

(Criminal Jurisdiction)

PUBLIC PROSECUTOR

VS.

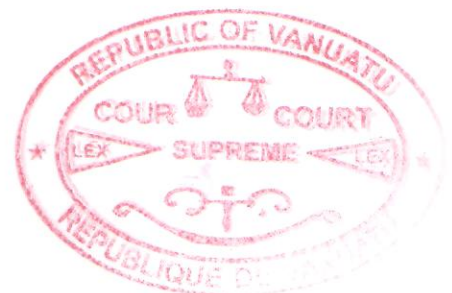
TOMMY SINGO

Mr Justice Oliver A. Saksak
Mrs Anita Vinabit – Clerk

Mr P. Wirrick for Public Prosecutor
Miss J. Tari for Defendant

SENTENCE

1. Tommy Singo you pleaded guilty on 11th August 2011 to a very serious offence of Intentional Assault Causing Death contrary to Section 107 (d) of the Penal Code Act Cap 135. This offence carries a maximum sentence of 10 years imprisonment.
2. The deceased was your wife. She deserved to be loved, cared for and protected by you. She expected all that from you as her husband. Instead you repeatedly subjected her to abuse and physical violence as if she was your slave. She deserved better treatment from you than what you gave to her at those times. You breached that trust. These are the aggravating features of your offending.
3. The only appropriate punishment for you will be a custodial sentence. The Court will follow the guidelines set out in PP v. Ierongen [2002] VUCA 34 and sentence you to 5 years imprisonment as the starting point.



4. The Court takes into account your mitigating factors such as early guilty plea and cooperation with police and allows a reduction by 1/3 for these. That brings your sentence down from 60 months to 40 months. I note that you have performed quite a substantial amount of customary reconciliation ceremony which shows that 8 custom mats and VT35.000 was paid to the relatives of the deceased. For these a further 4 months will be deducted from 40 months leaving the balance of 36 months, which is 3 years.
5. You are therefore to serve a total of 3 years imprisonment at the Correctional Centre in Luganville. This term of imprisonment began on 5th August 2011 when you were first taken into custody on remand.
6. That is the Sentence of the Court. You have a right of appeal within 14 days if you so choose.

DATED at Luganville this 25th day of August 2011.

BY THE COURT


OLIVER A. SAKSAK

Judge

