

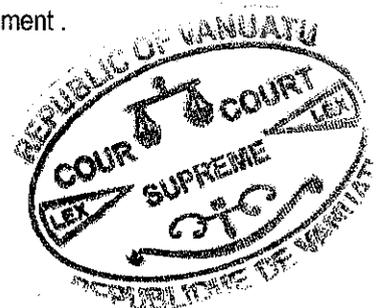
BETWEEN: Public Prosecutor

AND: Iotil Raynold Iarai
Defendant

Date of Plea: 10th March 2026
Date of Sentence: 13th March 2026
Before: Hon. Oliver A Saksak
Counsel: Mr Lenry Young for Public Prosecutor
Mr Harrison Rantes for the Defendant

SENTENCE

1. Raynold Iotil admitted to one charge of unlawful entry to a dwelling house (section 134 (1) – PCA) and to one charge of theft (section 125- PCA). He is for sentence today.
2. He committed these offences on 7th March 2025 at around 20:30 hours in the night. The victim and complainant Mary lawila and her 5 children were sleeping when the defendant removed her the window screens and 6 louvres and entered the house. He stole a mobile phone and cash in the sum of VT 23,000. His actions made the complainant to wake up. She screamed and the defendant ran out of the house towards the bridge. He was pursued by the complainant who met with the Police who assisted and arrested the defendant.
3. The offence of unlawful entry of dwelling house is a serious offence carrying the maximum penalty of 20 years imprisonment. Theft carries the maximum penalty of 12 years imprisonment.
4. In the defendant's case it seems from the facts there was a degree of planning involved. Entry was unlawful and forced by removing window screens and louvres. Theft of cash money and a mobile phone was committed simultaneously on the same night. The offences were committed in the dark of night when occupants of the house were sleeping. Their sleep was disturbed. They faced the possible risk of being attacked and harmed.
5. I accept there was no mitigating circumstances.
6. Considering the seriousness of these offences together with the aggravating features without any mitigating circumstances and applying the principles in the cases of lakurma v PP [2003] VUCA and Kalfau v PP [1990] VUCA 9. I consider the appropriate sentence is to be a custodial sentence with suspension and community work. I note also the cases of PP v Molsul [2023] VUSC 257 and PP v Ngeuera [2025] VUSC 211
7. I therefore sentence the defendant as follows:-
 - a) For unlawful entry- Count 1 as the lead offence- 3 years imprisonment .



- b) For theft – Count 2- To 2 years imprisonment. I however order that these sentences be served concurrently for the period of 3 years imprisonment.
8. In mitigation I have considered the information contained in the Same Day Report and the submissions filed by Mr Rantes.
 9. First I consider the early guilty pleas. I will deduct 8 months from his start sentence of 3 years. The balance of the sentence shall be 2 years and 4 months.
 10. I note he is a young man of 25 years from a family of 8 children. His chief and community leader speak well of him, that he is remorseful and has motivation to assist his community. I note he has clean past record and that he has performed custom reconciliation, showing remorse. I note he did return the mobile phone and the cash he took.
 11. For all these factors I reduce his sentence by a further 4 months, leaving the end sentence to be 2 years imprisonment.
 12. I Order this sentence be suspended for a period of 2 years under section 57 of the Penal Code Act on good behaviour to give him the chance to rehabilitate. If he commits any further offences during the period of suspension for which he would be charged and convicted, he will go to prison to serve out his 2 years sentence.
 13. Finally I sentence the defendant to an additional sentence of community work for a period of 100 hours to be performed within 12 months from the date of this sentence.
 14. That is the sentence of the Court. The defendant has the right to appeal against the sentence within 14 days, if he does not agree with it.

DATED at Isangel, Tanna this 13th day of March 2026

BY THE COURT

Hon. Justice Oliver A Saksak

