

IN THE FIJI COURT OF APPEAL

Appellate Jurisdiction

Criminal Appeal No. 64 of 1984

Between :

ORISI VASUGA

Appellant

- and -

R E G I N A M

Respondent

Appellant in person.
Mr. V. J. Sabharwal for the Respondent.

Date of Hearing : 5th March, 1985

Date of Judgment : 5th March, 1985

JUDGMENT OF THE COURT

Speight, V.P. (Orally)

We recognize that the appellant is young and that he will, as he says, find imprisonment a great hardship. He also says that he with his fellows was drunk and he did not intend the consequences which followed their actions. All these factors were known to the sentencing judge. Indeed the absence of an intention to kill had already been recognized by the reduction of the original charge to one of manslaughter. Crimes of violence whereby innocent persons are killed in the course of burglaries and robberies have become very prevalent; and in this case the beating which was inflicted upon the unfortunate victim was a prolonged one. The Courts have a duty to the community

2.

to make sure that adequate punishment is imposed in cases of prevalent offences in order to deter others.

We recognize that the appellant has no great criminal record, and in view of that it may well be that good behaviour in prison will show him some reward.

But the crime was a most serious one. The appeal is dismissed.

J. H. ...
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Vice-President

J. H. ...
.....
Judge of Appeal

J. H. ...
.....
Judge of Appeal