

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

**Criminal
Case No. 24/2404 SC/CRML**

PUBLIC PROSECUTOR

V

SONGI MICHEL

Date of Sentence: 20th day of June, 2025
Coram: Hon. Chief Justice Vincent Lunabek
Counsel: Mr J. Aru for the Public Prosecutor
Ms C. Dehinavanua for the Accused

SENTENCE

A. Introduction

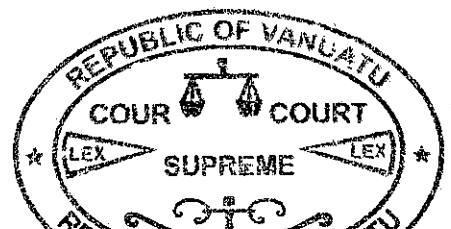
1. The Accused, Songi Michel ("Mr Michel"), was charged with two counts of domestic violence (counts 1 and 3) and one count of unlawful possession of cannabis (count 2), and he was convicted for those three charges at Morua, Tongoa on 26 May 2025 after a trial.
2. The Accused, Mr Michel, appears for sentence today 20 June 2025 at Port Vila, Efate.

B. Facts

3. Michel Taripoa is the Accused's father; Joyceline Kalotap is a member of the Accused's family. The Accused refers to her as his "small mami;" In April 2024, the Accused, his father, Michel Taripoa, and his small mami; Joyceline Kalotap, all usually resided at Lumbukuti Village on Tongoa in the same house.

Tongoa incidents

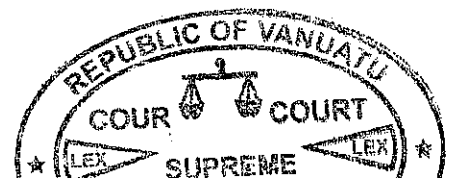
4. The incidents giving rise to this matter at Tongoa occurred sometimes between April 24th, 2024, to April 28th, at Lumbukuti Village, Tongoa.
5. A radio belonging to Joyceline was the subject of a discussion between the Accused and his father Michel Taripoa.



6. Michel Taripoa advised the accused that the radio should be returned to Joyceline. This created a momentary tension as the Accused did not understand why his small mami wanted her radio back, and why she did not come to him directly instead of passing through his father, Mr Taripoa Michel.
7. On 24 April 2024, the Accused, Songi Michel, committed an act of Domestic Violence at Lumbukuti Village, Tongoa, against his small mami Joyceline Kalotap when he behaved in an offensive manner when he told her to cut her neck or head and told her to have sexual intercourse with her.
8. The Police were requested to maintain peace. The Police arrived at the scene the following day.
9. Police officer Jack Willie and Police officer Ronphil Taliban were invited into the house by Michel Taripoa. They arrested the Accused on 24 April 2024.
10. Police officer Jack Willie and police officer Ronphil Taliban went inside the Accused's room in the house and discovered a white paper containing dried plant materials. They suspected this material to be cannabis.
11. The materials were seized and exhibited. The exhibit had a total net weight of 5.5 grams.
12. The suspected material was confirmed to be cannabis (see VPF Forensic Section – Examination of illegal drugs – Exhibit P2).

Efate Incidents

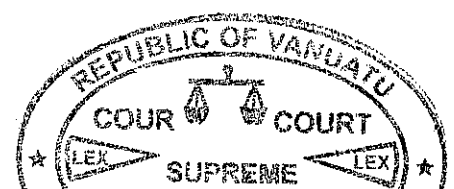
13. The incident giving rise to this matter on Efate occurred sometimes between April 29th, 2024, to May 13th 2024, in Port Vila, Efate.
14. The accused was arrested on Tongoa and escorted to Port Vila.
15. The accused was released on bail by the Magistrate's Court. The Accused then resided with Michel Taripoa at State Area, Port Vila.
16. During this period, the Accused, Songi Michel, and his father, Michel Taripa, have had moments of disagreements.



17. About May 2024 at Stade area, Port Vila, Songi Michel committed an act of domestic violence against his father, Michel Taripoa, when he harassed and intimidated him calling his father "rapist", "stupid" and "not educated" and threatened to kill him and others in the house at Stade area, Port Vila, Efate.
18. The Accused was remanded in custody on 13 May 2024 because of breach of his bail conditions.

C. Sentence starting point

19. I assess the sentence starting point by considering the maximum sentences prescribed with the aggravating and mitigating factors, of the offending.
20. The maximum sentence for the offence of Domestic Violence is 5 years imprisonment or a fine not exceeding VT100,000 or both.
21. The maximum sentence for the offence of unlawful possession of cannabis is fine not exceeding VT100 million or a term of imprisonment not exceeding 20 years, or both.
22. In this case, the following aggravating factors exist:
 - (a) There is a serious breach of trust. The offender committed acts of Domestic Violence against his Father and Smol Mami.
 - (b) The offence occurred within the confines of the home where the Victims should have felt safe to live in peace.
 - (c) The offending involved the emotional exploitation of a vulnerable person of the community, being a woman (Joyceline Kalotap).
 - (d) There are multiple Victims.
 - (e) There were multiple insults and intimidating words uttered towards the Victims.
 - (f) The third count of domestic violence occurred while the offender was on bail for the earlier charges. This shows disregard for court orders and this leads to the arrest of the Accused and his remand into custody before his trial.
23. In the circumstance of this case, I assess the sentence starting point to be of 3 years imprisonment on Domestic Violence in counts 1 and 3 concurrently; 1 year imprisonment for unlawful possession of cannabis substances in count 2. The

