

IN THE FIJI COURT OF APPEAL

CRIMINAL JURISDICTION

CRIMINAL APPEAL NO. AAU0009 OF 1996S
(High Court Criminal Case No. 13 of 1993)

BETWEEN:

JONETANI SEREKA

APPELLANT

-and-

THE STATE

RESPONDENT

Appellant In Person
Ms. R. Olutimayin for the Respondent

Date and Place of Hearing : 26 February 1997, Suva
Date of Delivery of Judgment : 26 February 1997

JUDGMENT OF THE COURT

The appellant appeals against a sentence of 8 years imprisonment on a charge of rape. The victim was a 17 year old girl and she was subjected to dreadful violence not only before and during the rape but also by at least two others who followed his example. The two others were also sentenced to 8 years imprisonment. One of them appealed to the Court of Appeal but his appeal was dismissed.

We are satisfied that the sentence of 8 years was a moderate and proper one in all the circumstances and the appeal is dismissed.

M. Casey
.....
Sir Maurice Casey
Judge of Appeal

Gordon Ward
.....
Mr. Justice Gordon Ward
Judge of Appeal

P. Hillyer
.....
Mr. Justice Peter Hillyer
Judge of Appeal