

BETWEEN: Public Prosecutor

AND: Tom Peter

Defendant

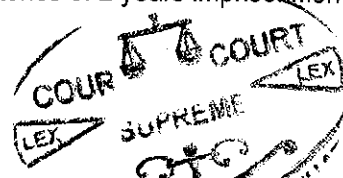
Dates of Plea: 29th April 2024
Date of Sentence: 30th April 2024

Before: Justice Oliver A Saksak

Counsel: Ms Florence Sewen for Public Prosecutor
Mr Reggie Melsul for the Defendants

SENTENCE

1. Tom Peter pleaded guilty to one charge of Domestic violence on 10th July 2023 and is here today for sentence.
2. On 20th February 2022 the defendant assaulted his partner. His action amounted to domestic violence contrary to section 4 and 10 of the Family Protection Act.
3. This offence carries the maximum penalty of 5 years imprisonment or a fine of not exceeding VT 100,000 or both.
4. On his own plea, the Court convicts and sentences the defendant
5. There are no mitigating circumstances. But there are aggravating features, such as breach of trust between a husband and wife, the repetitive nature of the incident and the effect the action has upon the relationship.
6. Considering these factors and the case law of PP v Nasse [2019] VUSC 19, PP v Kalo [2020] VUSC 144 and PP v Mahit [2023] VUSC 284 as submitted by the Prosecutor and Defence counsel, the appropriate punishment to be imposed is to be a custodial sentence.
7. I therefore convict and sentence the defendant to a start sentence of 2 years imprisonment.



8. In mitigation the Court allows 1/3 reduction for his early guilty plea. A further 10 months is allowed for his remorse and reconciliation, his period of custody on remand, delay and other factors personal to him.
9. The defendant's end sentence shall be 6 months imprisonment but these are suspended under section 57 of the Penal Code Act [Cap 135]. This means that he must not commit any other criminal offences within a period of 2 years from today. If he does, he will go to prison for 6 months.
10. That is the sentence imposed by the Court. The defendant may wish to appeal against sentence within 14 days if he so chooses.

**DATED at Isangel this 30th day of April 2024
BY THE COURT**


.....
**Hon. Oliver A Saksak
Judge**

