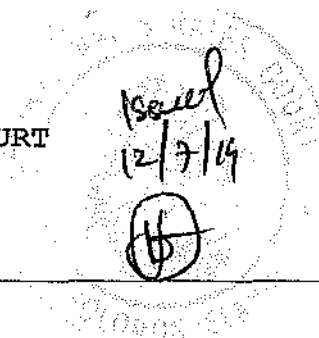


IN THE SOLOMON ISLANDS MAGISTRATES' COURT
AT HONIARA
Criminal Case No. 55 of 2019



REGINA

v

BRANDON ZANDOC

Before: Principal Magistrate Ms. Fatimah Taeburi
Ms. Tabepuda for the Crown
Mr. Harunari for the Defendant

Date of Sentence: 10th July 2019


Sentence

Introduction

1. You pleaded guilty to attempted arson, malicious damage, going armed in public and criminal trespass. I convict you accordingly.
2. All the charges arose out of one incident during which you committed offences against your own aunt and uncle. You attempted to burn their house. You damaged their properties including the door and glass of a vehicle. You were armed with a bush knife at the time. You entered their premises without their permission.
3. I find that you premeditated your actions that day.
4. The fact that you were armed with a bush knife is an aggravating factor.

5. You committed the offences against members of your own family. You have shown no respect at all for your aunt and uncle.
6. I consider the loss suffered by the complainants. There is nothing to suggest that you or your parents assisted the complainants to recover their loss.
7. In your favour, I take into account that you are a juvenile. You are now 16 years old. There is a greater possibility of rehabilitation in your case compared to others.
8. I give you full credit for your guilty plea.
9. I consider that you are a first time offender.
10. I have read the social welfare report submitted on your behalf. I take the report into consideration.
11. I accept that you have spent some times in custody for these charges.
12. There were some suggestions of reconciliation in your case. After inquiries it was clear that no settlement in the customary manner occurred. Therefore I do not need to consider customary reconciliation as a mitigating factor.
13. I consider the sentencing options provided in section 16 of the Juvenile Offender's Act.
14. I take in account the maximum penalties for the offences you committed.
15. In my view, the appropriate sentence are as follows;
 - a. Count 1 - attempted arson - 1 ½ years imprisonment
 - b. Count 2 - malicious damage - 2 months imprisonment
 - c. Count 3 - going armed in public - 1 month imprisonment
 - d. Count 4 - criminal trespass - 1 month imprisonment

16. All sentences are to be served concurrently. In total you are sentenced to 1 ½ years imprisonment. The time spent in custody is taken into account.
17. I make an additional order for the parents of the accused to pay costs for the damages caused on the complainants' properties within 28 days from today.
18. I also make an order for the parents of the accused to settle the matter with the complainants in custom within 28 days from today.
19. Right to appeal within 14 days.



Fatimah Taeburi

Ms. Fatimah Taeburi
Principal Magistrate