

**IN THE CENTRAL MAGISTRATES COURT)
OF SOLOMON ISLANDS AT HONIARA)
(Criminal Jurisdiction)**



Criminal Case No: 816/2017.

REGINA

-V-

PRINCE MYLOVE

SENTENCING RULING

Prosecution: Mosese

Defence: appeared in person

Sentencing date: 24th August 2017

1. Charges:

The defendant in this case namely Mr. Prince MYLOVE was charged, for the following traffic offences:

- a. Count 1 – Careless driving c/s 40 (1) RTA
- b. Count 2 – Unlicensed motor vehicle c/s 7 (1) RTA
- c. Count 3 – Invalid driver's license c/s 20 (1) RTA
- d. Count 4 – Duty to stop and report c/s 63 (1) (b) RTA

He pleaded guilty on the 8 of August 2017 and was therefore convicted on his own guilty pleas for those 4 charges.

2. Facts:

On the 6th of May 2017 between 1930 & 2000 hrs at Kukum highway road – Mataniko area, the defendant drove a white motor vehicle Toyota corolla registration no. MA 3087 travelling westward on the outer lane in a manner that was without due care and attention by switching lanes to enter another one lane in a sharply or flashing manner without out signal indications in front of a G3766 white double cabin hilux. This was in a very short distance of about 3 meters reaching the bottle neck 1 way for the Mataniko Bridge.

As a result they collided and damages were sustained from that Collision for the two vehicles.

The defendant was dealt with thereafter resulting in the 4 charges he is facing now.

- g. In assessing the damages and the fines to be imposed I am also mindful of the earnings of the defendant.
- h. As always reiterated for traffic matters, the court will implement laws accordingly and such offenders must be reminded that these offences are not tolerated in any way. They pose risk to all users of the road including themselves. Therefore deterrence is important and rehabilitation as well since he is a first time offender and has made early guilty pleas to the charges laid against him.
- i. As for the G-vehicle I also wish to remind the public to take more care and cautiousness on dealing with Government properties as the property are there to assist and carry out duties for our own welfare.
- j. With all the factors before me, I am of the view that the following are appropriate amount of fines to impose on the defendant:
- i. Careless driving- \$1500 id 1 month imprisonment
 - ii. Unlicensed motor vehicle- \$1200 id 1 month imprisonment
 - iii. Invalid driving license- \$1300 id 1 month imprisonment
 - iv. Duty to stop and report- \$500 id 2 weeks imprisonment
 - v. Order for sentences to be concurrent as they all occur on one day with the same vehicle in a one transaction sequence or situation.
 - vi. Thus defendant is to pay \$1500 by 24th August 2017 before cob.
 - vii. He is also disqualified from driving for 6 months from today.
 - viii. Right of appeal by aggrieved party to be exercised within 14 days from today.

