



HIGH COURT OF KIRIBATI

Criminal Case No 89/2016

THE REPUBLIC

v

BWAKOUA TIOTI and BURUNO TIRIKAI

*Tewia Tawiita, Senior State Attorney, for the Republic
Reiati Temaua for Bwakoua Tioti
Raweita Beniata for Buruno Tirikai*

FILE NOTE

- [1] By separate informations filed on 19 September 2016 the 2 accused were each charged with 1 count of incest, contrary to section 156 of the *Penal Code* (Cap.67).
- [2] Neither information complied with section 70 of the *Criminal Procedure Code*. On 20 July 2018 the Attorney-General rectified the defects by filing fresh informations signed by her (in the same terms). A further information was filed on 14 August, joining the charges against the 2 accused into a single information. On 24 August the matter was set down for trial in the week commencing 14 January 2019.
- [3] Counsel for the Republic has this morning stated in court the Attorney-General's desire to enter a *nolle prosequi* under section 68(1) of the *Criminal Procedure Code* in respect of both accused.
- [4] The accused are accordingly discharged.
- [5] This file is to be closed.

Dated 14 January 2019.


Lambourne J
Judge of the High Court

