

THE REPUBLIC

Vs

HUDSON TEMAKI

Mr. Wilisoni Kurisaqila for the prosecution
Mr. Knox Tulenoa for the defendant

Date : 25th March, 2010

REMARKS ON SENTENCE

HUDSON TEMAKI : You have pleaded guilty to manslaughter. Last 17 January, you and other members of the family had been drinking. You and your brother Davey got into an argument. The argument developed into a fight to which he challenged you. You went inside and came out with a kitchen knife. In the course of the fight you stabbed Davey once in the chest. He was dead on arrival at the hospital. A most dreadful tragedy.

You have no previous convictions. You have pleaded guilty. These things are in your favour and mean a less severe penalty than otherwise.

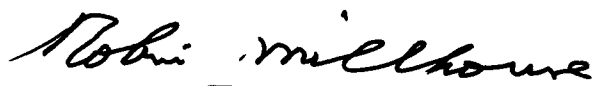
You are 31 years old, married with 13 children. Mr. Tulenoa has given me letters from a number of people who have known you either as a good worker, a good sportsman or a good citizen. The most moving letter is from your mother: she has lost one son, Davey and now knows that she will lose you, another son, to prison.

That people have expressed their support for you also influences me to fix a shorter term of imprisonment than otherwise.

Yet the offence of manslaughter is so serious that you must serve a significant term of imprisonment.

You have already been in custody awaiting trial for 2 months from 17 January to 18 March but were on bail for 5 days until last Tuesday.

You will be imprisoned for 3 years: the term will run from 17 January 2010.



Hon. Robin Millhouse QC
CHIEF JUSTICE