

**PUBLIC PROSECUTOR v JONAH BOWIE**

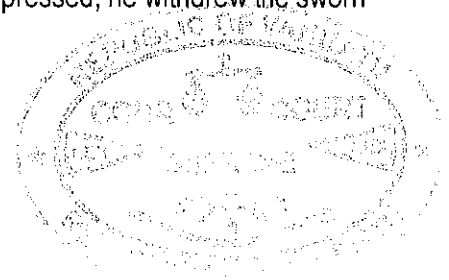
**Before:** Chief Justice V. Lunabek  
**Appearances:** Mr D Boe for the State  
Mr TJ Botleng for the Defendant  
**Date of Plea:** 24 April 2023  
**Date of Sentence:** 5 May 2023

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**Addendum to Sentence of Jonah Bowie  
in Criminal Case No. 23/227 SC/CRML**

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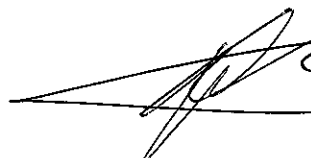
1. On 5 May 2023, the sentence of defendant Jonah Bowie is ready to be delivered on his guilty pleas for driving under the influence of alcohol liquor and causing death by reckless driving under Sections 16 and 12 of Road (Control) Traffic Act [CAP. 29].
2. Before the delivery of his sentence in Luganville on that date, the Court received the defence counsel (Mr Botleng) submissions on the sentence of Mr Jonah Bowie and a sworn statement disputing the facts of driving under the influence of alcohol liquor. The new version of facts is that at the time of the accident, he was not driving under the influence of alcohol liquor but the brakes of his new branded vehicle did not work.
3. I asked Mr Botleng whether it was his instructions that the guilty plea entered by Mr Jonah Bowie in relation to the count of driving under the influence of alcohol liquor on 24 April 2023 will be changed into a not guilty so that a trial on facts be required.
4. Mr Botleng informed the Court that that is not the intention but when pressed, he withdrew the sworn statement of Mr Jonah Bowie filed on 5 May 2023.



5. I then sentenced defendant Jonah Bowie on the basis that he entered a guilty plea on the count of driving under the influence of alcohol liquor at the time of offending and I rejected his new version of facts ("*failure of the brakes*") (see paragraph 18 of the sentence dated 5<sup>th</sup> May 2023).
6. I inform counsel that I will add an addendum to this sentence to explain what happened.
7. This addendum is appended to the sentence.

Dated at Luganville, Santo, this 5<sup>th</sup> day of May 2023

BY THE COURT

  
Chief Justice V. Lunabek

