

IN THE SUPREME COURT)
OF THE TERRITORY OF)
PAPUA AND NEW GUINEA)

CORAM : CLARKSON, J.
Monday,
16th March, 1970.

R. v. LEKO

(for sentence)

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DANG.

Clarkson, J.

This man also comes from a primitive and isolated area near Simbai. What I have already said in the earlier case of R. v. Asis and Bitimur (No. 559) applies even more strongly here because of the almost complete isolation in which his people have lived until now. He claims not to know of the Government and my impression from what has been placed before me is that his statement may well be true. At least it is clear that he was a grown man before there was any attempted extension of Government influence into his area. He says the investigating officer was the first European he had seen and the investigating officer said it was probably the first visit of a patrol to the prisoner's community.

I deal with him on substantially the same basis as Asis and Bitimur and for substantially the same reasons. The element of community approval is missing here but I have no doubt that the prisoner felt greatly wronged and, on the evidence, with considerable justification.

Sentence : 2 years' imprisonment with hard labour.

I draw to the attention of the authorities:

1. the difficulty so far experienced in communicating with the prisoner in his own language;
2. that he appears to be having some difficulty in adjusting himself to local foods with which he is unfamiliar.