

IN THE HIGH COURT OF KIRIBATI) **HIGH COURT CRIMINAL CASE 33 OF 2006**
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

THE REPUBLIC
v
TIEMTI TIAON

FOR THE REPUBLIC: **MS PAULINE BEIATAU**
FOR THE ACCUSED: **MR STEPHEN EARL**

DATE OF HEARING: **27 NOVEMBER 2006**

SENTENCE

Tiemti Tiaon: it is difficult to know what to do with you this time except to send you to gaol for a good long time. I wish there were something else, some treatment I could order but there is not.

You have pleaded guilty to Housebreaking with intent to commit a felony and to larceny on 13 September 2005 and to a separate charge of larceny three days later. Housebreaking has a maximum penalty of 14 years' imprisonment. Larceny, after all your previous convictions for it, has a penalty of 10 years' imprisonment. I have counted 25 convictions for various crimes on the police record, going back to 1991. The convictions are for offences similar to the latest ones.

Mr Earl said you commit offences only when you have been drinking and want money to buy more drink. He said you are very sorry and have decided to reform. Very difficult to accept all that when you have had so many chances before to live better and have not taken them.

On 13 September you broke louvers in the window of someone's house at Bikenibeu, went in and took several things. You got \$20.00 for the DVD you had taken.

On 16 September during the afternoon you stole a gas cylinder from outside a lady's house at Temauku. You tried to sell it but no one would buy.

You were born in 1969. You have no family and you are unemployed. Your only income is from rent for land.

First, the offences on 13 September. For housebreaking with intent you will be imprisoned for three years; for larceny you will be imprisoned for two years. As they were committed as part of the same incident the sentences will be served concurrently and will begin from the expiration of the terms of imprisonment you are now serving.

Second, the offence of larceny on 16 September: you will be imprisoned for two years. This was an incident separate from the house-breaking and larceny three days earlier so the sentence will be cumulative on the three years: that is it will start when you have finished serving the three years for housebreaking with intent.

Dated the 29th day of November 2006



THE HON ROBIN MILLHOUSE QC
Chief Justice