

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

**Criminal  
Case No. 16/2400 SC/CRML**

**BETWEEN: Public Prosecutor**

**AND: Korah William**  
**Accused**

*Date of SENTENCE: 18<sup>th</sup> day of August, 2016 at 11:00 AM*  
*Before: Justice Mary Sey*  
*In Attendance: Counsel – M. Taki for the State*  
*Counsel – H. Rantes for the Defendant*

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**SENTENCE**

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1. Section 107 of the Penal Code provides that no person shall commit intentional assault on the body of another person. If damage of a temporary nature is caused then the penalty prescribed under Section 107(b) is imprisonment for 1 year.
2. I have taken into consideration the mitigating factors put forward by defence counsel and in view of the circumstances of the case and considering the character of the accused I shall exercise my discretion to temper justice with mercy. In the result I hereby sentence the accused to 6 months imprisonment to which I shall give him credit for one third reduction as he is a first time offender leaving an end sentence of 2 months which is wholly suspended for 2 years.
3. The accused is hereby warned that in the event he commits another offence during such period of suspension the sentence will become operative.

**DATED at Port Vila, this 18<sup>th</sup> day of August, 2016.**

**BY THE COURT**

  
Mary Sey  
Judge

