

**IN THE CENTRAL MAGISTRATE'S COURT
OF SOLOMON ISLANDS**

Criminal Jurisdiction

Criminal Case Number 504/2018

On the 24th day of July 2018
Before Deputy Chief Magistrate Ricky Iomea

BETWEEN: REGINA

AND: MAVIS WAORI

Patricia K.B. Tabepuda for the Prosecution
William Kadi for the Accused.

SENTENCE

The defendant is Mavis Waori. She is from Potaniu village, East Are Are, Malaita Province.

In 2016, the defendant applied for police recruitment under Hilda Kari Course 1/2017. She had a younger sister named Mirriam Kamu, who also applied for the same recruitment programme.

During the course of the recruitment process, an examination was scheduled for all applicants. The defendant and her sister both attended the exam. The defendant did not pass her exam.

The defendant's sister, Mirriam Kamu, managed to pass her exam and was selected for an interview. The interview for Mirriam Kamu was scheduled between 30th June 2016 and 2nd July 2016. The defendant attended the interview instead of her younger sister, using the name Mirriam Kamu.

In 2017, the Royal Solomon Islands Police Force (RSIPF) recruited the defendant as Mirriam Kamu under the Hilda Kari Course 1/2017 to undertake an eighteen weeks of training at the Rove Police Academy. She graduated from the Police Academy on the 18th August 2017 and was posted to Honiara City undergoing her two year probation as a Probationer Police Constable, Rank 471.

On and about 7th March 2018, the Human Resources Department discovered that the defendant had gained her way to join the Police recruitment by using her sister's name Mirriam Kamu.

The matter was reported and Mrs Mavis Waori, the defendant was charged with gaining an employment by False Representation contrary to Section 178 of the Police Act 2013.

She pleaded guilty to the charge. Thus this appearance is for the Court to pass sentence on her.

Aggravating factors

This is a case of fraud or dishonesty thus, it was carefully planned and coordinated with the assistance of her sister whose name was used and who sat for the exam, passed the exam and was shortlisted for interview. She attended the interview instead using the name of her sister and was eventually recruited. From the date of her recruitment to the day she was arrested, it can be safely inferred that the government had expended some money for her salary as a Police Constable. Money that should have been spared, if there was no dishonesty.

Mitigating factors

The defendant has pleaded guilty to the charge at the first available opportunity. The guilty plea is a demonstration of remorse by the defendant and the plea has saved the court's time and resources in running a trial into the charge.

Sentencing remarks

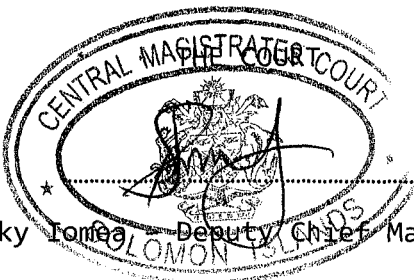
False representation is an act of corruption therefore, it is a serious offence and deterrence of others is an important consideration. Gaining employment through dishonesty is a slap on the face of other genuine applicants who appear to meet the requirements for employment but could not get an employment because of lack of space. Gaining or benefiting from dishonest means as it is in case this must be condemned and deterred.

Having considered the facts of the case, the features of aggravation that are present, the personal circumstances of the defendant and the principles or aims of sentencing, in particular the principle of deterrence, I am of the view that a fine of \$2,000.00 is appropriate sentence that still carries a deterrent effect by serving as personal and general deterrence.

Orders

The Accused is convicted and sentenced to pay a fine of \$2,000.00. In default, three months imprisonment.

The fine is payable by close of business on 8th August 2018.


Ricky Tompa Deputy Chief Magistrate