

REGINA v JOHNSON RUSU & REX JASON AU

Case Number: Criminal Case No. 654 of 2021
Court: Central Magistrates' Court
Coram: Ricky Iomea, Deputy Chief Magistrate
Date of sentence: September 2, 2021
Parties: Ms. Luza for the Prosecution
Mr. Weago for the Accused.



SENTENCE

Both of you appear this afternoon for sentence after you have pleaded guilty to the charge of breaching the Restriction of Movement of Persons in Honiara contrary to Clause 4 (1) and (2) (a) and (b) of the Emergency Powers (COVID-19) (Honiara Emergency Zone) (Restriction of Movement) Order 2021 and Regulation 15 (1) (a), (2) and (4) of the Emergency Powers (COVID-19) (No. 2) Regulations 2021.

Sometimes after 3:15 am on 30th August 2021, the two of you were not at your places of residence namely Namuruka and Wind Valley as you were seen walking along the main road opposite the White River School, an area designated as an Emergency Zone during the Restriction period by the Prime Minister.

Both of you did not have exemptions to leave your places of residence on 30th August 2021 at 3:15 am. The two of you were aware of the lockdown and the consequences. Police arrested the two of you and brought you to the Central Police Station.

It is agreed that the recent 36 hours Lockdown was a measure taken by the Government as part of its ongoing preparation to enhance the capabilities of its agencies in containing a possible spread of COVID-19 in the Country.

As agreed, the two you were aware of the lockdown and therefore the fact that you were not at your places of residences at the time demonstrates a deliberate breach of the order by the two of you.

The maximum penalty for this offence is 15,000 penalty units 5 years imprisonment or both.

Your action shows disregard and disrespect for the orders made by the Authority (Prime Minister). You deliberately breached the restriction of movement orders. The court will impose punishment for that breach, a consequence that you anticipated as shown in the agreed facts.

Everyone should understand that orders made by the Government during this Emergency period are for the good of everyone and the nation. Our obligation is to obey them.

You two have pleaded guilty to the offence at the first available opportunity.

Having considered the facts of the case, your pleas of guilty, your personal circumstances, the need for punishment and the need to deter deliberate breach of such orders in the

future, I will impose a fine of \$700.00 against each of you. In default, thirty days imprisonment. The fine is payable by close of business on 23rd September 2021.

The Court,



Ricky Iomea DCM