

PUBLIC PROSECUTOR VS- MATESON HARRY

Coram: *Mr. Justice Oliver A. Saksak*

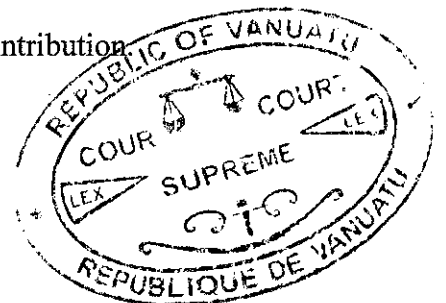
Counsel: *Philip Toaliu for Public Prosecutor*
Francis Tasso and Lorenzo Moli for Defendant

Date of Plea: *3rd July 2018*

Date of Sentence: *5th July 2018*

SENTENCE

1. Mateson Harry you are for sentence today for having pleaded guilty to one charge of sexual intercourse without consent, contrary to sections 90 and 91 of the Penal Code Act. The maximum penalty for this offence is life imprisonment.
2. Your victim was a student. You made invitation to her to do laundry for you but yet you abused her and had sex with her. There was a serious breach of trust. There was a great age difference. And pregnancy resulted from your sexual intercourse with her. You took advantage sexually of this young girl. PP.v. Gideon establishes a clear principle that men who take advantage sexually of young girls forfeit the right to remain in the community.
3. You are therefore convicted and sentenced to imprisonment for a starting sentence of 9 years imprisonment. There will be no uplift.
4. In mitigation I allow reductions for-
 - a) Custom reconciliation ceremony showing remorse and contribution
 - b) No previous conviction and good clean past.



- c) Your contribution to community.
 - d) Cooperation with the police.
5. I deduct 2 years for these factors leaving the balance of 7 years imprisonment.
 6. I make a further 1/3 reduction for early guilty plea which is 2 years and 4 months leaving the balance of 4 years and 8 months. I deduct the 5 months you had spent in custody on remand, leaving your end sentence to be 4 years and 3 months.
 7. Your end sentence of 4 years and 3 months shall commence today.
 8. You have a right of appeal against this sentence within 14 days if you do not agree with it

DATED at Lamanu Bay Epi, this 5th day of July 2018

BY THE COURT


OLIVER.A.SAKSAK

Judge

