

IN THE CENTRAL MAGISTRATES' COURT
OF SOLOMON ISLANDS

Criminal Jurisdiction

Criminal Case No.: 915 of 2018

On the 8th day of April 2020
Before Ricky Iomea, Deputy Chief Magistrate



Counsel for the Accused: Stanley Aupai of PSO

Counsel for the Prosecution: Hellen Sekivara Naqu of ODPP

BETWEEN:	REGINA	Complainant
AND:	OXLEY TAISIA VAHI	Accused

SENTENCE

- 1) The Accused, Oxley Vahi has been charged with one count of Domestic violence contrary to section 58 (1) and read with section 4 (1) (a) of the Family Protection Act (2014). He was found guilty after trial and accordingly was convicted. Today is for the Court to pass sentence on him.

The facts established at trial

- 2) The Court found that the Accused, on 6th May 2018, at the Central Police Station Barracks, physically abused the complainant, Dorothea Sangatu who was his fiancé by beating her on her hands and thighs. This had also resulted in her finger being fractured. This occurred at room 25 of the Central Police Station Barrack where the Accused was occupying. The complainant was hit about five times with a weapon.
- 3) The Medical report by Dr. Patrick Haisoma revealed that the complainant was presented with swelling to the back of her head, both forearms, hands and thighs, bruises was noticed at her thighs, legs and hands. A lacerated wound at her leg. Patient was unable to walk. X-ray shows fracture on his left hand. Tissues swelling on her forearms.

Aggravating factors

- 4) The Accused is a Police Officer when he committed the offence. He was entrusted with trust and has a great responsibility on his shoulder to maintain law and order. There is a high expectation that those who are responsible for enforcing the law must also adhere to the law. In this instance, the Accused had breached that trust and responsibility.

Mitigating factors

- 5) The Accused is a first time offender.
- 6) It is noted that the Accused and his fiancé and her family had reconciled after the incident and have been living together well ever since.
- 7) The Accused has made the assurance or promise that he will not repeat what he did.


General deterrence

- 8) The principle of general deterrence is an important consideration in this case. Domestic violence must be discouraged, condemned and deterred by imposition of appropriate sentences.

Sentence orders

- 9) Having considered all the relevant facts and circumstances including aggravating and mitigating factors, I consider that a substantial fine will still serve as an appropriate punishment and will still fulfil the purpose of deterrence.
- 10) The defendant is sentenced to pay a fine of \$5,000.00. In default, three months imprisonment. The fine is payable by 4:30 pm today.

The Court,



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Ricky Iomea - Deputy Chief Magistrate

