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PUBLIC PROSECUTOR
-v-
BRUNO NEPREI & 52 other Defendants

Coram : Chief Justice Vincent Lunabek

Counsel: Mr Tristan Karae for the Public Prosecutor
Mr Kiel Loughman for the Defendants

Date of hearing: 15 February 2011

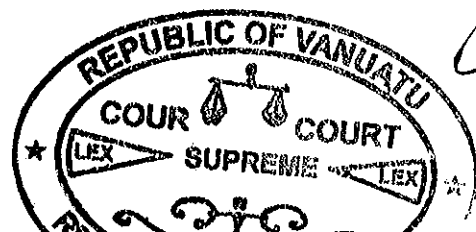
Date of Judgment: 16 February 2011

SENTENCE

This is the sentence of 42 Defendants. 6 Defendants who were involved in the same criminal case, entered guilty pleas in the Supreme Court in Port-Vila. They were convicted as charged on 10 February 2011 and shall be sentenced on 24 February 2011 at 2.00pm o'clock. On 15 February 2011 following Defendants: Iakei Naus, Naus Namten, Netai Kwaten, Jack Katawa, Nakur Loughiauma, Amos Iauhua, Andrew Iauhua, John Iauhua, Jimmy Iaruel, Karae Pasua, Kapia Rokono, Charlie Ioram, Napang Navi, Jack Mawa, John Kutpauta, David Namatau, Namatau David, Katawa Nitai, Remmy Rouawus, Timothy Ianakel, Iau Urpei, Rino Napip, Tuta Tom, Willie Nakou, Kasua Naus, Naus Kuenkirkir, Jimmy Lency, Naupir Repah, Ronies Quapitana, Sam Nakau, Naiwa Rose, Tomake Ianakel, Wahai Wahai, Albert Tangap, Jimmy Nahu, Jerry Peter, Kausir Nauka Peter, Konpiken Amos, Kalahi Harry, Melen Ishmael and Jerry Iaput, entered guilty pleas and convicted on:

- One count of Unlawful Assembly contrary to section 69 of the Penal Code Act [CAP.135]; and
- One count of Malicious Damage to property, contrary to section 133 of the Penal Code Act [CAP.135].

Defendant Yauhua Lounako entered guilty pleas and convicted on:



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- One count of Unlawful Assembly, contrary to section 69 of the Penal Code Act [CAP.135]; and
- One count of Soliciting and Inciting commission of the offence of Malicious Damage to property, contrary to sections 35 and 133 of the Penal Code Act [CAP.135].

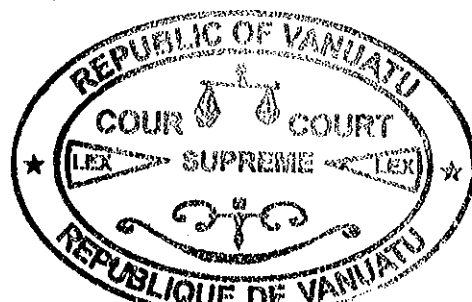
The facts of this case are set out by the prosecution. The defence counsel agrees and accepts them on behalf of the Defendants. They are reproduced as follows:

On 23rd September 2008, Digicel representatives and representative of people from Envitana including people of Envitana had a meeting. The purpose of that meeting was to reach an agreement for Digicel Company to build a telecommunication tower at Envitana area, South West Tanna. After the meeting, the people of Envitana including their representatives agreed and signed an agreement then Digicel started to build the tower.

After the agreement, some of the Defendants, especially Bruno Neprei, Chief Yauhua Lounako and Chief Narwie expressed their thinking on the basis of some "custom road". They held several meetings with the idea to pull down the Digicel tower.

On 22nd January 2009, Chief Johnson Kuana of Ikakaha Village called on people from Envitana area to have a meeting as he was then informed that Bruno Neprei, Chief Iauhua and Chief Narwie wanted to pull down Digicel tower. Chief Johnson Kuana sent Chief Nipiko to get Bruno Neprei, Chief Lounako and Chief Narwie to attend the meeting. They refused to attend the meeting. So after several attempts, Chief Johnson sent 7 men to call on Bruno Neprei, Chief Lounako and Chief Narwie to attend the meeting and say why they wanted to pull down the Digicel tower.

