

**IN THE SOLOMON ISLANDS MAGISTRATE'S COURT  
AT HONIARA  
Criminal Case 815 of 2018**

**Regina**

**V**

**Daniel KOTIU**

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Before: Principal Magistrate Ms. Fatimah Taeburi  
Mr. Iete Tepakota for the Crown  
Defendant is self-represented

Date of Hearing: 3<sup>rd</sup> September 2018  
Date of Sentence: 4<sup>th</sup> September 2018

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**SENTENCE**

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1. You pleaded guilty to one count of domestic violence contrary to section 4(1)(a) and 58 of the Family Protection Act.
2. I convict you.
3. The facts in your case are that you were drunk on the night in question. You went home and accused your wife of having extra-marital affairs.
4. You then assaulted her by punching her face.
5. The aggravating factors in your case are firstly that you assaulted a woman. This woman is your wife. And from what you told me yesterday, she could have been pregnant when you assaulted her. You are supposed to look after her, protect her and provide for her. I accept that you are a newly married couple. You told me that you have been living with this woman for a couple of months prior to the incident. I do accept that marriage can be difficult at times. Nevertheless you must learn to manage your temper and learn to treat your wife with respect and love.
6. The second aggravating factor in your case is that you have 14 previous convictions. All your prior convictions involve violence, aggression and disrespect towards other people. It shows that you have a problem with the use of violence. It also shows that

after 14 convictions, you still have not learnt that it is wrong to assault or disrespect others.

7. I take the following mitigating factors into account;
8. Firstly that you pleaded guilty at the earliest opportunity.
9. You were very remorseful in court.
10. You are a very young man. You are now only 24 years of age. I must say that it is sad to see a young man like you with a lot of potential spend a good part of his life behind bars.
11. I hope that you will change. You said yesterday that you are now married and your wife is about 5 months pregnant. I see a light at the end of the tunnel for you. I have hope that this child is going to bring about changes in your life.
12. In the circumstances of your case I feel that the appropriate punishment is 3 months imprisonment. You will start to serve this sentence after your current sentence is expired.
13. Right of appeal within 14 days.



Ms. Fatimah Taeburi  
Principal Magistrate