

IN THE HIGH COURT OF KIRIBATI)
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

HIGH COURT CRIMINAL CASE No. 18 OF 2004

THE REPUBLIC
VS
OBAIA MATAROA

FOR THE REPUBLIC: MS RURIA ITERAERA
FOR THE ACCUSED: MS JENNIFER TROUP

DATE OF HEARING: 7 MAY 2004

SENTENCE

Obaia Mataroa: you were originally charged with causing grievous bodily harm with intent but the charge was reduced to unlawful wounding to which pleaded guilty.

Thinking over the facts given by Ms Iteraera, the prosecutor and other facts added by your lawyer, Ms Troup, the incident seems to have been an unfortunate misunderstanding. You thought that the victim who was only looking to borrow a motor bike, had been throwing stones at your house. You tried to apprehend him so that the police could be called. In doing so you used a toddy knife and, according to the medical report, the victim was cut on two fingers of the right hand and on the back of the neck: bleeding was minimal. Your fault was in acting too quickly and without making sure you had the right man.

You are 37 and a lecturer in electrical engineering at TTI. Married with a young child and the provider for an extended family. There has been a reconciliation between you and your family and the victim and his family.

You have no previous convictions and have pleaded guilty as early as you could.

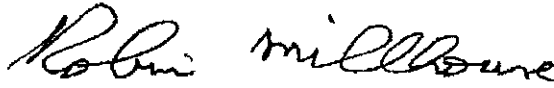
Ms Troup asked that any sentence of imprisonment should be suspended but Ms Iteraera opposed suspension. Nevertheless while what you did requires a sentence of imprisonment, there is ample justification for suspension.

You will be imprisoned for three months but the imprisonment will be suspended on your agreeing to be of good behaviour for the next six months.

If you do not commit another offence within the next six months then you will not have to serve in gaol this term of three months. If you do commit another offence in the next six months you will be liable to be punished for it and also to serve this three months as well.

Do you understand?
Do you agree?

Dated the 13th day of May 2004

A handwritten signature in black ink that reads "Robin Millhouse". The signature is written in a cursive style with a horizontal line underneath the name.

THE HON ROBIN MILLHOUSE QC
Chief Justice