Bruno Neprei, Chief Lounako and Chief Narwie agreed and attended the meeting. Chief Johnson chaired that meeting. During the meeting, Bruno Neprei, Chief Lounako and Chief Narwie said they were going to pull down the tower and they gave one week to Digicel Boss to respond because they said that the Digicel tower was built on "Tabu" place. But Digicel did not respond.

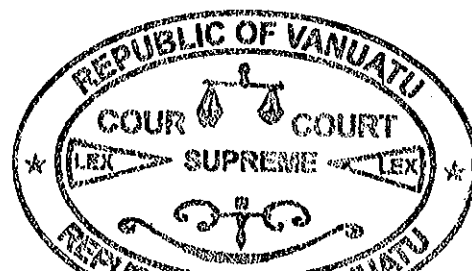


Later on sometime on 1st of February 2009, there was a big meeting taking place at lekuirvang village. The purpose of the meeting was for the Defendants to plan as to how they were going to pull down the Digicel tower. During the discussions, Chief Yauhua and Chief Narwie told other Defendants as to who and how some of the Defendants would remove the posts, the fence and the bolts on the foundation of the tower so that the tower could fall on the ground. After the meeting of 1st February, the Defendants spent the night in the nakamal. On 2nd February 2009, the Defendants assembled together and marched up toward the location of the Digicel tower. Chief Johnson was informed that Chief Yauhua and Chief Narwie lead the Defendants to the location of the tower. Then Chief Johnson sent messages to get police assistance at Isangel police station and he also contacted Digicel Company in Port-Vila about the situation. The police went to the place the tower was built. The police tried to reason Chief lauhua and Chief Narwie not to damage the tower. The Defendants did not listen to the police and the number of the police officers on the field were outnumbered and they left.

After that the police officers left, the Defendants took firewood and coconut leaves and throw them at the foundation of the tower and also around engine box of the tower. The Defendants then removed the fences, dug the posts of the fences. At the same time, other Defendants removed bolts at the foundation of the tour. The Defendants then took a rengin wire of the tower and they fastened it on a tree and they pulled on it. Once all bolts were removed, the Defendants pulled on the rengin wire and the Digicel tower fell on the ground. When they pulled the tower down on the grounds, the Defendants shouted and climbed on the tower.

After they pulled the tower down on the ground, the Defendants made a big custom dance ceremony. During that custom dance ceremony, chief Yauhua Lounako and Chief Narwie lead the Defendants to the nakamal. There, Chief Narwie made custom payment with kava and food to the Defendants for the work they have done by pulling the Digicel tower down on the ground.

The complainant in this case filed an assessment report showing the total loss of equipment and recollection of the tour. The total loss was about USD256,516 which is equivalent to 23,000,000 Vatu.



On 9th February 2009, police started the investigation in the matter and after caution, they interviewed the Defendants and the Defendants made statements admitting their involvements in the incident.

The provisions of the law you have broken are set out below:

- The first is the offence of Unlawful Assembly. It is defined by Section 68(1) of the Penal Code in this way:

"When three or more persons assembled with intent to commit an offence, or being assembled with intent to carry out some common purpose, conduct themselves in such a manner as to cause nearby persons reasonably to fear that the persons so assembled will commit a breach of the peace, or will by such assembly needlessly and without any unlawful assembly."

Section 69 of the Penal Code Act prohibits unlawful assembly and it states:

"No person shall take part in an unlawful assembly.

Penalty: Imprisonment for 3 years."

- The second is the offence of Malicious Damage to property. It is prohibited by section 133 of the Penal Code Act [CAP.135]. It states:

"No person shall willfully and unlawfully destroy or damage any property which to his knowledge belongs to another.

Penalty: Is set out in section 36(3) of the Interpretation Act [CAP.132] which provides that:

Where an Act of Parliament omits to prescribe a penalty for an offence created by the Act or for a contravention of a provision of the Act the penalty shall be a fine of VT5,000 or imprisonment for 1 year or both."