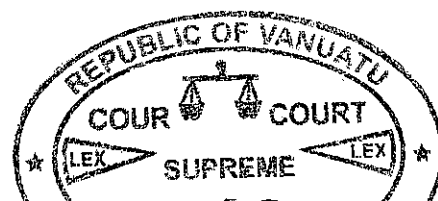


sentences of 3 years imprisonment and 1 year imprisonment shall be concurrent on each and all offences.

24. This means that your sentence starting point is of 3 years imprisonment on a global basis.
25. You have a previous conviction for arson in Public Prosecutor v Michel [2020] VUSC 47; criminal case 314 of 2020 (15 April 2020). On 5 September 2019, you deliberately set fire to a police officer's house at Morua station on Tongoa island. The house burnt to the ground. There was premeditation in your action of arson at the time as you bought 5 litres of benzine earlier that day and also asked a family member for matches. You admitted the offence and that you were under the influence of cannabis at the time. You were sentenced to 1 year and 9 months imprisonment suspended for 2 years. In addition, you were imposed a supervision order with an opportunity to address your use of cannabis. You were finally ordered to pay compensation of a remaining compensation amount agreed to between the complainant and you and your family (of VT750,000). I treat your previous conviction as a personal mitigating factor to your offending as the same trend of behaviour under the influence of cannabis occurred here. A 4 months imprisonment is lifted up to your sentence starting point.
26. Your total sentence starting point is now 3 years and 4 months imprisonment.

D. Personal Factors

27. Mr Michel, you are 29 years old and you are originated from Lumbukuti Village, Tongoa Island. You completed a year 10 at the Nambangasale Presbyterian Secondary School and that is the end of your academic journey.
28. You live in a defacto relationship with a woman and have a daughter (Gina Michel) at Seven Star area, Port Vila. Your de facto partner is a teacher at the Port-Vila International School (PVIS).
29. Ms Betty Marango (your de facto partner) reported that Mr Michel, you involved in smoking cannabis with your peers. When you returned home your attitudes started to change differently and verbally threatening her with words like solmit (a prostitute woman) and you did not respect her with your daughter and her parents. She reported

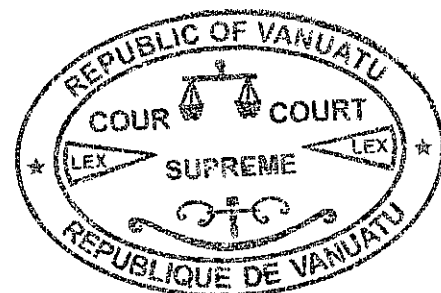


that she was not aware of the offending of Mr Michel but she said that it is your usual behaviours.

30. The pre-sentence report indicated that you have tried to justify your offending but your justifications do not constitute excuses for you to commit the offences you were convicted of in this case.
31. The report shows that you have performed a custom compensation ceremony between yourself and the two victims (your small mami and your father). The two Victims accepted the items exchanged during the ceremony. The items given including:
- 1 traditional mat to each Victim.
 - VT500,000 given to his father for him to purchase the building materials from the Wilco Hardware for his father's house at Lumbukuti Village, Tongoa.
32. It is noted that despite this custom compensation ceremony, there is lack of remorse. The Accused admitted to some allegations to the Police but did not believe they were wrong.
33. I reduce your sentence starting point of 3 years and 4 months imprisonment by 4 months which is now 3 years imprisonment to reflect on your mitigating factors.

End Sentence

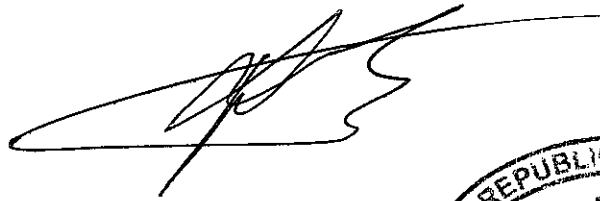
34. Your sentence is 3 years imprisonment. I consider the seriousness of the offending and your character as an offender; this term of 3 years imprisonment cannot be suspended. It is necessary to deter you and others, for similar offences in the future.
35. You were remanded in custody on 13th May 2024 until you are sentenced today (20 June 2025).
36. The time you have already spent in custody shall be deducted in your favour.
37. You are sentenced to serve a term of 3 years imprisonment concurrently on each and all counts.



38. Your sentence of 3 years imprisonment is deemed to start (effective) from 13th May 2024 to take into account of the time you have already spent in custody.
39. You have 14 days to appeal against this sentence if you are unsatisfied with it.

DATED at Port Vila this 20th day of June, 2025.

BY THE COURT



Hon. Vincent Lunabek
Chief Justice

