

VON RALPH PANDA -v- REGINAM

High Court of Solomon Islands

(Ward C.J.)

Criminal Case No. 26 of 1991

Hearing: 20 January 1992

Judgment: 20 January 1992

A. Radclyffe for Appellant

R. Talasasa for the Respondent

WARD CJ: This is an appeal against a sentence of 18 months imprisonment for possessing arms and ammunition without a licence.

The seriousness of the offence lies in the fact that the items were purchased to supply to two Bougainvilleans. The main reason for this appeal is that another charged with a similar offence was only fined because the prosecution did not inform the trial magistrate that there was any connection with Bougainvilleans in that case.

Such a disparity, understandably, has left this appellant with a sense of injustice. However, I cannot, because of that, pass what would be an improper sentence for this case and the learned magistrate properly resisted that temptation.

This is a very serious offence. Everyone in Solomon Islands knows of the trouble Bougainville and anyone who supplies arms and ammunition to such people must know he is assisting violence and death.

I feel some sympathy with the appellant because of the other case but I would be failing in my duty to the public if I interfere with a proper, and possibly even lenient, sentence.

Appeal dismissed.

(F.G.R. Ward)  
CHIEF JUSTICE