

OF 27<sup>th</sup> July 1982

Public Prosecutor -v- Edmond Rolland

Coram: The Chief Justice Mr. F.G. Cooke.  
Mr. F. Coté, Public Prosecutor.  
Mr. P. Malsangai, Assessor.  
Mr. J. Bolango, Assessor.  
Miss J. Walsh, Chief Registrar.

JUDGMENT

In this case the accused a French National from New Caledonia, arrived in Vanuatu early in 1982. Between the 29th of April and the 8th of May 1982, he entered the house of the Bochenska family and stole therefrom 13 US dollars and a cheque book belonging to the family. He forged 13 cheques and with the 13 forged cheques he obtained goods from various stores in Vila to the sum of 65,000VT.

The accused pleaded guilty to:-

Count one - entering the house of the Bochenska.  
Count two - theft of 13 US dollars.  
Count three - to fifteen - forging 13 cheques.  
Count 16 to 28 - using 13 forged cheques.

I accepted his plea and convicted him on the 28 counts.

The accused in his statement in court said that the immigration had given him until the 8th of August to leave the country. That he wanted to work up to the 8th of August and then buy his ticket and go back to Noumea. That he wanted to be free to work and that he had apologised to Mrs. Bochenska. That he returned certain items to the shopkeepers. That he intended to repay the money this month.

The accused admitted to similar offences in Noumea between 1962 and 1979 and asked these not to be taken into consideration.

This case was carefully considered by myself and the assessors.

The sentence on the first count carried a maximum sentence of twenty years.

For forgery 12 years and using a forged document knowing it to have been forged 10 years.

Such sentences indicate clearly the gravity of such offences.

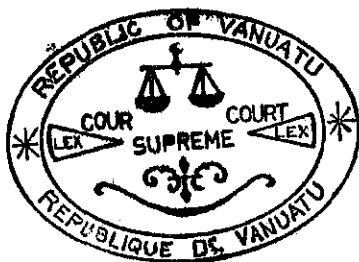
The accused had a record of eleven convictions in Noumea which he admitted.

The offences in Noumea were similar to the charges before the Court. The manner in which the accused went from shop to shop in Vila and was able to convince the shopkeepers to part with goods on forged cheques to me indicates that he was experienced in doing such.

In my opinion a deterrent sentence had to be imposed to indicate to others coming to Vanuatu, that such offences will not be treated leniently.

Viewing all the circumstances, I considered that the least sentence I could impose on the accused was one of four years imprisonment, on each count, the sentences to run concurrently.

The accused intimated that he wished to appeal against the sentence.



*Frederick G. Cooke*

Frederick G. Cooke.

Chief Justice.

Dated the 27th day of July 1982.