

**BETWEEN:       JOE TIMOTHY TAMBE  
                      KENCY TARI**  
Appellants

**AND:             PUBLIC PROSECUTOR**  
Respondent

Hearing:       22 April 2013

Coram:         Hon. Chief Justice Vincent Lunabek  
                   Hon. Justice John von Doussa  
                   Hon. Justice Ronald Young  
                   Hon. Justice Daniel Fatiaki  
                   Hon. Justice Robert Spear  
                   Hon. Justice Dudley Aru  
                   Hon. Justice Mary Sey

Counsel:       Brittain Yusef for the Appellants  
                   Parkinson Wirrick for the Respondent

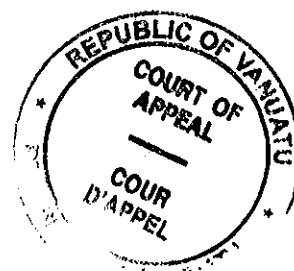
---

**MINUTE**

**26 April 2013**

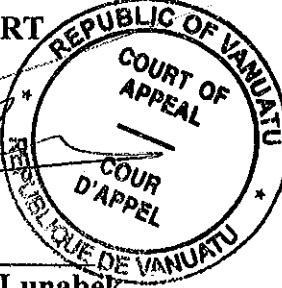
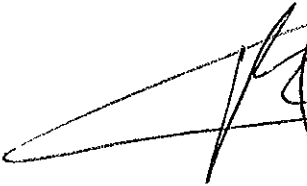
---

1. This Minute is to record the outcome of this case.
2. This was an appeal against both the conviction following trial of the two appellants on a charge of arson and the sentences subsequently imposed.
3. At the commencement of the appeal hearing, Mr Wirrick conceded the appeal. This concession recognised that the trial judge critically relied on evidence of statements taken from two co-defendants (who happened to be discharged during the trial) which evidence was inadmissible against the appellants.



4. This concession was both responsible and appropriate.
5. The appeal was accordingly allowed and the convictions and sentences quashed.
6. In the circumstances, there will be no order for a retrial.

FOR THE COURT



Chief Justice Vincent Lunabek