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**GOVERNMENT OF THE COOK ISLANDS**

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PRESS RELEASE

False declarations result in successful prosecutions

On 21 March 2018 Cook Island Customs (Customs) successfully prosecuted the captain and engineer of the Ecuadorian flagged vessel the Nino Maravilla which is currently berthed at Aitutaki.

The two offenders were prosecuted under section 261(1) (a) and (c) of the Customs Revenue and Border Protection Act 2012 for providing false declarations on entry into the Cook Islands. This is the first time Customs have brought a prosecution under this provision. The offences carry a maximum fine of \$3,000 when heard before a Judge.

Both offenders held prior criminal convictions for which they had served prison sentences in the US and were subsequently deported for. Both offenders failed to disclose this information when completing their arrival cards.

Both matters were heard before three Justices of the Peace at the Court in Aitutaki. Counsel for Customs, Geraldine Ryan, emphasised the seriousness of the offending, and stressed the importance of the protection of Cook Islands borders.

In delivering their sentence the Justices of the Peace found the defendants guilty in all respects. The court handed down the maximum fine allowable by Justices of the Peace, being \$1,000 for each offender with court costs of \$50 per offender.

As a result, clear precedents have been established for future Customs prosecutions under this provision. The outcomes represent a significant win for Customs, and sends a strong message that Customs are serious about border protection and will not tolerate breaches of its law.

The outcome also highlights the result of excellent collaboration at the border between local law enforcement agencies as well as international agencies such as the New Zealand Customs Service, Australian Federal Police and United States Department of Homeland Security who provided crucial intelligence and on ground support during the operation.