



**IN THE SOLOMON ISLANDS MAGISTRATES' COURT
AT HONIARA
Criminal Case No. 434 of 2019**

**REGINA
v.
LUCIANO OLIPUMA**

Before: Principal Magistrate Ms. Fatimah Me'ere Taeburi
Ms. Dalcy Belapitu (DPP) for the Crown
Mr. Sholto R. Manebosa (PSO) for the Defendant

Date of Hearing: 20th August 2020
Date of Ruling: 21st August 2020

SENTENCE

1. The defendant pleaded guilty to 19 counts of false pretence contrary to section 308 (a) of the Penal Code.
2. The crown applied to withdraw 8 charges against him pursuant to section 190(2)(b)(i) of the Criminal Procedure Code. The defendant is therefore acquitted on those charges.
3. The facts in his case are as follows;
4. On five different occasions, he lied to Mr. Euwen Lawrence and obtained different amounts of money from the complainant. He used the money for himself.
5. On six different occasions he lied to a second complainant Mr. Mathias Logu and obtained different amounts of money for himself.
6. On another eight occasions he lied to a third complainant Ms. Anna Vota and obtained different amounts of money and used it for himself.
7. I convict him on all 19 counts.
8. The aggravating factors in his case are as follows;
9. He committed the same offence 19 times on three different individuals over a span of 2 months. The fact that he repeated the same wrong act numerous times to different people means that he has no shame and no remorse at all. I accept that he has pleaded guilty and demonstrated remorse in doing so, but he only admitted to his dishonest actions after he was caught.
10. He did not repay the complainants any single cent of the money he lied and stole from them. He never apologised to them for his dishonesty. I consider the loss suffered by the complainants.

11. The total amount of money he stole from these three complainants is \$24,058.00. It is a substantial amount of money in my view. To make things worse, he used the money for himself.
12. I take his guilty plea into account. He has save time and resources.
13. He has been previously convicted for lying to other people and obtaining money from them. He has been sentenced to 3 years imprisonment. He has not learnt from his mistakes yet. I do not think that he can be deterred in any way.
14. The maximum penalty for false pretence is 5 years imprisonment.
15. I have considered the sentences passed in our jurisdiction for these types of offences.
16. I make the following orders;
 - i. He is acquitted on counts 1, 9, 11, 17, 19, 21, 22 and 25.
 - ii. He is convicted on counts 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 18, 20, 23, 24, 26 and 27.
 - iii. He is sentenced as follows;
 - a) Count 2 – 1 ½ years imprisonment;
 - b) Count 3 – 1 ½ years imprisonment;
 - c) Count 4 – 6 months imprisonment;
 - d) Count 5 – 6 months imprisonment;
 - e) Count 6 – 6 months imprisonment;
 - f) Count 7 – 6 months imprisonment;
 - g) Count 8 – 1 ½ years imprisonment;
 - h) Count 10 – 2 years imprisonment;
 - i) Count 12 – 1 ½ years imprisonment;
 - j) Count 13 – 6 months imprisonment;
 - k) Count 14 – 6 months imprisonment;
 - l) Count 15 – 1 ½ years imprisonment;
 - m) Count 16 – 6 months imprisonment;
 - n) Count 18 – 1 ½ years imprisonment;
 - o) Count 20 – 1 ½ years imprisonment;
 - p) Count 23 – 2 years imprisonment;
 - q) Count 24 – 2 years imprisonment;
 - r) Count 26 – 6 months imprisonment;
 - s) Count 27 – 2 years imprisonment
17. You are to serve the sentences for counts 2, 3, 4, 5 and 6 concurrently. The sentences for counts 7, 8, 10, 11, 12, 13 and 14 concurrently. The sentences for counts 15, 16, 18, 20, 23, 24, 26 and 27 are to be served concurrently. The reason being that the offences in these sets were committed against the same person.
18. The total of the sentence against each complainant is to be served consecutively. In total you sentenced to **5 ½ years in prison**.
19. The time spent in custody is included.
20. Right to appeal within 14 days.



Ms. Eunice M. ere Faoburi
Principal Magistrate