

IN THE SOLOMON ISLANDS MAGISTRATES' COURT  
AT HONIARA  
Criminal Case No. 450 of 2019

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REGINA

V

JEFFERY FESTO

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Before: Principal Magistrate Ms. Fatimah Taeburi  
Mr. Steward Tonowane (DPP) for the Crown  
Mr. Charles Kwana for the Defendant

Date of Sentence: 19<sup>th</sup> March 2020

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## Sentence

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1. Mr. Festo has pleaded guilty to one count of sexual intercourse of a child under 15 years contrary to section 139(1) of the Penal Code (Amendment) (Sexual Offences) Act 2016.
2. At the time of offending, the accused was 17 years old and the victim was 14 years old. They are both children.
3. They had consensual sexual intercourse. I enter criminal conviction.
4. There are no aggravating factors in this case except to say that the courts will stretch its arm to protect our young girls and children. The responsibility to protect our girls and children from sexual exploitation lies on all individuals in the society.
5. In mitigating, I take the following factors into account;

6. You pleaded guilty to the charge.
7. You have no previous convictions.
8. You are a young person of 17 years. I accept that young people in your age are very curious and adventurous in terms of their sexuality.
9. I take your personal circumstances into account.
10. The maximum penalty for the offence committed is 15 years imprisonment. I consider the sentencing options provided in the Juvenile Offenders Act.
11. You are sentenced to imprisonment for 1 year to be wholly suspended.
12. Right to appeal 14 days.