

BETWEEN: Public Prosecutor

**AND: Pascal Buleshi Signanbo, Andre Bule Molku,
Osten Tabi, Etienne Tabi, Benedict Tabiusu,
Harold Tabiusu, Yen Tobago, Hibure
Bulesispat, Jules Bulememe, Edward
Buletali, Zepherain Bule Signanbo, Jean
Baptiste Tabi, Arsene Bulesiganbo**
Accused

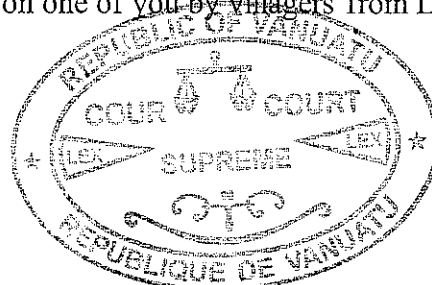
Date of Sentence: 15th day of December, 2023

Before: Justice E.P. Goldsbrough

*In Attendance: Simeon, G for Public Prosecutor
Taleo, B for the Accused*

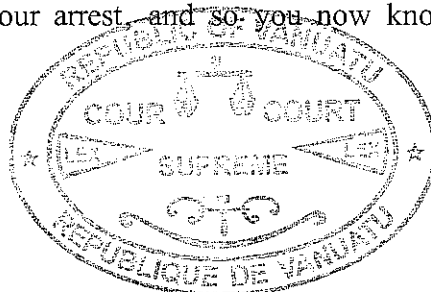
SENTENCE

1. Pascal Bulesih Signanbo, Andre Bule Molku, Osten Tabi, Etienne Tabi, Benedict Tabiusu, Harold Tabiusu, Yen Tabiaga, Hibure Bulesispat, Jules Bulememe, Edward Buletali, Zepherain Bule Signanbo, Jean Baptiste Tabi, Arsene Bulesiganbo, you all pleaded guilty to two offences which took place on 26th September 2023 of unlawful assembly and also riot. This all took place at the same time and will be treated as one offence.
2. Pascal Bulesih and Andre Molku, you together pleaded guilty in addition to three offences of arson, that is, burning down the houses of Francois Bulemis, Marie Veronic and Jean Patrick.
3. Your counsel has confirmed that the guilty pleas as entered accord with the instructions that you have given. Your counsel also confirms that the statement of facts is correct, save that the offences occurred in Central, not South, Pentecost. You set off for this village, intent on revenge for an earlier attack on one of you by villagers from Lalsel village when



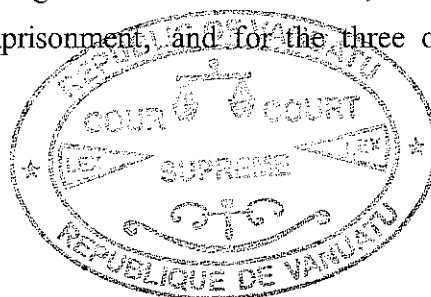
Pascal was injured. You encountered resistance in that village, but this did not stop the burning down of property.

4. Underlying all of this is a land dispute which remains unresolved. It causes unrest between villages and, from time to time, escalates into reciprocal violence. This is but one manifestation of that underlying issue. This Court has not been told what stage that land dispute has reached in terms of resolution, but it must be clear to all that steps must be taken to restore calm, peace and order to this area. There is criticism that the police favour one side over another, which must be investigated to regain confidence in the police force.
5. Substantial damage was caused to all the houses, which were burnt, and the contents of each home. Two of the houses were only recently completed, presumably after cyclone repairs. Surely, people understand that there is enough damage caused to property through natural weather events without people suffering additional damage through man-made disasters.
6. Unlawful assembly carries a maximum sentence of three years imprisonment, and riot ten years imprisonment. Arson carries a maximum sentence of ten years imprisonment. These maximum penalties assist the Court in determining a starting point for any sentence when considering the offences' features.
7. This was a deliberate and planned attack on others. Weapons were carried. Violence was threatened against any villager present, not only those involved in any earlier attack. On the part of Pascal and Andre, dwellings were destroyed. Substantial property was damaged or destroyed, some of which may have taken years to acquire. All of these things make this offending serious. It does not consider the fear that must have been brought about in innocent people at Lalsel Village.
8. There are pre-sentence reports prepared by the Probation Service which have assisted the Court in dealing with this case. Those reports were both valuable and thorough and were ready in good time. The Court is grateful for that and for the submissions from counsel.
9. None of you appears to have been in trouble with the law before, and so this appearance means that you each lose the previous good character that you had. Each of you spent some time in prison following your arrest, and so you now know what it feels like to be



imprisoned. That time began on 17th October and ended on 7th November, so it was for three weeks. Given your exposure to that, you might want to avoid the same in the future. You have been looked after and housed here in Santo since your release by people of the Pentecost community who live in Luganville. They have extended a welcome and ensured that you could attend court. The Court is particularly grateful for the assistance of Chief Erick Tabibang and others.

10. Also in your favour is that you pleaded guilty at the earliest opportunity. There has been a customary reconciliation between your chiefs but not between you and the families affected. That is still to be undertaken, and the victims do not wish to participate until compensated for their losses. It is doubtful that any of you can pay the victims the value of the property they lost from your actions. Natural events cause enough damage without additional damage caused by humans.
11. A starting point for unlawful assembly and riot offences is 12 months imprisonment. A starting point for the three offences of arson is three years. Those starting points are reduced to shorter sentences because of your early indication of a guilty plea. Those of you who were involved only in the unlawful assembly and riot will not go to prison today. You have already served 22 days, which is enough. You will each be sentenced to perform unpaid community work for 80 hours. The two of you who went on to burn down the three houses will be sentenced to imprisonment. That sentence will be reduced from three years to two. It will be suspended for two years. You will perform unpaid community work for 120 hours and pay compensation to the three victims of VUV 300,000 in total from all of you. That compensation will not cover all of the property that you damaged, but it will go as far as you can afford within the next twelve months. Your co-offenders should help you pay like they helped you commit the offences. When that can be arranged, there must be a customary reconciliation with the real victims where, if you wish, your offer to help in rebuilding can be further discussed.
12. In summary, Osten Tabi, Etienne Tabi, Benedict Tabiusu, Harold Tabiusu, Yen Tabiaga, Hibure Bulesispat, Jules Bulememe, Edward Buletali, Zepherain Bule Signanbo, Jean Baptiste Tabi, Arsene Bulesignanbo you are each sentenced to perform community work for 80 hours. Pascal Bulesih Signanbe and Andre Molku, for the offence of riot, you are sentenced to 12 months imprisonment, and for the three offences of arson, you are

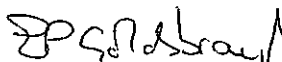


sentenced to two years imprisonment to run concurrently, all suspended for two years. In addition, you will perform 120 hours of community work.

13. A total of VUV 300,000 compensation is ordered to be paid between you within the next twelve months. You are advised not to leave it for next December to begin paying but to pay each month towards it.
14. The suspended sentence means that you do not go to prison today but will go to jail if you commit any criminal offence within the next two years. Keep out of trouble; you will not hear about this again after two years.
15. Unpaid community work requires you to complete a number of hours without pay under the supervision of the Probation Service. If you do not complete or do the work well, you can be brought back here and dealt with differently.
16. You have a right of appeal but must exercise that right within 14 days of today.

DATED at Luganville this 15th day of December, 2023.

BY THE COURT



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E.P. Goldsbrough
Judge of the Supreme Court

