

IN THE HIGH COURT OF SOLOMON ISLANDS

Criminal Jurisdiction

CRC. No. 499 of 2025

REX – v- PAEKA JACOB

Date of Hearing: 5th November 2025

Date of Judgment: 6th November 2025

For the Crown: Tamaika L/Zoze JW

For the Accused: Risu E

SENTENCE

Kouhota PJ:

The accused Paeka Jacob was charge with the offence of grievous Harm contrary to section 226 of the Penal Code (Cap 26). He pleaded guilty to the charge before the Principal Magistrate (Western) on 10th October 2025 and was convicted as charged.

The Principal Magistrate after considering the facts, the character and antecedent history of the Accused and the severity of the offence, the magistrate was of the opinion that a greater punishment should be inflicted on the accused than he has power to impose. The magistrate therefore committed the accused to this Court for sentence pursuant to section 208 of the Criminal Procedure Code.

The facts showed that victim went to your hour house around 10 pm to ask for his diving gear but no one was at your house. The victim again went to your house around 3 am and called you to come out. Your wife told the victim to leave and come back when he is sombre to talk about his problem. The victim did not know that you had come out with a bush knife 24 inches long. You attacked the victim by cutting the victim's leg with the bush knife above his ankle. The victim's leg was almost cut off and only the skin was holding the severed leg. The victim was rushed to Helena Goldie hospital and refereed to the National referral hospital where his leg was amputated.

Having viewed the facts of this case I considered this is a very serious case of grievous harm. You viciously attacked the victim and cut off his leg. You had in fact caused the victim to live with his injury and suffer hardship and phycological harm for the rest of his life. The victim's life will not be the same again.

In considering the appropriate sentence the Court should impose, I take into account the submissions of both counsel for the prosecution and defence. I took into account aggravating factors submitted by the prosecution; this include using a dangerous weapon at night and the harm and disfigurement suffered by the victim.

For mitigation purposes I take into account the mitigation factors submitted on your behalf by counsel for the defence. That you had pleaded guilty at the earliest opportunity which is sign of remorse. I also take into account that you cooperate with the police in their investigation. I also take into account that victim went to your house very late in the night and that he was said to be drunk at that time. This must have made you angry but you severely cutting the victim with a bush knife is an overreaction which is inexcusable. I am sure you know that what you did will cause grievous harm to victim but you went ahead and did what you did without any hesitation.

After considering the facts of this case and the severity of the offence you have committed and that you have a previous conviction and the cases authorities submitted by counsel, I considered the appropriate sentence I will impose on you is ten (10) years imprisonment. Time spend in custody to be taken as part of the sentence.

IRA

