

**POLICE**

**-v-**

**TINILOBE KEA**

**Counsel:** Snr Sgt R Hosking-Tane for Informant  
Mr C Petero for Offender

**Date:** 3 June 2011

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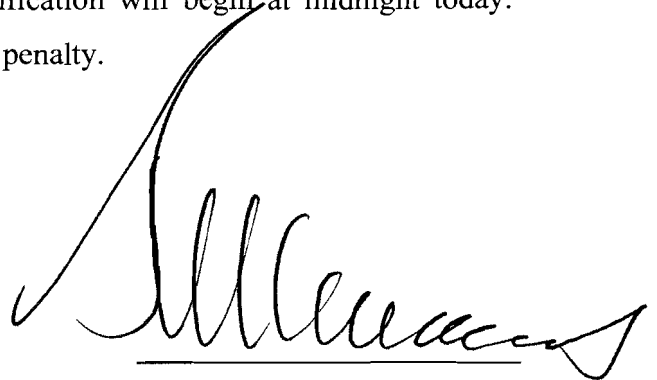
**SENTENCING NOTES OF HON HUGH WILLIAMS J**

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- [1] Mr Kea, on 10 April this year, just after 9 in the morning you were driving a car which crashed into a motorcycle. The lady on the motorcycle was turning into a drive, you were driving out, she was badly injured, and as a result you were charged with and have pleaded guilty to one count of careless driving causing injury, although the maximum sentence is five years in jail or a \$5,000 fine and a maximum of 3 years disqualification. The responsible attitude you have taken to the matter means that those maxima are largely irrelevant.
- [2] You have got one previous conviction, that is completely irrelevant to this matter, but the real concern is that the lady on the motorcycle suffered a compound fracture of both bones in her leg and she is, according to Mr Registrar who knows her, been off work until today and has been in hospital for most of that time and is still in a

cast. Her bike cost \$700 to repair, you have agreed to pay that at \$20 a week, and at the date of the Senior Sergeant's submissions she and the police had medical expenses of some \$95.

- [3] You have obviously got a good family relationship, a good work record, the victim's sympathetic to your position, you have displayed a thoroughly responsible attitude to the accident, going up to see the victim in hospital, and the Probation Service recommend a year's probation for you. I do not think that you need probation. This was a misjudgment on your part with unfortunately quite grave consequences.
- [4] I think the case will be met if you are required to pay \$700 to the victim for reparation repairs to her bike and \$95 to the police and the victim for medical expenses obtained by them, plus any account for future medical expenses which are certified by the police as due and owing.
- [5] You need to be disqualified from driving, but in my view the appropriate term of disqualification is 12 months. The disqualification will begin at midnight today. Apart from the conviction, there is no further penalty.

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

**Hon Hugh Williams J**