



## HIGH COURT OF KIRIBATI

*Criminal Case No 38/2018*

**THE REPUBLIC**

**v**


**AURAI KOITO**

*Pauline Beiatou, Director of Public Prosecutions, for the Republic  
Raweita Beniata for the accused*

*Date of sentencing: 11 December 2018*

### **SENTENCE**

- [1] Aurai Koito has pleaded guilty to 1 charge of damaging property, contrary to section 319(1) of the *Penal Code* (Cap.67). The maximum penalty is imprisonment for 2 years.
- [2] This case is related to High Court Criminal Review 3/2018, which came to this Court after the prisoner had been sentenced in the Nonouti Magistrates' Court on 17 May 2018 to imprisonment for 1 year following a plea of guilty to charges of damaging property and criminal trespass. More details of both matters are set out in my decision on review.
- [3] Both matters arose out of the same course of conduct. Prior to his release on bail on 1 October, the prisoner had served 4½ months in custody. For the reasons set out in my decision in the other case, it would not be appropriate for him to be punished further. The prisoner is therefore convicted and sentenced to the rising of the court.

  
**Lambourne J**  
Judge of the High Court

