

IN THE SUPREME COURT OF NAURU

(Criminal jurisdiction)

Criminal Case No.10/09

The Republic

Vs.

1. Melvin Roland
2. Myron Roland
3. Andrew Bailey

Mr. Henry Kausimae A.DPP, prosecuting  
Mr. Whitlam Togamae for Melvin Roland  
and Myron Roland and  
Mr. Pres Nimes for Andrew Bailey.

Date of hearing 8 August, 2009.

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SENTENCING REMARKS

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Melvin Roland, Myron Roland and Andrew Bailey:

You have been found guilty of Arson.

It was a joint enterprise in which on 7 March 2008 you burnt down the Central Police station of which the gaol was a part. The fire came within six feet of the Court building; if the court building had burnt almost certainly the government buildings and Parliament House would have gone, too.

At the time Myron Roland, you were already serving life imprisonment for murder.

Last Thursday, 6 August, Melvin Roland, I sentenced you to 8 years imprisonment for the Arson of the No. 2 conveyor belt, a crime you committed on 3 August, 2008, five months later than this crime.

You Andrew Bailey have no previous convictions. In making a plea for you Mr. Nimes emphasized the distress and hardship your imprisonment will have on your wife and children. He also submitted that although by law it was a joint enterprise, in fact yours was a lesser part. I take those submissions into account in fixing sentence.

In your case, Melvin Roland, I also bear I mind that the penalty, together with the 8 years you are already serving, should not be crushing.

Yet the crime you all committed was so serious as to require very substantial terms of imprisonment.

You, Melvin Roland are sentenced to 10 years imprisonment to be cumulative on the sentence you are now serving.

Myron Roland you are sentenced to 10 years of imprisonment which of necessity must be served concurrently with your life sentence.

Andrew Bailey you are sentenced to 7 years imprisonment to date from 06 December, 2008 since when you have been in custody.



Hon. Robin Millhouse

**Chief justice**

08 August, 2009.