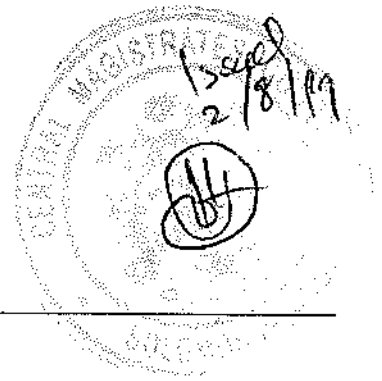


IN THE SOLOMON ISLANDS MAGISTRATES' COURT  
AT HONIARA  
Criminal Case No. 50 of 2019



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REGINA

V

GABRIEL MATAKI

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Before: Principal Magistrate Ms. Fatimah Taeburi  
Sergeant Lyndon Adifaka for the Crown  
Mr. Rodney Manebosa for the Defendant

Date of Hearing: 24<sup>th</sup> July 2019

Date of Sentence: 25<sup>th</sup> July 2019

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**SENTENCE**

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Introduction

1. You pleaded guilty to one count of domestic violence against the Family Protection Act.
2. I convict you.
3. You slapped your wife twice on her face.

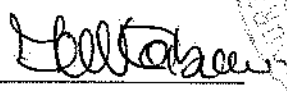
Aggravating factors

4. There is a breach of trust. You are expected to protect wife from harm. You were the abuser in this instance. You must learn to treat your wife with love and respect at all times, even in times of arguments and frustrations. I accept that every marriage has their problems and married people do disagree and argue. But we must all learn to resolve your disputes and disagreements with love and respect.

5. You were drunk when you committed the offence.
6. You have previous convictions on offences involving the use of violence and alcohol. It shows that you have not learnt from past experiences. The fact of prior conviction does not aggravate the current offending but it means that I cannot treat you like a first time offender.

Mitigating factors

7. You pleaded guilty.
8. I take into account that you have reconciled with your wife. It is obvious that you have anger management issues. I understand that no one is perfect, we are all human beings. I encourage you and your wife to address your issues together. These are the experiences that will strengthen your relationship. Learn to appreciate the goodness in each other and support, encourage and assist one another to address your weaknesses.
9. The maximum penalty for the offence you committed is 3 years imprisonment or 30 000 penalty units.
10. I have seen a lot of domestic violence cases. The facts in this case are far less serious compared to the others.
11. In my view the appropriate sentence in the circumstances of this case are as follows;
12. Fine of \$500 to be paid to the state within 14 days from today. In default imprisonment for 15 days.
13. Bound over to be of good behaviour for 1 year in own recognisance and in the sum of \$300.
14. Right to appeal within 14 days.

  
Ms. Fatimah Taeburi  
Principal Magistrate

