

**BETWEEN: Public Prosecutor**

**AND: Jean Pierre Lite**  
**Defendant**

*Date of Sentence:* 28<sup>th</sup> September 2021  
*Before:* Naieu  
*In Attendance:* Terry T for Public Prosecutor  
Defendant in Person

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**EX TEMPORE SENTENCE SUMMARY**

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NOTE: The proceeding was conducted in bislama (common dialect that Mr Lite understands) and this is the exact English translation.

Facts as presented by the prosecutor:

1. The victim is your wife who made the complaint statement to the Police. Your wife stated that you are a regular perpetrator of domestic violence and she had once not very long ago (specified date not mentioned) taken family protection orders from the Court against you however, you continued your violent behavior just soon after the domestic violence protection orders were lifted by the Court. You also recently received a police warning for you to change your violent attitude and control your anger but according to your wife, your violent attitude remained the same therefore she made this complain to the Police. On the 28 March 2021, you assaulted your wife with a tea cup and hit her with a cable robe and a piece of rock. The argument leading to the assault was over a minor disagreement whereby you threw some leaves (Burao leaves) collected by your wife that morning to the ground resulting your wife to get angry and confronted you why you threw the leaves on the ground then you retaliated and assaulted her. Your wife the victim suffered injuries on her head, shoulder and her thighs. She obtained a medical report to prove her injuries.



2. Mr Jean Pierre Lite you pleaded “yes I true (guilty)” to the offences of domestic violence and intentional assault.
3. Today the 28<sup>th</sup> day of September 2021, I enter conviction against you Mr Jean Pierre Lite for the offence (s) of;
  - Domestic Violence - *Contrary to Section 10 of the Family Protection Act;*
  - Intentional Assault – *Contrary to Section 107 (a) of the Penal Code Act.*
4. AND I sentence you Mr Lite as follows;

Starting Point;

- 18 months imprisonment for domestic violence.
- 3 months imprisonment for intentional assault.
- Total of 21 months imprisonment for both offences to be served concurrently.

Deduction of sentence;

- I deduct 3 months from your starting point sentence for; *your early guilty plea; you being a first time offender; you being the sole bread winner in your family; you being remorseful to your wife and for your offending; you being a 42 year old with a family to look after; you admitted the offending and promise to change your attitude to be a better husband and father to your family.*

End Sentence;

- Your end sentence will be 18 months imprisonment.

Suspension of sentence;

- I decide proper after careful consideration to the mitigating factors and your personal factors to suspend your sentence for 1 year.
- This means that you Mr Lite must maintain a good attitude and observe an offence free character within this period to remain in the community whereby in default, you will be arrested and upon the Court’s discretion, you can be ordered to serve this sentence.

Family Protection Order;

- I see proper to Issue a family protection order pursuant to Section 25 (1) (a) of the Family Protection Act.
- This family protection order will have a separate civil case number and be effective for 1 (one) year as the period to be mention in the Order.
- I now will explain the protection order pursuant to section 23 of the Family Protection Act.
- I now will make the family protection order and it will be attached to the proper written summary of your sentence which I will issue today after the hearing.



- You must know that a breach of this order will be dealt with separately and together with the suspended sentence default condition.

Prosecution cost;

- I order you to pay 1,000VT for prosecution cost and you must settle this amount in full within 14 days from today.

Appeal;

- Mr Lite if you are not happy with this sentence you have 14 days starting today to appeal it to the Supreme Court.

Do you understand your sentence?

The response was "yes mi andastandem thank yu tumas" meaning "yes I understand thank you so much"

**DATED at Lakatoro this 28<sup>th</sup> day of September 2021.**

**BY THE COURT**



**NAIEU**

**Magistrate**



LONG MAGISTRET KOT BLONG  
VANUATU

Violence  
Case No. 21/ 3205 MC/VLNE

*(Civil Jurisdiction)*

**BLONG:** Angelina Lite  
Applicant

**WETEM:** Jean Pierre Lite  
Respondent

*Coram:* Magistrate Trevor NAIEU

*Parties Present:* Terry T for Public Prosecutor  
Jean Pierre Lite

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**DOMESTIC VIOLENS PROTECTION ODA**

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Kot hemi Convictim mo Sentencem **Mr Jean Pierre Lite** today namba 28 September 2021 from offence blong domestic violence mo decide se hemi proper blong makem order ia follem Section 25 (1) (a) (b) blong *Family Protection Act No.28 of 2008*:-

1. Kot hemi Oda se Respondent **Jean Pierre Lite** bambai **ino mas** kilim mo treatenem Applicant long aksen or toktok or makem any something weh bambai Applicant hemi fraet or harem nokut long hem.



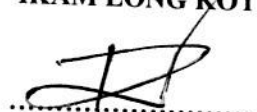
2. Kot hemi Oda se Respondent **Jean Pierre Lite** bambai hemi mas kipim wan nonviolent or wan goodfala attitude oltaim towods wife blong hem mo assistim good hem long family home blong tufala blong keepim wan harmonious family relationship.
3. Oda ia bambai istap blong wan period blong **one (1) year** mo bambai hemi **end long namba 28<sup>th</sup> September 2022.**
4. Sipos Respondent **Jean Pierre Lite** hemi brekem one long olgeta Oda ia, bambai Applicant hemi mas ko reportem kwik taem long Kot or Police.
5. Bambai Kot hemi make sua se Applicant hemi aware mo karem wan copy blong Oda ia.

**Warning iko long Respondent Jean Pierre Lite.**

Sipos yu brekem Oda ia bambai Polis e saveh arrestem yu mo karem yu iko long Kot blong luk luk long case blong yu.

**KOT hemi makem Oda ia long Lakatoro long namba 28<sup>th</sup> September 2021.**

**IKAM LONG KOT**



**NAIEU**

**Magistret**

