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v

**DORAS TEARURU WILLIAMS**

Counsel: Ms M Pittman for the Crown  
Mr M Short for the Defendant

Sentence: 10 August 2023

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**SENTENCING NOTES  
OF THE HONOURABLE JUSTICE DAME JUDITH POTTER**

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[10:14:10]

[1] Doras Williams is before the Court for sentence on one charge of wounding with reckless disregard under s 208(2) of the Crimes Act 1969. This offence carries a maximum penalty of 7 years imprisonment.

[2] This is a tragic case and I am thankful that I am not called upon this morning to sentence for manslaughter. That could well have been the outcome. Fortunately, there is a way forward.

**Background facts**

[3] The facts are set out in the summary of facts on the basis of which Ms Williams entered her guilty plea.

[4] On Saturday 3 September, Ms Williams' partner, Geoffrey Strickland, went out in the evening to a farewell party saying he will be home later. He came home after midnight

intoxicated and there was an argument. He departed again to drop off his friends, again saying that he will be back later. He returned about 5 o'clock in the morning and there was another argument.

[5] At about 7.30 am, Ms Williams woke Mr Strickland and told him to go back to his house. There was a further argument and a fight. Mr Strickland grabbed the defendant's phone and refused to give it back. Ms Williams saw a bread knife sitting on the dressing table and in the distress and frustration of the situation grabbed it, and stabbed Mr Strickland on the left side of his stomach. He got up and walked out of the room. Later, his family rang the police. He received a serious cut on the left side of his stomach area requiring 12 stitches.

### **Aggravating and mitigating factors**

[6] The aggravating factors of the offending are the violence and use of a weapon, and the harm that resulted from the use of that weapon, the deep wound to the left side of the victim's stomach that required to 12 stitches.

[7] As to mitigating factors of the offending, there are none.

[8] In relation to the defendant the Crown notes that Ms Williams has no previous convictions and would be entitled to a discount for previous good character.

[9] Mr Short in submissions this morning has referred to this, and four comprehensive and careful references have been provided to the Court.

[10] The defendant is also entitled to a guilty plea discount of 33.3 percent and the Crown notes, as Mr Short has also emphasized, that she has a very young child, just a few months old.

[11] Also noted is that the relationship continues and that the couple have been taking counselling together in order to provide a stable background for their young child and hopefully a harmonious continuing relationship.

**Crown Submissions as to Sentence**

[12] The Crown, in comprehensive and careful submissions with reference to relevant authorities, submits a starting point for sentencing of 2 to 2½ years would be appropriate.

[13] Allowing a discount for the early guilty plea, and the possibility of further discounts for previous good character, the Crown submits that an end sentence of 12 to 18 months is appropriate but acknowledges the possibility of a community based sentence, which I have discussed with both counsel this morning.

**Defence Submissions**

[14] I have already referred to aspects of Mr Short's submissions. He supports the recommendation in the Probation report of a sentence of five months' probation supervision.

[15] But in discussion with Ms Matenga from the Probation Service this morning, I understand that the recommendation for five months is for community service, as the first five months of a sentence of probation supervision for 12 months. Conditions are recommended. The defence support this recommendation.

**Sentence**

[16] As I said at the outset, this is a tragic case.

[17] Ms Williams, in all the circumstances, the sentence I propose to impose on you is a lenient one. I will not send you to prison.

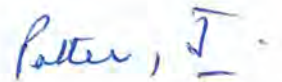
[18] While the offence of which you have been convicted would well merit a sentence of imprisonment on the authorities, it would be in my view, unfortunate, in the circumstances of this case, if you were to be sent to jail.

[19] The sentence I impose therefore is:

- (a) 12 months' probation supervision, the first 5 months to be served on community service;

- (b) You are to attend any counselling or workshops as directed by the Probation Service;
- (c) You are not to leave the Cook Islands without the approval of the Court; and
- (d) You are to surrender your passport to the Court.

[20] That is the sentence imposed. I wish you and your partner well and I hope you can take your life forward in the way the references that have been filed with the Court, tell me you are capable of doing. Best wishes.



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**Judith Potter, J**