsel: Mr T Manavaroa for Prosecution  
No appearance for Defendant

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**SENTENCING NOTES OF HUGH WILLIAMS, CJ**

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[9:21:06]

- [1] Sheree Ann McCallum, at the age of 43 you appear here today for sentence on one charge of possessing a utensil namely a glass pipe for offending against the Narcotics and Misuse of Drugs Act 2004.
- [2] The offence occurred on 14 April 2018 when you arrived in the Cook Islands on an early flight for a wedding and the pipe was found during a routine customs search. You said that you bought the pipe to smoke cannabis but later said you were not a cannabis smoker and that it had been bought just for a joke, but that was a rather weak joke in the circumstances and I am sure you will agree.
- [3] You entered a plea of guilty on your first appearance on 19 April and were remanded to today for sentence.
- [4] Your passport was impounded on your conviction but was then returned against a bond of \$1000 and you have returned from New Zealand especially for the hearing today.

- [5] The Probation Report was less than usually informative because they were only able to interview you over the phone but they recommended that you be fined as does Senior Sergeant Manavaroa for the prosecution. However he calls attention to the need for deference and denunciation with which I agree and he refers me to other similar cases where a fine was the outcome imposed.
- [6] Cannabis is an increasing problem here in the Cook Islands and over the years there has been a steady increase in severity of the sentences imposed for all the offences under the Narcotics and Misuse of Drugs Act. The seriousness of what you did on this occasion is shown by the fact that the maximum penalty to which you could be sentenced is 5 years imprisonment or a fine of up to \$5000. But, as is obvious enough, this is not a particularly grave incident.
- [7] You have accepted responsibility for the frankly stupid offence but there is still, as I mentioned, the need to denounce what you did and try and deter others.
- [8] There will be an order for destruction of the pipe.
- [9] You paid a bond of \$1000 to get your passport back. You have been put to the inconvenience of two trips to Rarotonga when you only intended to have one. And in my view the appropriate sentence will be to fine you that \$1000 and the Court can simply use the bond you paid to meet the fine.
- [10] You are free to go.

A handwritten signature in black ink, appearing to read 'Hugh Williams', written in a cursive style. The signature is positioned above a horizontal line.

**Hugh Williams, CJ**