

POLICE

v

NOOROA NICHOLAS ANTHONY MANARANGI

Date: 18 March 2019
Counsel: Senior Sergeant Tararo for the Police
Mr M Short for the Defendant

SENTENCING NOTES OF HUGH WILLIAMS, CJ

[11:09:43]

[1] Nooroa Nicholas Anthony Manarangi, you appear here for sentence this morning having pleaded guilty to one charge of possessing a utensil for smoking marijuana, a bong. The maximum sentence that you have exposed yourself to is either 5 years in jail or a \$5,000 fine, that is how serious is it. I am surprised that Mr Short had to educate you that possessing a bong is a criminal offence.

[2] You pleaded guilty to this charge at effectively the first possible opportunity. But the facts of the matter are that you were stopped at a regulation police stop, were asked to open the container in your motorcycle and the bong was in it. That suggests that you might genuinely have been innocent enough not to realise that was a serious criminal offence.

[3] You have it seems been convicted on one previous occasion but it was about four years ago. You must then have been very young, you are only 21 now and I am not going to take much account of that.

[4] For the Police, Senior Tararo points to the aggravating and serious features of the offence including deterrence, trying to stop people becoming involved in marijuana offences in the Cook Islands – and of course to deter you from committing such offences. And the Senior refers me to a case called *Police v Monga*¹ where in a similar case a woman was convicted and fined \$500, but she was a first offender.

[5] Mr Short, who said everything that could be said on your behalf and has obviously supported you, points to the fact that you have been able to get and hold a job since shortly after you were arrested on this charge and to your credit you have enrolled and completed the counselling program offered by Mou Piri. All of that suggests that, rather belatedly, you have realised that you were completely foolish to get involved in something like this.

[6] You have got good guidance available to you. Mr Short has obviously helped you. Your family can help you. You should take guidance from them and not offend in this way or any other way again.

[7] In the circumstances you earn about \$400 a week and I think the appropriate sentence to impose on you is to make an order for destruction of the utensil and order you to pay \$50 Court costs and essentially a fortnight's pay, you will be fined \$800.

[8] Stand down.

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

Hugh Williams, CJ

¹ [2017] CKHC17, 5 September 2017