

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

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HIGH COURT CRIMINAL CASE 29 OF 2006

**THE REPUBLIC
v
TIAON TARABO**

FOR THE REPUBLIC: MS RURIA ITERAERA
FOR THE ACCUSED: MR AOMORO AMTEN

DATE OF HEARING: 4 SEPTEMBER 2006

SENTENCE

Tiaon Tarabo: you have pleaded guilty to conversion, a crime which has a maximum penalty of seven years' imprisonment.

In February 2005 you were the driver of a bus owned by Nei Taeang Lieven. The bus was fitted with an amplifier which she values at \$800.

On the evening of 9 February you were to drive home other people also employed by the bus service and take the bus back to Toyota for service. Instead you and friends used the bus to go to Buota and go drinking. The next morning a man, a driver of another bus, paid you \$100 for the amplifier. You used the money to buy more drink. Later you drove the bus to Bikenibeu and left it at a house there. That is where Nei Taeang found her bus.

Mr Amten told me you are now driving for someone else. I expect Nei Taeang dismissed you for very bad misconduct and you have found another job.

Mr Amten said you have been negotiating to pay back to Nei Taeang the value of the amplifier. So far, after 18 months, you have paid her nothing.

You are 32, married with two young children.

Mr Amten asked that I suspend the sentence of imprisonment. I may have done that if you had given Nei Taeang money to make up for the loss you caused her. As it is I shall not suspend the imprisonment.

In your favour is that you have pleaded guilty. That means a lesser penalty than otherwise.

The prosecution has not proven that you have any previous conviction. That, too, is in your favour.

You will be imprisoned for six months. The term will run from last Friday, 1 September.

Dated the 4th day of September 2006

Robin Millhouse

THE HON ROBIN MILLHOUSE QC
Chief Justice

