

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

Criminal
Case No. 23/2273 SC/CRML

BETWEEN: Public Prosecutor

AND: Lala Warisulu

Defendant

Date of Conviction: 26th March 2025
Date of Sentence: 28th April 2025
Before: Justice EP Goldsbrough
In Attendance: Aru, J for the Public Prosecutor
Karu, K for the Defendant

SENTENCE

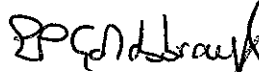
1. Lala Warisulu, you have been convicted after trial of an offence of domestic violence, and you pleaded guilty to one further offence of domestic violence. You put your wife in fear of violence when you had in your possession a knife, and you destroyed some clothes with a knife. Both of these actions put your partner in fear. The circumstances of the offences are set out in more detail in the verdict delivered on 26th March 2025.
2. A long time has passed since these offences were committed, and your wife is keen to have you back at home and supporting your children together. There has been no customary ceremony acknowledging what you did, but that is now sought and should take place as your wife is keen for that to happen.
3. Offences of domestic violence attract a maximum sentence of five years' imprisonment. To decide the correct penalty, this Court looks at the maximum available sentence and those features of your offending that make these offences more serious than others in the same category. Here you used a weapon. You were in the matrimonial home where your wife should have felt safe. You took that feeling of safety away from your wife through these offences.
4. A starting point for these two offences of domestic violence is set at 12 months imprisonment
5. You did not admit your guilt in relation to the charge of domestic violence when you threatened your wife, but you did admit to destroying clothing with a knife. The main value of a guilty plea was not available here, as your wife was not spared the ordeal of a trial, nor was any court time spared. Those are the two main utilitarian values that attract a discount on sentences



6. You are entitled to receive credit for the time that you have spent in custody after your arrest. That period in custody was four weeks and two days. It is because of that time already spent in custody, for which you are entitled to credit and the fact that you have spent that time in custody, that any further sentence of imprisonment will be suspended.
7. You have not been in trouble before, and you are entitled to some credit for that. Other than that, nothing in your personal circumstances merits a reduction in the actual sentence to be imposed on you.
8. For these two offences of committing an act of domestic violence, you are sentenced to ten months' imprisonment, suspended for two years. The suspension reflects that you have already served time in custody for these two offences. No further orders are made.
9. You have the right to appeal against this sentence but if you seek to do that you must begin the process within 14 days from today. The suspended sentence means that you do not return to prison today but that if you are found guilty of any offence involving a sentence of imprisonment within the next two years, you may be liable to go to prison for ten months for these two offences, in addition to any further penalty for the new offence. If you do not commit any further offences, you will not have to serve this term of imprisonment.

DATED at Port Vila this 28th day of April 2025

BY THE COURT



Hon. EP Goldsbrough

Judge

