

CRC 05-2002

IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
Held at Isangel – Tanna
(Criminal Jurisdiction)

CRIMINAL CASE No.05 of 2002

PUBLIC PROSECUTOR -v- MARK TARI

Count 1: Unlawful Sexual Intercourse C/ to Section 97(2) of the Penal Code Act [CAP 135].

Count 2: Unlawful sexual Intercourse C/ to Section 97(2) of the Penal Code Act [CAP.135].

Pleas taken on 18 December 2002.

Count 1: Not guilty.

Count 2: Guilty.

The prosecution withdraw Count 1.

The defendant is sentenced on Count 2.

SENTENCE

The defendant who is 19 years old of age at the time of offending had sexual intercourse with the victim aged 14 years of age. Sex occurred between the defendant and victim on 24 February 2001. They planned to meet and they met. They had sex. The defendant and victim had a relationship is still on between both of them. There is a medical report. No aggravating factors. The girl loves the boy. She consented to have sex with the boy.



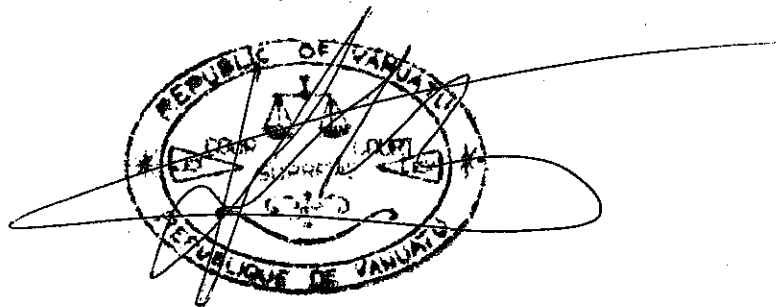
Consent is no defence. There is no reoffending. There is ~~no~~ 'stom' ceremony.

ORDER

The defendant Mark Tari is sentenced to 8 months imprisonment suspended for 1 year.

DATED at PORT-VILA, this 19th DAY of DECEMBER 2001.

BY THE COURT



**Vincent Lunabek
Chief Justice**