## THE HIGH COURT OF THE WESTERN PACIFIC (CRIMINAL JURISDICTION)

BEFORE: The Honourable Mr. Justice J. Bodilly

exercising jurisdiction under the provisions of the Western Pacific (Courts) Order in Council, 1961.

At Kira Kira in the British Solomon HOLDEN:

Islands Protectorate on Friday the I3th day of January 1966 at 2.30 the after noon. o'clock in

## REGINA

versus

## ISAAC TA'ARU

For the Crown: Inspector Dofar, B.S.I.Police, Kira Kira.

For the Accused: In person unrepresented.

Albert Cooper (Santianna language) Interpreter: Sworm on Bible.

Charge explained to the Accused: By Court.

Accused when called upon to plead says:

FIRST COUNT: Guilty SECOND COUNT: Guilty

THIRD COUNT: Guilty FOURTH COUNT: Guilty

FIFTH COUNT: Guilty.

Court enters a plea of:

FIRST COUNT: Smiley

THIRD COUNT: Smiley

FIFTH COUNT: Smiley

FIFTH COUNT: Smiley

2. Prosecutor states facts: As a result of a report received from D.C. Eastern on 23.IL65 concerning loss of cash from Kira Kira Council the following came to light: On 9.3.65 xxx Henry Jack Fagataru, one of the reate collects for Star Harbour area, handed in to the accused at Umo Council Headquarters £52 being the rates collected from Star Harbour and Sananna area. The accused was employed by the Makira Council as a xx Local Government Treasury Clerk and he was paid by the Council. Part of Accused duty was to take in rates on behalf of the Council. Instead of paying the £52 into the Council he used it himself. That is in respect of Count I. In respect of Count 2 the same person handed to the Accused £7 which was in respect of Native Court fines from the Star Harbour area . This sum was also handed in on the same day as the £52. The accused was still employed as local government clerk. He did not pay in the money but used it for himself. In respect of Count 3, the sum of £5I was handed in by the same person to the accused on the same day 9.3.65. This money was in respect of the collection of hawker licence# fees for Star Harbour area. Thexxxxxxxx The accused also used this sum to his own use. In respect of Count 4. The same person on the same date as before handed in £I.II.6 being the proceeds of the sale of stamps in the Star Harbour area. The accused allo took for himself this sum. XXXXXXXXX by Fox Hama'oai also farin respect of hawker licence fees for the Star Harbour area. This sum paid in on behalf of a man named Sibaroni. The accused was still on that date employed in the same capacity. The accused put this sum also into his own pocket. When the police investigated the case the accused on 17.2.66 at Santaanna xkx made a cautioned statement admitting the offence. F The accused has been on bail until now. ( Accused admits facts as correct) Pros: (cont) Accused had no p.c.s. He is a married man with a family. He has seven children living. He has a garden and his family live on it and work it in Santaanna. The wa accused was born in 1925 ( 42 years old). His pay as a Council ckerk was £15 per month. He has worked for the Council from 1959 until the discovery of these offences. Accused in mitigation: I am sorry for what I have done as I have a lot of children. I used the money for my children. My pay was not enough to support them all. I had two children at school. I was paying £2 for one and IO/- for the other. My wife is

alive and lives in my village. She is about 27 years old. When I took this money my wife was in Kira Kira with me. My children were also here. My mother is dead but my father is alive. My father lives in the village but he old and blind. That is all I have to say.

Prosecutor: Accused has asked for one other offence, namely Embezzlement of £IO2 from the Ulawa Council being I965 rates collected for that Council and handed in to him between the 27th May and 3IMay I965 in one lump sum, to be taken into account. Accused: I want this taken into account now.

Sentence: Eighteen months imprisonment on respect of each count.

Order: Sentences to run concurrently.

Accused is informed of his right to appeal against sentences.

Chief Justice.
13.1.1967.

Account books and receipt books to be returned to the relevant Council Authorities.

C.R.B. No.

PAGE NO.

## Statement

KIRA KIRA STATION

9.25 A.M

EASTERN DIVISION 28th day of NOVEMBER 1966

NAME: 1SAAC 1A1ARU

(Age) about 41 Years

NAFINUATOGO

OCCUPATION: CARDENER

NATIVE OF: SANTA ANUA

you are not obliged to Say anything but anything you Say will be taken down in writing and may be given in Inidence at your trial.

Allean

agree that on a date between 27th May 1965 and 31st. May 1965 4 did bonvert to my own use the Sum of \$102.0-0 love hundred and two pounds) The property of ulawa Counsil and received by me on the account of the Said bouncil being nates for 1965 and wish to have the said embezzlement taken into bonsideration at my trial

Witness Katorage PG-106.

Shion

HAVING BEEN TOLD THAT HE (SHE) IS NOT OBLIGED TO SAY ANYTHING UNLESS HE (SHE) BE TAKEN DOWN IN THE STATEMENT IS BEING TAKEN UNDER CAUTION IT WILL COMMENCE TO DO SO BUT THAT WHATEVER HE WISHES

> I beritify that the about Statement to the deponent who understand it bestified it bonnect and recorded his Signature in my presence

EASTERN DIVISION 9.25 A.M 28th day of NOVEMBER 1966 NAME: ISAAC IA'ARU (Age) about 41 Years NAFINUATOGO OCCUPATION: GARDENER SANTA ANUA NATIVE OF: you are not obliged to Say anything but anything you Say will be taken down in writing and may be given in buidence at your trial. witnes Nota CP174. Steen I agree that on a date between 27th May 1965 and 31st. May 1965 4 did bonvert to my own use the Sum of \$102.0-0 love hundred and two pounds) The property of ulawa Council and received by me on the account of the Said bouncil being nates for 1965 and wish to have the Said embezzlement taken into bonsideration at my trial

Witness Majorage PE-106.

N.B.

HAVING BEEN TOLD THAT HE (SHE) IS NOT OBLIGED TO SAY ANYTHING UNLESS HE (SHE)

TO DO SO BUT THAT

I bestify that the about Statement was read over to the deponent who understand it, bestified it bonnect and recorded his Signature in my presence.

Ma ep 74 28-11-66.

KIRA KIRA STATION