

IN THE HIGH COURT OF KIRIBATI) HIGH COURT CRIMINAL CASE No. 69 OF 2004
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

THE REPUBLIC
VS
TOANI TAKAIO

FOR THE REPUBLIC: MR DAVID LAMBOURNE/MS EWEATA MAATA
FOR THE ACCUSED: MR KATARAKE TEBWEAO

DATE OF HEARING: 28 FEBRUARY & 1 MARCH 2005

SENTENCE

Toani Takaio: you have been convicted of forgery and uttering. What you did is set out in my reasons for conviction.

You have no previous convictions. Mr Tebweao told me you are the breadwinner for your family. He asked that you receive either a suspended sentence of imprisonment or be fined.

The Solicitor General submitted that you should serve a term of imprisonment.

The documents which you forged concerned a trivial offence, a man riding a bike without a bell, but that does not reduce the seriousness of what you did. It is very serious indeed to forge and then utter any kind of document. The penalty is up to seven years' imprisonment. Even in this case if what you had done had not been discovered the man may have gone to gaol for a week for not paying his fine of \$2.00. The community must know that no one can do the kind of thing you did without being firmly punished. The

more so when the person committing the crime is a member of the police force.

That this is your first offence and that you will no longer be a special constable or sergeant - a punishment in itself - I take into account in your favour to reduce the length of your sentence of imprisonment.

On each count you will be imprisoned for three months, the terms to be served concurrently and date from last Friday, 4 March when you went into custody.

Dated the 8th day of March 2005

Robin Millhouse

THE HON ROBIN MILLHOUSE QC
Chief Justice