

**In the High Court of Solomon Islands**

**Criminal Jurisdiction**

**Criminal Case Number :114 of 2025**

**Rex V George Sau**

***Date of Hearing:*** 31<sup>st</sup> October 2025/ 5<sup>th</sup> December 2025

***Date of Sentence:*** 10<sup>th</sup> December 2025

***For the Crown:*** Mrs. Vaike S

***For the Accused:*** Mr Pulekera D

### **SENTENCE**

**Kouhota PJ:**

The Accused George Sau was charged with the offence of Manslaughter contrary to section 199 of the Penal Code and Driving without a Licence contrary to section 20(1) of the Road Transport Act. He pleaded guilty to the two charges and was convicted as charged.

The agreed facts of the case are; that on 3/12/2023, about 6 am you were driving a motor vehicle registration number T 2942 along the Kukum High way at a very high speed. As a result of your speeding the vehicle you were driving hit the median island at St. Nicholas school junction and flip over and veered to the out lane and hit the victim. The victim was rushed to the hospital but later died from injuries he suffered when the vehicle you were driving hit him. The vehicle that you were driving also hit another vehicle causing inrepairable damages.

The offence of manslaughter is a serious offence, it carries a penalty of life imprisonment. The facts show that the accident happened because of you were speeding. You should know that speeding is dangerous because it may cause accident which may result in the death as in this case. Your carelessness had caused the death of an innocent man. Unlawfully causing the death of an innocent person is a very serious thing.

In considering the appropriate sentence to impose the Court takes into account the submissions of counsels relating to the aggravating and mitigating factors. The Court also took into account counsel's submission on the principle of sentencing and the cases authorities on sentencing methods cited by the counsel.

The Court consider the following as aggravating factors,

1. That you do not have a licence to drive. (This means you are not a certified competent driving.)
2. You were travelling at a high speed and switching lanes.

3. Your carelessness causes the death of an innocent man,
4. That you caused irreparable damage to another man's vehicle and there is no evidence that you compensated him for the damage or have compensate the deceased.

I take these as mitigating factors in your favour;

1. That you pleaded guilty at the earliest opportunity,
2. That you are a first offender and that you are remorseful.
3. That you cooperate with the police during their investigation.
4. That you are young man and have long time to go in life.

After considering the facts of this case especially that you unlawfully caused the death of an innocent person by your dangerous driving and recklessness, I will impose a deterrent sentence as a warning to you and other young man like you who think they are smart and can ignore the law and drive at high-speed causing danger to the innocent people, to think twice. For the offence of manslaughter, I consider 6 years imprisonment as a starting point is appropriate. However, taking into account the aggravating factors I set out above I increase the sentence by 3 years to 9 years imprisonment. After considering the mitigation factors. I think that the aggravating factors outweigh the mitigating factors hence I will make a minimal deduction of 1 year imprisonment from the 9 years imprisonment sentence. You are therefore sentenced to 8 years imprisonment.

For the offence of driving without a drivers licence I impose a fine of 2500 unit. Fine to be paid within 14 days in default 3 months imprisonment, any default imprisonment to be concurrent with sentence for manslaughter.

**IRA**

