

PUBLIC PROSECUTOR -v- OBED NALAU

JUDGEMENT

Misappropriation 25,500 vatu - Guilty

Rep: Mr. Purcell (Public Solicitor)

Public Prosecutor: Accused is a Senior Inspector, 20 years in police force. Beginning January 1990 took post of O/C Prison, Vila. This offence committed towards end of 1990. Misused 25,500 vatu which belonged to three separate serving prisoners in November 1990. Prisoners gave their money to the Prison Officer for safe keeping. 1 prisoner e.g. 7,500 vatu. Asked for it back near Christmas. It was not returned. Prisoner became suspicious.

2nd prisoner had been a builder - got 15,000 vatu outstanding wages. Given to accused to look after. Again near Christmas asked for his money.

Suspicious now aroused. Investigations commenced 17 .1.91 Superintendent questioned accused. Admitted offence. Offered to repay. Total 25,500 vatu.

21.1.91 - accused made written admission (read out)

On suspension - half pay since 22.2.91. Accused gave total of 25,500 vatu to police.

No previous conviction. Prosecution costs.

Purcell: Accused was in a position where it was easy to put his hands on additional money. Intended to repay. There had been problems in the prisons.

Married, 5 children (14 years old eldest) (2 years old youngest) wife does not work. Currently half pay from police only income.

If fined, hopeful about re-instatement.

Out of character. Regrets actions.

Previous good service. Honest in relation to admissions. Has repaid.

OBED NALAU: Cannot use money/things they do not belong to you.

Fined 75,000 vatu

Prosecution costs 10,000 vatu

10,000 vatu forthwith  
balance at 10,000 vatu per month

DATED this 3rd day of may, 1991.

**E P GOLDSBROUGH**  
Acting Chief Justice