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

Case No. 25/2693 CRML

PUBLIC PROSECUTOR

V

BOE WARAWARA

Date of Plea & Sentence: 11th December, 2025.

Coram: *SM FSam*

Counsels: *Mr. Paul T. – Prosecution.*

Mrs Kylie K. - Defence.

SENTENCE

Introduction

1. Mr. Boe Warawara, you had pleaded guilty to one count of intentional assault causing temporary injuries and one count of domestic violence on the 4th of December, 2025.

2. I see that you concede through your counsel, to the facts of the offending and along with your guilty plea, I find you guilty of the two charges against you.

Facts

3. You are in a de facto relationship with the complainant Ms. Melissa Pakoro. The facts in relation to the crime you committed, Mr. Boe Warawara are that on the 4th of September, 2025, at your residence at Pango area, you were discovered by the complainant with another woman in your bedroom. The complainant asked to come in to collect her things, when the other woman open the door and as she got in, and while she was packing her clothes into her backpack, you then intimidated her by cutting the rope of her backpack and proceeded to cut her clothes with a pair of scissors. You went ahead to tear her T-Shirt and assaulted her using a black charging

cable, by whipping her on her right hand and right thigh. You also punched her on the face, resulting in a cut to her lower lip.

4. A medical report of the injuries to the finger was tendered in as evidence for the prosecution, confirming the injuries on the complainant's thigh, hand and lower lip from the assault.

Aggravating Factors:

5. There are no mitigating factors to the offending, and consideration is made to the maximum penalty and aggravating factors to the offending.

6. The maximum penalty for intentional assault causing temporary injuries is 5 years imprisonment. And for the crime of domestic violence, a penalty of 5 years imprisonment or 100.000VT fine or both such imprisonment term and fine.

7. The accepted aggravating factors include:

1) The offending happened at home, a place where the victim was supposed to feel safe and protected, and the assault you caused upon her is seen as a violation of the trust and security that should exist in a domestic or family relationship.

2) Your offending resulted in a breach of trust - the complainant's trust towards you as the caregiver or protector is being violated through your assaults upon her.

3) You used objects such as charger cable and scissors to assault and intimidate the complainant.

8. Having so considered, the relevant cases cited, I set a global starting point of 2 years imprisonment for both offence.

Guilty Plea & Mitigating Factors.

9. I acknowledge your guilty plea given at the earliest available opportunity accorded to you, and I allow a full one third deduction for this, leaving a balance of 16 months imprisonment from the starting point.

10. I also consider you have no prior convictions, you are 30 years of age and come from Malo Island, you have four children, all dependent on you as the sole bread winner, you have outstanding financial commitment as to some loans you are committing yourself to repaying, and that you have reconciled with the complainant in this case.

11. I allow further deduction of 4 months for your personal factors.

End Sentence

12. Your end sentence Mr. Boe Warawara is 12 months imprisonment to be served concurrently for each of the two counts.

Suspension of Sentence

13. I have considered the relevant factors as to whether or not to suspend your sentence and I am prepared to allow suspension of your sentence for a period of 1 year.

14. This means you must remain of good behaviour and must not reoffend throughout the period of suspension, because in the event you do reoffend, the suspension may be uplifted and you must serve the 12 months prison term imposed upon you.

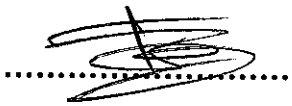
Reason for Sentence

15. This sentence serves to deter you and like-offenders from committing similar offence, and as punishment for this kind of offending, and to denounce such offending to the community.

16. You have 14 days to appeal your sentence if you are not happy with it.

DATED at Port Vila, this 11th December 2025.

BY THE COURT



FSam

Senior Magistrate.