

**IN THE SUPREME COURT
OF THE REPUBLIC OF VANUATU**
(Criminal Jurisdiction)

**Criminal
Case No. 22/1945 SC/CRML**

BETWEEN: Public Prosecutor

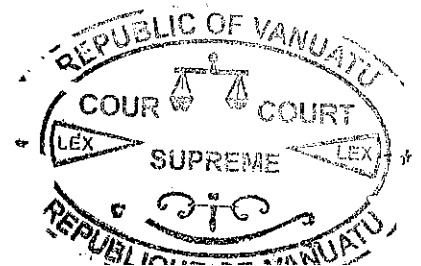
AND: Mike Rarua
Defendant

Coram: Justice Aru

Counsel: Mr. C. Shem for the Public Prosecutor
Mr. L. Moli for the Defendant

SENTENCE

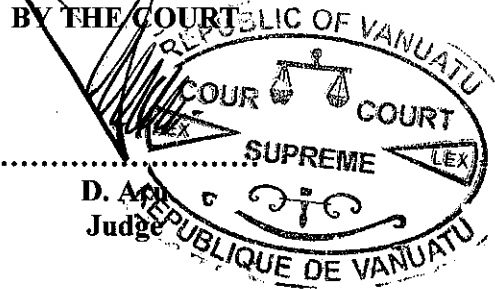
1. You were jointly charged with Tommy Moruk and William Kai. You pleaded guilty to one count of unlawful entry and one count of theft.
2. You were not sentenced together as you absconded. William Kai was sentenced on 21 December 2022 by himself as Tommy Moruk also absconded but was later sentenced on 24 January 2023. The facts are the same.
3. The starting point of your sentence is four years imprisonment on the lead offence being unlawful entry of a dwelling house used for human habitation.
4. For your guilty plea the sentence start point is discounted by one third.
5. As a first-time offender your sentence start point is further reduced by 12 months.
6. A further deduction of 6 months is allowed for the 4 years delay by the prosecution in prosecuting the matter.
7. The end sentence is 12 months imprisonment for unlawful entry and 5 months imprisonment for theft to be served concurrently.
8. You breached your bail conditions by absconding and a warrant was issued for your arrest. Your sentence will not be suspended. A custodial sentence is warranted to serve as a deterrent to your future offending. You must present yourself to the Centre Manager of the Correctional Centre in Vila by no later than 26 June 2023 unless you elect to begin serving your sentence immediately.
9. Should you fail to comply the Correctional Centre Manager may apply for a warrant for your arrest.



10. You have 14 days to appeal if you are not satisfied with the decision.

DATED at Port Vila this 17th day of June, 2023

BY THE COURT OF VANUATU
COURT OF VANUATU
SUPREME COURT
REPUBLIC OF VANUATU
REPUBLICQUE DE VANUATU

The seal of the Supreme Court of Vanuatu is circular. It features a central emblem with a scale of justice and a sword. The text "COURT OF VANUATU" is written in an arc at the top, and "REPUBLIC OF VANUATU" is written in an arc at the bottom. The word "SUPREME" is prominently displayed in the center. There are also smaller inscriptions: "LEX" on the left and "LEX" on the right, and "REPUBLICQUE DE VANUATU" at the very bottom.

D. Afi
Judge