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

Case No. 25/1789 CRML

PUBLIC PROSECUTOR

V

SAMMY RAPTIK

Coram: *Fsam SM*

Counsel: ***Mr. George_M- State***
Defendant.

SENTENCE

Background/Introduction

1. Mr.Sammy Raptik, you pled 'hemi tru' to two (2) counts of domestic violence and one (1) count of idle and disorderly on the 24th of June, 2025.

Facts

2. The facts to your offending are that you and the complainant are in a defacto relationship, and on the night of 16th June, 2025, you were drinking alocholic liquor and while under the influence of alcohol, you had asked the complainant to accompany you to a liquor shop at Tagabe, Wan Smol Bag area, when you assaulted another man causing the complainant to be afraid and while she was trying to walk away towards home, you followed after her and punched her head and face and body. You damaged her clothes causing her to cover her body with a sweater ('cool shirt'). you then dragged her on the white gravel road until the complainant managed to run away from safety to get the police.

3. You then went on toward home to where you step son was sleeping and you kicked him on his mouth, causing him to suffer pain and crying that night.

4. I consider your guilty pleas and admission to the facts of your offending, and I find you guilty of the two counts of domestic violence and one count of idle and disorderly.

Starting Point

5. The maximum penalty for the offence of domestic violence is an imprisonment term of 5 years, or a fine of VT 100,000 or both fine and prison term, and for idle and disorderly, an imprisonment term for 3 months. Such penalties imposed by the law makers of this country reflect the seriousness of your wrong doing

6. The accepted aggravating factors to your offending are that:

1) You assaulted your de facto partner and your step son, both being vulnerable to your offending.

2) Both complainants suffered pain and injuries following your assault.

3) Your step son is 10 years of age, and the offending upon him is very aggravating causing him to be traumatized from the experience of the assault.

4) Your offending occurred at night.

7. There is no mitigating factor to your offending.

8. I set a global starting point of 24 months or 2 years given each count resulted from the same chain of event.

Guilty Plea & Mitigating Factors

9. You are entitled to one third (1/3) deduction for your guilty plea arriving at 16 months imprisonment from the starting point.

10. You stood before me today saying you apologies for your actions, having realised what you did is wrong, and I take it as you being remorseful for your actions.

11. You have no prior convictions and that you are continuing on today in your relationship with the complainant in this case, however that does not mean you cannot now be punished.

12. Mr. Raptick, I sentence you to an end sentence of 12 months imprisonment for the 2 counts of domestic violence and one count of idle and disorderly to be served concurrently.

Suspension of Sentence

13. And given the relevant consideration, I suspend your sentence for a period of 1 year, within which you are further ordered to be under supervision, and where you are to engage in anger - management and alcohol related programme.

14. This means you will be placed under the supervision of the probation officers responsible who will help you in carrying out this sentence.

15. However in the event you reoffend during the suspended period of your sentence, the suspension may be uplifted and you will have to serve the prison term ordered upon you.

Reason for Sentence

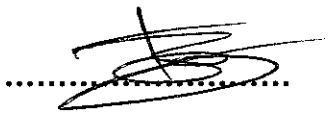
16. Your sentence serves as punishment for your wrong actions, as well as to deter you and like minded offenders from committing similar offence, and especially when it comes to domestic violence, that this court will not condone such violence in family relationship.

17. Your sentence is also necessary to give you a chance to rehabilitate from your unlawful acts.

18. Your have the right to appeal within 14 days if you are not happy with your sentence.

DATED at Port Vila, this 11th July, 2025.

BY THE COURT



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FSam

Senior Magistrate