

IN THE HIGH COURT OF SOLOMON ISLANDS
Criminal Jurisdiction

CRC NO. 30 of 2025

REX_V_NASON POLOSO

Date of Hearing: 25th February 2026

Date of Ruling: 26th February 2026

For the Crown: Cleven M

For the Accused: Rusi E

SENTENCE

Kouhota PJ

The Accused Nason Poloso was charge with 2 offences, one count of indecent act on a child contrary to section 139 (2) (a) and one count of rape contrary to section 136 F (a) (b) both offences under the Penal Code (Amended) (Sexual offences) Act 2016.

By amended information by the DPP on 4th November 2025, the prosecution alleged that the accused Qalotaba Poloso on an unkown date between 1st January and 31st December 2023 at his house at Tangibangara village, Choiseul province did indecently assaulted S.F a child under 15 years of age, namely 12 years old, by rubbing her clitoris several times.

The second charge was rape contrary to section 136 F (1) (a) of the Penal Code. By amended information filed by the DPP on 14th November 2025, the prosecution alleged that the accused Nason Qalotaba Poloso on an unkown date between 1st September 2024 to 30th September 2024 at his house at Tangibangara village, Choiseul province did have sexual intercourse with C.P.1 without her consent, and knowing or being neckless as to the lack of consent.

The facts show that the accused on two different dates committed the offences. On the first occasion at his house he had indecently assaulted the first victim, a child of 12 years old by rubbing her clitoris several times. On the second occasion he told the victim to go into his house, took her into his room, locked the door of the room and told the victim to lay down. He poured what was said to be custom medicine on her vagina and then licked her vagina.

The Court in considering the appropriate sentence to impose took into account the aggravating and mitigating factors submitted by counsels. The Court also took the following as mitigating factor in your favour, that you are 79 years old and had been a person of good character for that long. Secondly that you pleaded guilty to the two charges thus saving the Court and every one else's time.

However, there are aggravating factors in the offences you had committed the first stage disparity between you and the victims, the victims of the of the offence of indecent assault is a 12 years old girl and the victim of the rape was a nine year girl. This means there is a disparity of 67 years for the victim of indecent assault and 70 years for the victim of rape. From the facts, it

on her by pouring what is said to be custom medicine on her vagina then licking her vagina. You use deception to involved on penetration, your action is still considered abhorrent.

The offences for which you are convicted are serious offences. The offence of indecent assault carries a penalty of 7 years imprisonment and the offence of rape carries a penalty of life imprisonment. In considering the sentences to impose I take into account that you are an old man of 79 years and that any long sentence may severely affect your physical wellbeing. I had also taken into account the decision of the Court Appeal in **Criminal case No.66 of 2024 Rex V Ellizah Tinae Pao**. I however consider the charges and the facts in your case are not as serious as in the case of R-v-Pao.

After considering the facts of the two charges, the submission of counsels, the case authorities referred to by counsel and all the circumstances surrounding this case. I consider the following sentence are appropriate and I will impose on you as follows;

1. For the offence of indecent assault, I sentence you to 2 years imprisonment and
2. For the offence of rape, I sentence you to 5 years imprisonment.

The sentence are to run consecutively and time spend in custody is to be counted as part of the sentence.

Total imprisonment is 7 years imprisonment minus time spend in custody since your arrest.

IRA

