

BETWEEN: PUBLIC PROSECUTOR
Port Vila

AND: ROGER DAVID
(Anietyum)
Address: Anaburu area, Efate
Defendant

SENTENCE

HAVING heard submissions from Ms. Lunabek. L, for the State, and the defendant, the Court is satisfied that all elements of the offence(s) against the defendant have been proven beyond reasonable doubt.

THEREFORE the Court finds the defendant guilty as charged and sentences as follows:

1. The starting point given for the offence is 5 years imprisonment but this Court shall give 8 months as its starting point.
2. A one third reduction must be given for the guilty plea. This reduces the sentence to 6 months imprisonment.
3. In considering the mitigating and aggravating factors in your case, the Court finds that a fine and another suspended sentence is inappropriate in your case. You had been sentence to a suspended sentence while you commit this offence. An incarceration will do you good.
4. Upon deliberation of the above, the sentence you served immediately 6 months imprisonment.
5. The Court further orders that, you will serve your 3 months and 3 weeks that you had been sentence in Criminal case 83 of 2017.
6. Both sentences shall be served consecutively.
7. You have 14 days to appeal this decision if you are not satisfied with this decision.

Dated at Port Vila on this 20th day of August, 2021

BY THE COURT
REPUBLIC OF VANUATU
MAGISTRATE
Laloyer. A
Acting Chief Magistrate
REPUBLIC OF VANUATU