

IN THE COURT OF APPEAL OF TONGA
CRIMINAL JURISDICTION

AC 15 of 2014
[CR 8 of 2013]

SIG.
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28/07/14

BETWEEN: FIFITA ULUHEUA LATU - Appellant

AND : REX - Respondent

L. M. Niu for the Appellant
S. Sisifa for the Respondent

DECISION

1. This is an application for leave to appeal by an appellant who was convicted after trial of one count of embezzlement and one count of false accounting. The maximum penalty for each of these offences is 7 years imprisonment.
2. The Appellant, a graduate in accounting studies, embezzled \$30,917 over a 7 month period. She was sentenced to an immediate term of 1 year 9 months imprisonment with a further six months imprisonment suspended for 12 months. Mr. Niu says that this sentence is manifestly excessive. Alternatively he asks for mercy.
3. The Judge delivered extremely comprehensive sentencing remarks in which he took into account all the mitigation advanced including the fact that the Appellant was a youthful first offender only recently married.
4. I can find no error in the Judge's approach and no merits in the proposed appeal against sentence. I have in mind observations of the Court of Appeal in *Wall v R* [2001] To. L.R. 238. The application is refused.

DATED: 3 JULY 2014.




PRESIDENT