

**BETWEEN: Public Prosecutor**

**AND: Godin Favo**  
Accused

*Date of Sentence:* 25<sup>th</sup> August 2022

*Before:* Justice EP Goldsbrough

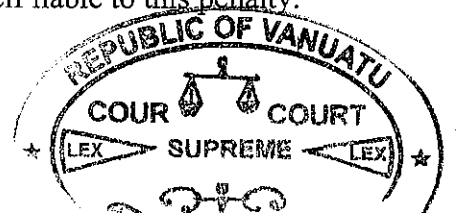
*Appearances:* Young, L for Public Prosecutor  
Moli, L for the Defendant

---

**SENTENCE**

---

1. Godin Favo, you have pleaded guilty to having sexual intercourse without consent and a further act of indecency with a young person. You are now 23 years of age and were 22/23 at the time of this offending in March/April this year. Your victim was only 13 years of age.
2. You are closely related to your victim, and the offence of rape took place when you were together at home. Your victim had been preparing food when you forced yourself on her, without any consent, and caused her pain through your physical size compared to her. She pushed you away.
3. Earlier by about one month you had touched your victims' breast, through her clothes and told her that you liked her. She, quite properly, told you not to be so stupid. You should have taken notice of her warning, but sadly you did not.
4. The father of your victim has treated you as family and has paid for some of your schooling and is naturally upset that you could harm his daughter in this way. This offence of rape took place against an unsuspecting, young, family member where she should have felt safe, at home. These factors make your offence all the more serious. The maximum penalty for having sexual intercourse without consent is life imprisonment and by your actions you have made yourself liable to this penalty.



5. Other cases which have been dealt with before suggest that, considering the circumstances of this offence and the factors which make it more serious, a starting point of eight years should be set.
6. There are other matters for which you should be given some credit. Mainly the fact that you have co-operated with the police when investigating and have admitted your guilt at the earliest opportunity. This will save your victim from the ordeal of giving evidence in court and re living what happened to her. For this you are to be given credit in the form of a one third reduction of your sentence.
7. You have no previous convictions and you have expressed remorse but there has been no customary reconciliation between you and the victim and her family as yet. Whilst no credit can be allowed for that, you may be given credit for your lack of previous convictions and remorse.
8. Removing one third from your starting point sentence brings it down to 64 months and taking a further four months from that for your lack of previous convictions and expressed remorse down to 60 months.
9. There is no reason why this sentence should be suspended given its nature.
10. You are sentenced to 60 months imprisonment in total for the offences of sexual intercourse without consent and committing an act of indecency with a child. The sentence for the first, of sixty months, is to reflect the two offences, as the sentence of six months imprisonment for the act of indecency will be served concurrently. Your sentence is deemed to have commenced when you were first taken into custody for these offences, that is 21 June 2022.
11. You have the right to appeal this sentence but must do so within 14 days of this sentence being imposed.

**Dated at Port Vila this 25<sup>th</sup> August 2022**

**BY THE COURT**

*EP Goldsbrough*  
.....  
Justice EP Goldsbrough

