

IN THE HIGH COURT OF FIJI
AT LABASA
CRIMINAL JURISDICTION

Criminal Case No. HAC 56 of 2024

THE STATE

-v-

JEKE VUETI

Counsel: Mr. E. Kotoilakeba for the State
Mr. I. Rusaqoli for the Accused

Sentencing Hearing: 29 August 2025
Date of Sentence: 30 September 2025

SENTENCE

1. **Mr. Jeke Vueti**, you have pleaded guilty to charges of aggravated burglary and theft. You have agreed that, together with another, between 5 May 2024 to 7 May 2024, you entered Ms. Losevati Lewa's shop as a trespasser and stole assorted groceries.
2. Based on these admitted facts, you have voluntarily accepted responsibility for your wrongdoing. I find you guilty as charged and convict you accordingly.
3. To assist me in deciding on the most appropriate way of dealing with you, I requested the Social Welfare Department to prepare a pre-sentence report, including a recommendation as to your suitability for a Community Work Order. I am pleased that you fully cooperated in the preparation of that report, which is favourable to you.

Pre-sentence Report

4. **Mr. Vueti**, you are now 25 years old, and were 23 years old at the time of your offending. Your pre-sentence report was prepared by Mr. Asesela Tawake, who reports that you live at Nacula Village together with your parents and siblings,

and are currently doing part-time carpentry work. You were previously enrolled at Fiji National University, and are clearly an intelligent young man.

5. As is all too often the case, you broke in to the shop to steal food after drinking alcohol with your friends. You claim to have acted under peer pressure, but have done some soul searching and are remorseful for your offending. You promise never to reoffend.
6. Your village headman speaks well of you and is willing to assist in your rehabilitation. Your mother, who I note accompanies you to Court, has seen a big improvement in your behaviour and says that you have stopped drinking alcohol, and now spend most of your time either working or at home.
7. Mr. Tawake reports that you have the support of your family and community for your rehabilitation, and recommends that the Court considers making an Order under the Community Work Act 1994. You have expressed your willingness to perform suitable authorised work under supervision.

Prosecution Sentencing Submissions

8. The prosecution has filed written sentencing submissions setting out the current sentencing practice for aggravated burglary and theft. Based on this current practice, the prosecution quite properly submit that the level of harm is low, and urges this court to take a starting point of 3 years' imprisonment, with a range of 1 to 5 years' imprisonment.
9. The prosecution draws to my attention that you have one previous conviction for the theft of a mobile phone in 2023.

Defence Sentencing Submissions

10. Ms. Marama has filed helpful written submissions on your behalf. She sets out several factors that reduce the seriousness of your offending. You cooperated with the police and, importantly, you saved this court's time and resources by pleading guilty at the earliest opportunity. Whilst you are not a first offender, you were still relatively young and immature at the time of your offending. You have shown genuine remorse by pleading guilty, and she submits that you have a high chance of rehabilitation, which she asks the Court to prioritise.

11. Ms. Marama reminds me that a sentencing court must not impose a more serious sentence unless it is satisfied that a lesser sentence will not meet the statutory objectives of sentencing, and sentences of imprisonment should be regarded as the sanction of last resort (this also includes suspended sentences of imprisonment).

Analysis and disposal

12. Aggravated burglary is a serious offence. It can have significant psychological, emotional and financial effects on victims. Everyone should feel secure in their own place of business.
13. To reflect the seriousness of the offence of aggravated burglary, adult offenders are generally given a prison sentence, albeit such sentences are often suspended in the case of first offenders.
14. However, it is well-established that the approach to children in conflict with the law should be different from that of adult offenders. The primary objective of any order of the court is not punishment. Rather, the objective is to help the child to correct his behaviour and become a productive, law-abiding member of society.
15. There is also a growing acceptance that these objectives can properly be extended to young adult offenders. It is now well-established by case law that the young age and/or lack of maturity of an offender do not cease to have any relevance on his or her 18th birthday. Full maturity and all the attributes of adulthood are not magically conferred on young people on their 18th birthdays. Experience of life reflected in scientific research is that young people continue to mature, albeit at different rates, for some time beyond their 18th birthdays. The youth and maturity of an offender continue to be factors that inform any sentencing decision even if an offender has passed his or her 18th birthday.
16. In this case, I consider that your lack of maturity played a large part in your poor decision making.
17. Given that you are considered suitable for a Community Work Order, I have decided that this is the most appropriate way of dealing with you.

18. I am hopeful that you have very good prospects of becoming a productive, law-abiding member of society, and that a community-based order is the best way to promote that objective.
19. A copy of the Community Work Order will be provided to you so that you can read and understand it in your own time.
20. The Order requires you to:
 - (a) perform 80 hours of such community work as the supervising officer directs at such times as the supervising officer directs within the next 6 months; and
 - (b) perform that work in a satisfactory manner; and
 - (c) in respect of that work, comply with any reasonable direction of the supervising officer; and
 - (d) inform the supervising officer of any change in your place of residence.
21. If you are not able to comply with these conditions you may apply to court and the court may deal with you in a different way.
22. You may also be brought back to court and be dealt with in a different way if you fail to comply with any of the conditions I have imposed.
23. 30 days to appeal to the Court of Appeal



A handwritten signature in black ink, appearing to be "H Burney", written over a horizontal dotted line.

Hon Mr. Justice Burney

At Labasa
30 September 2025

Solicitors:
Office of the Director of Public Prosecutions for the State
Office of the Legal Aid Commission for the Accused