

IN THE HIGH COURT OF KIRIBATI) HIGH COURT CRIMINAL CASE No. 48 of 2006
CRIMINAL JURISDICTION)
HELD AT BETIO)
REPUBLIC OF KIRIBATI)

THE REPUBLIC
V
TEBWEUA TERATABU

FOR THE REPUBLIC: MR DAVID LAMBOURNE
FOR THE ACCUSED: MS JOELLE GROVER

DATE OF HEARING: 2 AUGUST 2007

SENTENCE

Tebweua Teratabu: you were charged with murder but when your trial was to begin you pleaded guilty to manslaughter and the prosecution accepted the plea. Before you were asked to plead I was satisfied, having had the opinion of Dr Barbova, the psychiatrist that you were fit to plead.

During the early afternoon of 1 September 2005 at Ronton on Kiritimati the victim, Rouben Teratabu was sitting with others watching a video. You suddenly appeared. You stabbed him with a toddy knife on the right side of his stomach. He died.

You admitted doing it. You said he had been making you angry by teasing you.

You have made attacks like that before. You have been diagnosed as manic depressive. You will be alright for some time and then, suddenly as when you killed Tebweua, you do something terrible.

In her report of last month the psychiatrist says:

I am of the opinion that Tebweua Teratabu is likely to show violence in the future, could be even homicidal one, and the best criterion in his case is being the previous violent act which caused Reuben's death.

The risk is considerable and still exists.

You may be a danger to other people at any time. I must take that into account in deciding on your sentence.

What you did, to take away another man's life, was a serious crime. It must be severely punished. And I have to remember that you may do the same thing again, unexpectedly, at any time.

The highest penalty for manslaughter is life imprisonment. By sentencing you to life imprisonment I am able to fix a non-parole period – that is the time before which you may apply to the Parole Board to be released.

I have decided to sentence you to life imprisonment – and to fix a non-parole period of eight years. I make a strong recommendation to the Parole Board that when considering your application for parole the Board asks the opinion of a psychiatrist on your mental condition at that time.

You are sentenced to life imprisonment. I fix the non-parole period at eight years to run from 14th November 2006.

Dated the 2nd day of August 2007



THE HON ROBIN MILLHOUSE QC
Chief Justice

NOTE: Originally I directed the non parole period to run from 2nd August 2007. After later discussion with counsel and considering for what periods the prisoner had been either at large or in custody in gaol or in the mental wing of the TCH I directed the non-parole period to run from 14th November 2006 since when the prisoner has been in continuous custody in gaol.

3 Aug 07

