

THE HIGH COURT OF THE WESTERN PACIFIC
(CRIMINAL JURISDICTION)

BEFORE: The Honourable Mr. Justice J. Bodilly
exercising jurisdiction under the
provisions of the Western Pacific
(Courts) Order in Council, 1961.

HOLDEN: At Kira Kira in the British Solomon
Islands Protectorate on Friday
the 13th day of January
1967 at 2.30 o'clock in the
after noon.

REGINA

versus

HENRY LEMA

For the Crown: ^{Inspector}
/ Maham Dofar, B.S.I Police, Kira Kira.

For the Accused: In person unrepresented.

Interpreter: John Melanoli. (Santa Cruz language)
Sworn on Bible.

Charge explained to the Accused: By Court

Accused when called upon to plead says: Guilty.

Court enters a plea of: Guilty.

Prosecutor states facts:

On a day unknown between I.I.2.65 and I.I.66 at
Utongo in a bush garden in Santa Cruz the accused
had sexual intercourse with Serah Mwali who is his
daughter. He had intercourse on a number of occasions.

The accused at the time was a widower. As a result of the intercourse Serah became pregnant and has given birth to a girl child at the Santa Cruz hospital, on the 17.8.65. The child is living. The case was reported to a police patrol at Santa Cruz on 5.4.66 and in the course of investigation the accused was interviewed and under caution admitted the offence. The accused has been on bail until now.

(Accused states facts as stated correct)

Pros: (cont).

Accused's age is estimated at 30-35. The accused has 3 children including the complainant. Serah is about 19. The accused has no previous convictions. The accused is a cultivator and has his own garden. His parents are dead.

Accused: (mitigation).

My wife went off with another man and I wanted to get married again but the priests told me that I could not do so. I was married by the church. The priests never explained to me that I could get divorced and then marry again. I am an anglican. I knew it was wrong to take my own daughter. I have nothing more to say.

Sentence: Two years imprisonment.

Incest is frowned upon by all sections of the community and is not to be tolerated.

Accused is informed of his right to appeal against sentence.

John Botley
Chief Justice.
13.1.1967.