

**IN THE SUPREME COURT OF TONGA
CRIMINAL JURISDICTION
NUKU'ALOFA REGISTRY**

CR 17 of 2008

REX

-v-

PATELESIO, VILIAMI

BEFORE THE HON. JUSTICE ANDREW

Counsel : Ms Finau for the Crown.
Mr T. Fifita for the Accused.

Date of hearing: 28th March, 2008.

Date of judgment: 31st March, 2008.

JUDGMENT

The accused pleaded guilty to one count of abetment of theft.

The particulars of the offence are that on or about the 24th August 2007 at Kolonga he abetted KOLI MAFILE'O VALU in the commission of theft by fixing a false licence number plate L6539 to a vehicle which he knew to have been stolen by him and painting its windows and wheels in a different colour to conceal its identify but such van was the property of the

government of Tonga (Sales Tax) Registered No P122 and was in the care and custody of MR SEFITA TANGI.

A Summary of facts is as follows and I quote:

"On or about the 24th of August 2007, the accused abetted a friend Koli Mafile'o Valu to commit theft by fixing a license plate to Government van that had been stolen by Koli from the parking lot of the Revenue Department Office. The van's license plate had already been removed when Koli brought it to the accused, so the accused fixed it with a different license plate. The accused told the Police that he already knew this was a stolen van. The accused also painted the van's wheels, windscreen and windows with white paint. He admitted he did this, so no one could see him driving it.

The accused is a first offender."

This is a serious offence involving the stealing of a Motor Vehicle and the subsequent concealment of its identity.

The accused is a young first offender. He is aged 17 and as such he is still a juvenile. I take into account the principle that as far as possible a young first offender will not be sent to gaol.

I take into account the fact that the accused has expressed remorse. He comes from a good family. It seems that he has apologized for what he did and that his life is now back to normal. He is in Form 6 at TAKUILAU COLLEGE and intends to become a carpenter. It seems that in this case he fell into bad company and succumbed to peer pressure.

Nevertheless this is a serious offence. In the circumstances I propose to pass a sentence but suspend that sentence upon condition that the accused undertake community service.

Would you stand up please.

The accused is sentenced to imprisonment for a period of 9 months. The whole of that sentence shall be suspended for a period of 1 year upon condition that the accused is of good behaviour and that he undertake and complete 80 hours of community service.



Andrew J

NUKU'ALOFA: 28 MARCH 2008.

JUDGE