

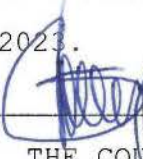
opportunity to elaborate on the plea taken to ensure that it is unequivocal and thereafter entered conviction against your own guilty plea.

4. The facts of this case show that on the 13th of March 2023, you went to the Bulk shop located at Hapai area and picked up a bale of sugar and made your way out of the shop. It was lucky that the Complainant in this matter, Mr Jerome Okekeni, saw and followed after you as you were making your way out of that particular bulk shop. You were led to the shop manager and soon after taken to the Central Police and was later arrested and charged.
5. From the previous court dates, I came to assess you as someone who is not truthful and reliable. I also note that you have 2 past convictions that are similar to the one at hand. This means you have learnt nothing from the punishments previously imposed on you.
6. You said you have no money hence you decided to do what you did, an excuse only given by ill-disciplined children and very outrightly lazy people like yourself. People with such kind of mindset and attitude must be reminded about the consequences they will continue to face if they do not turn away from such wrong doing.
7. Many are being victimized to this action by lazy and arrogant people like you. It was only fortunate that someone had seen you acting strange and had decided to keep an eye on you to see what you were really intending to do. You should be ashamed of yourself for engaging in this kind of behaviour.
8. The courts in sentencing any offender always prioritizes the public interest, hence I now make reference to the case of **Regina v Ball**, which states that the public interest is best served when an offender is punished for his wrong doings and is assisted into turning away from the life of a criminal.
9. The only mitigating factors in your favour is that of your early guilty plea and the fact that you are unrepresented. I see that there is nothing special about your special circumstances, and that it does not really reflect well in terms of this category since you are a strong and single man who is more than capable of doing things that are lawful to support yourself. On the other hand, I note that you were drunk when the incident occurred, I also take into account your level of culpability which I find on the mid-range of the seriousness involved and the past convictions recorded in your criminal record.
10. I take note of the existing sentencing principles and the need to uphold the public interest, such as the need for both ~~specific and general deterrence, rehabilitation, retribution and prevention.~~
11. With the circumstances herein, I will consider a range from 6 months to 2 years, with a starting point of 9 months, minus 2 months for mitigating factors, add 3 months for aggravating factors.

ORDER

- (i) Mr Ellison Kaoni, I order that you serve 1-year imprisonment;
- (ii) Time spent on remand is not considered in this sentence;
- (iii) Right of appeal applies within 14 days from today.

Dated this 25th day of August 2023.


THE COURT

Emily Pakoa*

