

shower room. Reaching the window, the suspect pulled open the window, climbed up on the stacked goods and pulled himself out through the window.

Because he was now outside behind the hardware shop, he walked along the walling building and get (sic) out to the front of the building and run (sic) away to Tasahe B where he live.

On Friday the 25th May 2018, the suspect came down back to Town ground when the shop did not yet open and tell (sic) a young male also working for E. Hardware shop to go and close (sic) a window at the back of the shop if he saw (sic) it open. His conversation was also heard by a security officer from the security firm looking after the whole Town ground a he was there at that time. The incident was reported to Central Police station CID officers and a search was conducted to locate the suspect.

He was seen at Tasahe B close to where his house was and was arrested. The suspect was questioned and told police that the money and cheques he stole was given to his wife. The suspect (sic) wife was seen at White River 01 bus stop and taken for questioning by police. She handed to police a total cash of \$2,000.00 and 6 single leaf cheques signed already total (sic) to \$25,246.00 but all recovered. The suspect (sic) wife confirmed that the stolen money and cheques were given to her by the suspect early on Friday 25th May 2018 when he arrived back to their house. The defendant confirm (sic) that he took only \$2,370.00 from the cashier therefore only \$2,000.00 recovered and \$370.00 was not recovered until today”.

Based on the facts, it can be safely inferred that the defendant knew that the shop was about to close for that day. He then hid inside the shop. This shows that this offending is well planned and involved forethought by the defendant. He successfully carried out his plan using his skills, knowledge and understanding of the setting of the hardware shop.

The other factor that aggravates the offending is that it was committed at night when the owner had left the shop.

A further factor that makes the offending serious is that the defendant was an employee of the Complainant at the time. He therefore breached the trust placed upon him by his employer.

I am of the view, taking into account the aggravating features present, the appropriate starting point in this case is one (1) year imprisonment.


These aggravating factors have to be weighed against any mitigating factors. The factors that militate the sentence that the Court will hand down in this case in terms of mitigation are that; the defendant is a first time offender – who has no previous conviction. He

pleaded guilty to the offence and had spent about two (2) months and twenty eight (28) days in custody.

The sum of \$2,000.00 of the \$2,370.00 was recovered by Police with the assistance of the defendant. On \$370.00 was not recovered. All the cheques were recovered during Police investigation.

The one year imprisonment will be reduced by 6 months taking into account the plea of guilty and the above mitigating factors. The total effective sentence is six (6) months imprisonment. I note that the defendant had spent almost three months on remand, I believe that the period spent on remand has taught the defendant a lesson to stay away from such criminal behaviour. I do not wish to send the defendant back to Rove prison therefore, I order that the 6 months imprisonment be suspended on good behaviour for a period of 12 months.

.....
Ricky Iomea
.....



THE COURT
SOLMON ISLANDS
CENTRAL MAGISTRATES COURT