

The Republic

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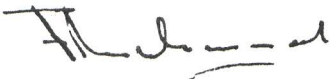
Teabaki Itaia

SENTENCE:

MUHAMMAD J:--

It is a serious offence to sexually assault young girls. The girls of tender years have to be protected by the society and not attacked by its members. In your case this girl was under the age, you knew her to be under the age of 15 and she happens to be your niece, and she was entrusted by her parents to your care. You breached that trust by committing this offence. On the other hand I am also aware that the custom which has obviously existed for a long time, that a child of the complainants age should be allowed to sleep with you and your wife, created the opportunity for you to commit the crime. You and your wife having intercourse attracted her interest in sexual intercourse and I do accept for the purposes of this sentence, that she played at least equal part in the commission of this offence in the sense that not only she did not discourage you but she rather showed some interest in the business of love making at that stage. The difficulty is that responsibility remains yours because you are older relative, the man who should be taking care of that child against the aggression of the others, that is your main failing. And you are under the protection of your brother sleeping under his roof and abusing his hospitality, that makes my job very difficult, on one hand I know you are a young man starting in life, having good prospect of a job, you are qualified as a Seaman if you haven't got a job at present, you will get a job. I know you must have suffered in the family circle. There was some evidence given to the court that naturally, your brother, brother's wife and family have thrown you out of their house.

Now that in itself is some punishment and perhaps greater punishment than this court can pass because you would never be able to show your face to your dear ones and you will always be considered as a bad person within perhaps a nice family. So I do not want to increase, the burden of punishment beyond any endurance, and I taken into consideration that punishment which the society and your family will impose upon you anyway. So in all these circumstances, the most lenient sentence I think I can pass and I do pass is that you will go to prison for 15 months.



FAQIR MUHAMMAD

JUDGE