

REGINA -v- CHARLES MA'AI & OTHERS

High Court of Solomon Islands

(Palmer J.)

Criminal Case No. 43 of 1993

Hearing: 29 July 1993

Sentence: 29 July 1993

DPP for Prosecution

Defendants in person

PALMER J: I give credit for guilty pleas. For most of you this is your first time to appear in this court and so I take that into account.

For Timothy Gua you have a list of previous convictions including one in which you have served time in prison. You are therefore not a stranger to this court or the lower courts. You are fully aware of the consequences of breaking the law. Although this offence is not directly related I will treat you slightly different from the others in that you will not have the same benefit of a first offender as the others will have.

I also note that all of you are young adults and you should consider seriously using your strength in youth to do good rather than bad for the society.

I do take into account that all bags of cocoa have been recovered. However, you must understand that this was only as a result of you being found out. You all planned to steal. You knew it was wrong. And you all went together as a group.

It also appears to me that some of you, were former employees of the company when this offence occurred. You are fortunate if that is so in not being charged with another more serious offence. Perhaps it was you who influenced the others to commit this offence.

For F. Dika and C. Mandetea I take into account that you are students. In a way you were very silly to get involved in this offence. I do consider your educational opportunities as very important and so I will treat you slightly different in view of that. In these days, your education in a way mark out to a certain extent your future career and path.

For Dika you will serve 5 months imprisonment however, two months will be suspended for 1 year and so you will serve only 3 months.

For Mandetea I also take into account that you are a juvenile - only about 12 - 13 years old. You should go to prison with the rest of the group for this offence however, I will be gracious to you and although I will impose a sentence of 5 months I will suspend it in total. This means that you can go free now, however if you should re-offend within 1 year then you will serve the 5 months imprisonment. You should see this as a rare opportunity and amend your ways.

For T. Gua you will serve 6 months in prison.

For all others 5 months each.

You are all convicted and sentenced accordingly.

(A.R. Palmer)
JUDGE