

IN THE SOLOMON ISLANDS MAGISTRATES' COURT
AT HONIARA
Criminal Case Number 584 of 2019.

REGINA

v.

Alister DOCTOR

Before Principal Magistrate Ms. Fatimah Taeburi
Mr. Samuel Tovosia for the Crown.
Mr. Andrew Bosa for the defendant.

Date of Hearing: 18th October 2019
Date of Sentence: 21st October 2019

SENTENCE

1. You pleaded guilty to one count of presence of alcohol in person's blood contrary to section 43A(1)(a) of the Road and Transport Act as amended by the Police and Transport Legislation (Amendment) (Alcohol Testing) Act 2016 and one count of driving without a valid driver's licences contrary to section 20(1) of the Road and Transport Act.
2. I convict you on both counts.
3. You were found driving a motor vehicle on a public road with a valid driver's licenses. You were tested using the breathalyser and it was found that you have present in your blood alcohol beyond the prescribed lawful limit.
4. You were a police officer at the time of the incident. As a police officer and an enforcer of the law, you are expected to know the law. You know fully well that your actions that day were unlawful. As the prosecutor rightly stated, you are supposed to be a role model in the society.

5. I find the following mitigating factors;
6. You pleaded guilty to the charges.
7. You have no previous convictions.
8. I consider you time in service to the people of this country. Your good work must not be overlooked.
9. I also take into account the submissions by your lawyer that you consumed alcohol the previous day which probably resulted in the reading when you were tested.
10. I consider your personal circumstances.
11. The maximum penalty for driving without a valid driver's licenses is a fine of \$5000 or 6 months imprisonment or both.
12. The maximum penalty for presence of alcohol in a person's blood is a fine of \$10,000 or imprisonment of 12 months or both.
13. In the circumstances of your case, I am satisfied that the appropriate sentence is \$1000 for each count. Both sentences are to be served concurrently. Therefore you are sentenced to pay a total fine of \$1000 by close of business on the 4th of November 2019.
14. In default you are to be imprisoned for 40 days.
15. You are also required to enter into a bond to be of good behaviour in your own recognisance and in the sum of \$300 for a period of 1 year.
16. Right of appeal within 14 days.



Fatimah Taeburi

Ms. Fatimah Taeburi
Principal Magistrate