

IN THE HIGH COURT OF KIRIBATI) HIGH COURT CRIMINAL CASE No. 50 of 2006
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

THE REPUBLIC
V
TOKIA BWATERIKI

FOR THE REPUBLIC: MS PAULINE BEIATAU
FOR THE ACCUSED: MR KAROTU TIBA

DATE OF HEARING: 9 JANUARY 2007

SENTENCE

Tokia Bwateriki: you have been found guilty of rape. You had been drinking with a group for some hours during the previous evening. In the early hours of the next morning you entered a house where a lady, her husband and grand daughter were sleeping. You had sexual intercourse with the lady without her consent. The first she knew of it was feeling your penis inside her and seeing you above her. You ran away. She chased you and recognized you.

This was a very bad thing for you to do, for two reasons. First because you went into someone else's house in the middle of the night violating the privacy of the occupants and secondly because you violated the lady's person. The lady found you the next morning and gave you a thrashing. Fortunately, apart from the embarrassment and humiliation I expect she felt, she did not suffer injury.


You are 17 years old. You left JSS last year and have been looking for work. You are an active member of the Catholic Youth. You have no previous convictions.

Rape is a very serious crime and must mean a sentence of imprisonment. I take into account in your favour that this is your first conviction, that you are still young, that you received corporal

punishment within hours of committing the crime, that the lady had no lasting physical effects from what you did to her and your active membership of the Catholic Youth.

You will be imprisoned for three years to date from last Tuesday 9th January when you went into custody.

Dated the 11th day of January 2007

A handwritten signature in black ink that reads "Robin Millhouse". The signature is written in a cursive style with a horizontal line underneath the name.

THE HON ROBIN MILLHOUSE QC
Chief Justice