

PUBLIC PROSECUTOR  
V  
JIM VIRA

Coram: Justice Dudley Aru  
Counsel: Public Prosecutor – Ms. B. Tamau  
Defendant – Ms.C.V.Dehinavana

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SENTENCE

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**Introduction**

1. Jim Vira this is your sentence. You pleaded guilty to one count of threats to kill (count 1) and two counts of domestic violence (counts 2 and 3).
2. The maximum penalty for the offence of threats to kill is 15 years imprisonment. For domestic violence, the maximum penalty is a term of imprisonment not exceeding 5 years or a fine not exceeding VT 100,000 or both.

**The Facts**

3. The first complainant is your biological mother. She is 47 years old. You are her eldest son. You were 20 years old at the time of the offending. The second complainant is your grandfather who is an elderly man. You all live at Stella Marie with your father and younger brother.

*Count 1*

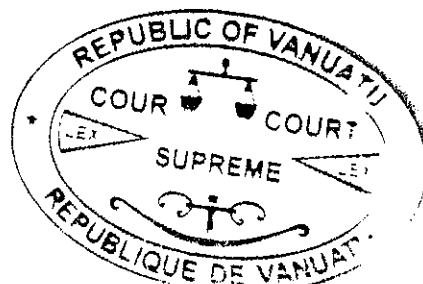
4. Your violent behaviour began from 2024 until February 2025. Your mother stated that you threatened her whenever she refused to give you money with words to the following effect "*bae mi kilim ted yu or bae mi karem knife mo cut cuttem yu*" (*I will kill you, I will use a knife and cut you*). You would threaten the complainant whenever you were angry with her. This happened whenever your father was out of the house. The complainant felt unsafe and finally lodged a complaint on 20 March 2025.

*Count 2*

5. Around March 2025 you again asked your mother for money. When she said she had no money you became angry and assaulted her. You punched the complainant on her head and kicked her on her buttocks. The complainant was terrified and ran to seek assistance from your neighbour who is a Police Officer. You fled the scene.

*Count 3*

6. Around October 2024 to March 2025, you also demanded money from your grandfather. He had no money to give you, so you became angry and swore at him saying "*stink kok*" and spat repeatedly on his face. At that time your father was out of the house.
7. Following the complaints, you were arrested and cautioned. You exercised your rights to remain silent.



### Sentence start point

8. The maximum sentence available for threats to kill is 15 years imprisonment. For domestic violence, the maximum sentence available is a term of imprisonment not exceeding 5 years or a fine not exceeding VT100,000. The aggravating factors of the offending are that there was a clear breach of trust as the complainants are your immediate relatives. The offending occurred in the home where the complainants should feel safe and protected from such behaviour. Your actions caused the complainants to fear for their lives and showed a total lack of respect for your elders.
9. There are no mitigating factors of the offending.
10. I have considered the submissions filed by the prosecution and Counsel on your behalf. The seriousness of your offending cannot be ignored as you threatened to kill your biological mother knowing she is weak and defenceless and you abused your grandfather in such a humiliating manner. I adopt a global starting point of 4 years imprisonment.

### Guilty plea and personal factors

11. You pleaded guilty at the first available opportunity therefore I discount the starting point of sentence by 30%.
12. A Pre-sentence report was filed on your behalf. The report reveals that you are a now 21 years old and you are the eldest in the family. You are also a first-time offender. The writer of the report states that you appear to have some mental issues as a result of possible cannabis use. You left school at year 10 and since then you have been unemployed and you reside with your parents who provide for your daily needs. The writer of the report also states that you are being categorised as a person with special needs.
13. For your personal factors the starting point of sentence is further reduced by 4 months.
14. As you have spent 9 months on remand which equates to an imprisonment term of 18 months, that is also deducted from the sentence start point.

### End sentence

15. I sentence you to an end sentence of **12 months** imprisonment. Considering your youth and the fact that this is also your first offending, I am exercising my discretion under s57 of the Penal Code to suspend your sentence for a period of 2 years. Should you reoffend during this period, your sentence will be reactivated to be served in custody.
16. In addition, I order supervision for a period of 12 months to undertake rehabilitation in relation to your offending.
17. You have 14 days to appeal if you are not satisfied with the decision.

DATED at Port Vila this 12th day of December 2025

BY THE COURT

Dudley Aru  
Judge

