



HIGH COURT OF KIRIBATI

Criminal Case N° 28/2019

THE REPUBLIC

v

TEBWEBWE TERAACA

*Pauline Beiatou, Director of Public Prosecutions, for the Republic
Taoing Taoaba for the accused*

FILE NOTE

- [1] By information filed on 17 July 2019, the accused was charged with 2 counts of false pretences, contrary to section 301(a) of the *Penal Code* (Cap.67), and 1 count of obtaining money on a forged document, contrary to section 338(a) of the *Penal Code*.
- [2] On 22 August, counsel for the accused advised that her client would be pleading not guilty to the charges, and the matter was fixed as the second trial for the week commencing 30 September, with a fallback listing as the priority trial for the week commencing 28 October.
- [3] This morning, on what was to have been the first day of the trial, counsel for the prosecution advised that she was unaware that the matter was listed for this week. This is despite her colleague being present in Court on 22 August. Not only was counsel yet to meet with the prosecution witnesses, she could not presently locate the case file. She asks that the matter be adjourned to 28 October.
- [4] Counsel for the accused comes to Court this morning ready to proceed.
- [5] I am disappointed at the failure of counsel for the prosecution to properly prepare this matter for trial. However, I recognise the community interest in ensuring that, if at all possible, and while safeguarding the accused's right to

