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IN THE HIGH COURT OF KIRIBATI) HIGH COURT CRIMINAL CASE NO. 11 OF 2004
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

THE REPUBLIC
VS
NAKATI NAKAU

FOR THE REPUBLIC: MS POLE TEBAO
FOR THE ACCUSED: MR AOMORO AMTEN

DATE OF HEARING: 3 MAY 2004

SENTENCE

Nakati Nakau: you were charged with indecent assault but at the end of the prosecution I found you did not have a case to answer on indecent assault, only on common assault. You then asked to be re-arraigned and pleaded guilty to common assault.

You had taken the victim, a young woman who may be regarded as your niece, on a bus to see a government official about a job. You got off the bus and according to Mr Amten you say you took her only by the hand into the bushes. You said, according to the victim, you were going to have sex with her. The assault was taking her by the hand and obliging her to go into the bushes. She ran away and nothing else happened. You say drunkenness may have caused you to act in this bad way. Mr Amten says you have now given up alcohol.

You have three convictions in 1996, 1998 and 2000, all punished by a small fine.

You are fined \$50.00 and have asked for two weeks to pay it: you will have two weeks to pay the fine of \$50, in default of payment, imprisonment for a week.

Dated the 3rd day of May 2004



THE HON ROBIN MILLHOUSE QC
Chief Justice