

In the Supreme
Court of Nauru
(Criminal jurisdiction)

Criminal Case No.2/10

THE REPUBLIC

VS

JOLYN BOTELANGA

Mr. Wilisoni Kurisquila

with Ms. Barina Waqa for the Republic

Mr. Vinci Clodumar for the accused

Sentence date 18th May, 2010.

SENTENCE

Jolyn Botelanga : You have pleaded guilty to twelve counts of forgery, twelve counts of uttering and twelve counts of obtaining money by false pretences. Thirty-six separate offences.

Forgery has a penalty of up to three years imprisonment and so does uttering. Obtaining money by false pretences has a penalty of up to seven years imprisonment.

On twelve occasions between 16th April last year and 20th August you forged Department of Finance payment vouchers, uttered them and got the money for which you had made them out. The amounts of each occasion were between \$8653.00 and \$4321.00. The total of the amount is \$78,644.00.

You were employed in the Department of Finance as a cheque writer. You made out a false payment voucher, printed a cheque for the amount, presented it to the Directorate of Payments for cash. You did this twelve times. It was a course of conduct which you could follow because of the then slackness in the Department of Finance and the temptation this presented. When procedures were tightened up and the Secretary for Finance directed a reconciliation of cheques, what you had been doing was discovered. Questioned by the police you admitted it.

These are your first offences and you have pleaded guilty. That means a lesser sentence than otherwise.


I take into account all that Mr. Clodumar has submitted on your behalf. Also the evidence of Mr. David Aingimea and the letter of support from your Member of Parliament, Hon. Mathew Batsiua.

Yet what you did were serious crimes. \$78,644.00 is a big sum of money. It seems that you used the money to support your family and friends. None has been repaid and it was only yesterday after I had asked counsel about it that you made any offer of repayment. I can't give you credit for the offer. Even if you kept up monthly payments of \$1,000.00 it would take over six years to repay it all.

Mr. Clodumar has asked that you be given a suspended sentence or be released on probation. What you did is too serious for either. People must be deterred from doing the kind of things you did by knowing that when they are caught they will go to gaol. The prosecution has assured us there is separate accommodation available in the gaol even before the facility for women prisoners is ready in about a month.

On each count of forgery and on each count of uttering you will be imprisoned for twelve months. On each count of obtaining money by false pretences you will be imprisoned for two years and three months. It was a course of conduct and the sentences will be served concurrently, at the same time.

This means a total term of imprisonment of two years and three months.



Hon. Robin Millhouse QC

CHIEF JUSTICE