

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

Criminal  
Case No. 24/870 SC/CRML

PUBLIC PROSECUTOR

v

HOSEA RARUA

Date: 30 April 2025  
Before: Justice V.M. Trief  
Counsel: Public Prosecutor – Mr J. Aru  
Defendant – Mrs C. Dehinavanua

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**SENTENCE**

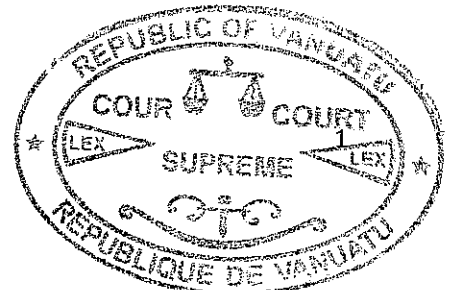
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A. Introduction

1. Mr Hosea Rarua, you appear for sentence having pleaded guilty to domestic violence contrary to para. 4(1)(a) and subs. 10(1) of the *Family Protection Act* No. 28 of 2008. You are convicted on your own plea and the admitted facts.

B. Facts

2. The complainant Joana Rarua is your daughter. She is a secondary school student. You all reside at Malapoa Whitewood area. You have a history of violent behaviour towards your family members, which is linked to your background diagnosis of bipolar disorder which causes you to suffer episodes of being psychiatrically unwell during which you have impaired judgment, limiting your ability to fully appreciate the consequences of your actions. This is managed when you take the medication prescribed to you.
3. On 6 January 2024, you wanted to assault Joana because of her relationship with a boy that you disliked. You removed her phone and some money from her then told her to remove her sandals. You told her to stand near the wall of the house. You held on to a



piece of timber and moved closer to her in an intimidating manner until a family member intervened. Joana was scared and feared for her safety.

C. Sentence Start Point

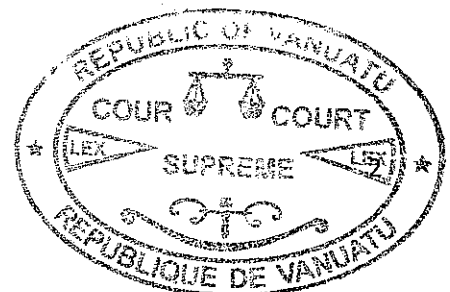
4. The sentence start point is assessed having regard to the maximum sentence available, and the mitigating and aggravating factors of the offending.
5. The maximum sentence provided is 5 years imprisonment or VT100,000 fine or both.
6. There are no mitigating aspects to the offending however, it is aggravated by the following:
  - a. Serious breach of trust;
  - b. The 31-year age differential; and
  - c. The use of a piece of timber as a weapon.
7. Taking all matters into account, the sentence start point adopted is 15 months imprisonment.

D. Personal Factors

8. You pleaded guilty at the first reasonable opportunity. Twenty percent (3 months) is deducted from the sentence start point for your guilty plea.
9. You have a prior criminal conviction. You were sentenced on 13 January 2023 to 8 months imprisonment but having served more than that time in pre-sentence custody, you were released under 1 year supervision. You have a mental illness. You have hugged and apologised to Joana, but not performed custom reconciliation. Joana has accepted your apology as she understands your mental health condition. I deduct 1 and a half months for your personal factors.

E. End Sentence


10. Taking all matters into account, the end sentence imposed is 10 and a half months imprisonment.
11. As you served time in custody from 9 January 2024 to 14 June 2024, an effective sentence of imprisonment of 10 months 10 days, you have served nearly all of the time required. Accordingly, the remaining 5 days of your imprisonment sentence is suspended and you are to complete 12 months of supervision. During that period, you must comply with lawful and reasonable directions of your supervisor from the Department of



Correctional Services and can be brought back to Court if you do not, and have your sentence activated.

12. You have 14 days to appeal the sentence.

**DATED at Port Vila this 30<sup>th</sup> day of April, 2025  
BY THE COURT**

  
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Justice Viran Molisa Trief

