

**IN THE MAGISTRATES COURT
OF THE REPUBLIC OF VANUATU**
(Criminal Jurisdiction)

Criminal
Case No. 21/1497 MC/CRML

PUBLIC PROSECUTOR

V

DUDLEY TARI ULU

In Attendance: *Mr. Philip Toaliu for the State*
 Mr. Lorenzo Moli for the defendant

SENTENCE

A. Introduction

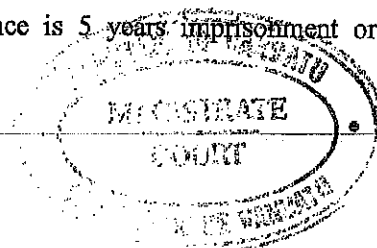
1. Mr. Dudley Tari Ulu pleaded guilty on the charge of domestic violence.
2. He is convicted on agreeing to the summary of facts.

B. Facts

3. The complainant Mr. David Hilton is the father of the defendant.
4. He alleges on 9 May 2021 at around 2.00 am whilst at their home at Independence Park area, the defendant went home and was under influence of alcohol. They started arguing over the defendant's younger brother as it was the defendant who had to take care of him while his father goes to work. Their mother had left the home and separated with the complainant. The defendant then assaulted the complainant multiple times. No documentary evidence is given in relation to any injuries which may have been sustained by the complainant.

C. Sentence starting point

5. The maximum penalty of domestic violence is 5 years imprisonment or hundred thousand vatu fine.



6. There are no mitigating aspect of the offending. The aggravating factors are:
- o The offending occurred in the confine of the complainant's home where everyone are entitled to feel safe and secure.
 - o Perpetration of violence at odd hour where everyone is asleep and the complainant could have been devastated had the violence is serious.

D. Deductions for Guilty Plea

7. The defendant pleaded guilty at first opportunity. He is entitled to one-third reduction.

E. End Sentence

8. Defendant is unemployed and it would be impracticable for a fine to be imposed on him for his offending.
9. In overall view of the matters discussed in relation to the defendant's offending, he is ordered to serve community works sentence of 60 hours.
10. He is to see the Probation officer forthwith and not later than 72 hours in relation to the community work sentence.
11. He has 14 days to appeal to the Supreme Court if he is not satisfied with this sentence.

DATED at Port Vila this 11th day of May 2021

BY THE COURT

MOSES PETER
Senior Magistrate

