ATTORNEY GENERAL'S OFFICE
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'I HE FAKAMAAU'ANGA POLISI
FAKAMAAU'ANGA HIA
FAI'ANGA LESISITA NUKU'ALOFA C/No. EC5/24

'I HE VAHA'A 'O: Polisi

Talatalaaki

MO: Tonga Naeata

Faka'iloa

HILIFAKI TAUTEA ,

Ko e hopo ni 'oku faka'ilo ai 'a e faka'iloa ki he tali e koloa kaiha'a maumau ai 'a e kupu 148(1) 'o e Lao ki he ngaahi hia.

Ko e fakamatala 'o e hia, 'i he pe ofi ki he 'aho 21/5/2023 'i Ma'ufanga na'a ne tali meia Sosefina Motuliki 'a e saliote misini koe car lanu 'uli'uli kalasi ko e Toyota Wish peleti fika T6140 pea na'a ke tui ko e koloa ko ia na'e kaiha'asi.

Na'e tali tonuhia 'a e faka'iloa pea hili hono fanongoa 'o e hopo ni na'e tu'utu'uni ai 'oku halaia 'a e faka'iloa.

'Oku mahino mei he ngaahi mo'oni'i me'a 'o e hopo ni

1. 'I he foomu fakamatala tohi 'a e faka'ilo na'e hiki pe 'e he faka'iloa 'ene tali ko e mo'oni.
2. 'I he'ene statement na'a ne pehe ku ou 'ilo'i ko e me'alele kaiha'a pea 'oku mo'oni pe hono faka'ilo 'o'oku ko 'eku 'alu he me'alele.

Na'e fakahu mai 'e he talatalaaki 'a e lekooti 'o e faka'iloa 'o anga pehe ni:

RECEIVED 21.10.24

Case Number	Offence(s)	Court	Date	Sentence
CR 100/03	Theft	Magistrate Court	14/3/2007	Serve 12 hours of community service and attend Salvation Army's Life Skills Program
CR 53/10	Conspiracy to commit a crime Assault with intent to Rob	Supreme Court	4/7/2011	Both counts are served concurrently with 2 years imprisonment sentence.
CR 462-463 & 521/21	Housebreaking Theft	Magistrate Court	20/10/2021	Sentence to serve 9 months imprisonment sentence fully suspended for 1 year.
CR 656, 659/21	Unlawful possession of illicit drugs	Magistrate Court	10/12/2021	Sentenced to 9 months imprisonment to be concurrent to CR 462-463 & 521/2021.

Na'e to e fakahu mai 'e he talatalaaki 'a e ngaahi tu'utu'uni fakamaau'anga Lahi fekau'aki mo e fa'ahinga hia ko 'eni

(1) **R v Viliami Tu'ipulotu & Heneli Manuofetoa, CR 7 - 8 of 2023**

a. The Defendant (Tu'ipulotu) was found guilty and convicted of receiving HP Laptops valued at $18,500.00.

b. The Defendant (Manuofetoa) was convicted for received electronic goods valued at $27,500.00.

c. Tu'ipulotu was a first-time offender and cooperated with the Police.

d. Manuofetoa was a repeat offender having numerous related and drug convictions.

e. A starting point of 2 of years was imposed for Tu'ipulotu and 2 ½ years' imprisonment for Manuofetoa.

f. In relation to Tu'ipulotu, he was sentenced to 1 ½ years' imprisonment but fully suspended for two years on the condition that he commits no offence, to be placed on probation and conducts 60 hours of community service.

g. In relation to Manuofetoa, he is sentenced to 2 years imprisonment with the final 12 months suspended on conditions.

(2) **R v Ma'ake Kali, CR 211 of 2019**

a. The Defendant was found guilty and convicted after a contested trial for receiving a stolen car valued at $12,000.00

b. For aggravating features, the Defendant had previous convictions for theft and serious house-breaking which are similar in nature and the vehicle was returned in a damaged stage.
c. There were no mitigating features for the Defendant.
d. A starting point of 2 years imprisonment was imposed for the Defendant.
e. The Defendant's sentence was not suspended in any part.
f. However, the Defendant's 9 months suspended sentence in his recent case of CR 16/2019 was reactivated for his current offending breached the suspension period in CR 16/2019.

Therefore, the Defendant was ordered to serve his 9 months imprisonment sentence in CR 16/2019 and only 21 months from his current sentence to be served cumulatively at the expiration of his 9 months imprisonment sentence for CR 16/2019.

Ko ia 'oku ou tu'utu'u ni heni keke ngaue popula he ta'u 'e ua

1. 'I he'eku vakai ki he hopo ni na'e tali tonuhia pe 'a e faka'iloa, ka 'i he'ene statement na'a ne pehe ku ou 'ilo'i ko e me'alele kaiha'a pea 'oku mo'oni pe hono faka'ilo 'o'oku ko 'eku 'alu he me'alele. Ko ia 'oku mole leva 'a e fakasi'isi'i tautea 'o kapau na'e tali halaia.

2. 'Oku hamai mei he lekooti 'o e faka'iloa 'oku 'ikai pe ha liliu 'i he fakakaukau 'a e faka'iloa ke tuku e kaiha'a

3. Fakatatau ki he Mo'unga v R CA 15/97 'e 'ikai ai ke toloi ha konga 'o e tautea

4. Ko ia 'oku ou tu'utu'uni ai heni keke ngaue popula he ta'u 'e 2 'o kamata lau mei he 'aho 14 'o Me 2014 'a ia na'e tauhi ai.

Na'e fai 'eni 'i he 'aho 21 'Okatopa 2024 FAKAMAAU

KINGDOM OF TONGA
MAGISTRATES COURT