

**IN THE SUPREME COURT OF TONGA      CR 75, 76, 82, 81, 99 of 2012**  
**CRIMINAL JURISDICTION**  
**NUKU'ALOFA REGISTRY**

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**R E X**

**V**

- 1. TANIELA VAKA**
- 2. UIKILIFI LINO**
- 3. SOSEFO KANONGATA'A**
- 4. SIALE 'UHILA**

**BEFORE THE HON. JUSTICE CATO**

**SUMMARY OF SENTENCE DELIVERED ORALLY**

All four prisoners pleaded guilty to armed robbery of a Chinese corner store contrary to section 154 (1) and (3) of the Criminal Offences Act. Lino and Vaka carried knives. 'Uhila took the takings from the store about \$900 PNG. Kanongata'a was the look out.

The men had been drinking and the robbery was premeditated. Their faces were covered.

Siale 'Uhila (19) also pleaded guilty to housebreaking contrary to S 173 (1) (b) and theft contrary to 145 (a) of the Criminal Offences Act.

His offences committed whilst he was on bail for other matters for which he has yet to face trial.

Starting point five years for robbery with knives - deterrent sentence - protection of Chinese corner stores the principal sentencing consideration.

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Guilty plea substantial reduction 18 months

Vaka had a previous serious conviction for kidnapping and had been sentenced to four years imprisonment in New Zealand.

Lino was serving a sentence for failing to pay a fine for assault

**SENTENCES:**

Vaka (aged 30) 'Uhila (aged 19) and Lino (21) sentenced to three and a half years for the robbery with sentence to take into account time served on remand on this charge.

Claims for part suspension in their cases rejected because offending too serious and all had previous convictions.

Kanongata'a (aged 22) had previous housebreaking and theft his sentence of three and half years was suspended last 12 months on the condition he not commit any further crimes punishable by imprisonment for two years – time served in custody on remand to be deducted. The difference reflects the fact he did not go into the store.

Time served in custody on remand on these charges if any to be taken into consideration as time served.

**DATED: 21 SEPTEMBER 2012**