The third is the offence of Soliciting and Inciting the Commission of an offence which is prohibited by sections 35 and 133 of the Penal Code Act [CAP.135]. Section 133 of



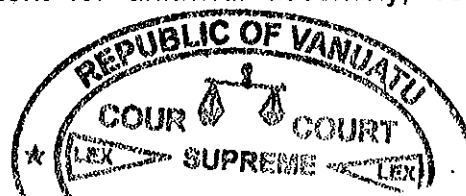
the Penal Code Act has been referred to above. Section 35 of the Penal Code Act says:

"It shall be unlawful to incite or solicit another person to commit any offence, whether or not that offence is committed. A person guilty of inciting or soliciting an offence may be charged and convicted as a principal offender."

Penalty: [Is set out in section 36(3) of the Interpretation Act [CAP.132] which is "5,000VT or imprisonment for 1 year or both."

In considering your sentencing, I peruse and consider the submissions of the Public Prosecutor and submissions made by your defence counsel on behalf of each and all of you before the Court today at Isangel, Tanna. I have enquired from your counsel about the possibility of pre-sentence reports for each of you but they are dispensed with as your lawyer provided very detailed information on your personal history, your antecedents and matters of mitigation on behalf of each of you to assist the Court in your sentencing exercise.

The prosecution refers the Court to the case of **Public Prosecutor v. Jimmy Niklam & others**, Criminal Case No.04 of 2004. Briefly, on 6 July 2004, the people of Vanuatu went to the polls to cast their votes in a snap election called by the Government of Vanuatu. Mr Jimmy Niklam and Mr Iaris Naunun, both of Middle Bush, Tanna contested the elections for a seat each in the National Parliament. The unofficial results of votes cast in Tanna were announced on the national radio on 8th July 2004. The unofficial results showed that both Mr Niklam and Mr Naunun failed to secure a seat in the National Parliament. On 9 July 2004, the election coordinators with the assistance of the police transported the ballot boxes for the constituencies of Tanna and Tafea outer Islands to White Grass Airport. The Defendants, encouraged by their leaders, also went to the Airport and seized 4 boxes, broke them on the road and burned the voting cards, and all other documents. The cards and other contents are the properties of the Government of Vanuatu. The defendants were charged with the offences of unlawful assembly, contrary to section 69 of the Penal Code Act, Malicious Damage to property, contrary to section 133 of the Penal Code Act and Soliciting and Inciting the commission of the offence of Malicious Damage to property, contrary to sections 35 and 133 of the Penal Code Act [CAP.135]. They were sentenced to 24 months imprisonment for unlawful assembly; 10 months



imprisonment for malicious damage to property and 10 months imprisonment for soliciting and inciting the commission of the offence of Malicious Damage to property. The Court suspended the imprisonment terms for a period of 2 years and ordered that they will run concurrently.

The prosecution submits that the Court should apply the rational of sentencing in the case of **PP v. Jimmy Niklam & others**, Criminal Case No.04 of 2004 and in addition, order you to perform 200 hours community work.

In the present case, your offending and the circumstance of your offending are very serious offending. They are aggravated by the following factors ~~exist~~:

- There is a high degree of planning and pre-meditation.
- There was a criminal joint enterprise by a group of more than 50 persons.
- The value of the property damaged is roughly estimated at US\$256,516 which is equivalent to Vatu 23,000,000. It is a very substantial loss.
- Loss of mobile communication access on Envitana area by the people.

On your behalf, your lawyer submitted to the following effect:

Removal of tower:

Your lawyer informed the Court that you do not deny the fact that you are responsible for the removal of the Digicel Communications tower (hereinafter the tower) at Envitana area in South Tanna. In removing the tower you were not saying you oppose the services provided by Digicel, although that's how your actions have been interpreted by the members of the public.

Prior to the tower being built on the land, there were not full consultations with the chiefs of the area. When Defendant Bruno Neprei (in Vila) heard the tower was to be built on the site, he actually went up to Digicel Officer to talk to the people responsible. He was told the person responsible was out of the office. He requested to see lama Natuka, a Ni-Vanuatu employed by Digicel but there was no response. He later on met with that employee, Mr lama Natuka, and conveyed his concern and that of the Defendants to him to inform the Digicel Office. There was no response.



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Alternative site

Your lawyer also informed the Court that Defendants Iauhua Lounako and Bruno Neprei suggested an alternative site still at Envitana to build the tower. That site was not taken.

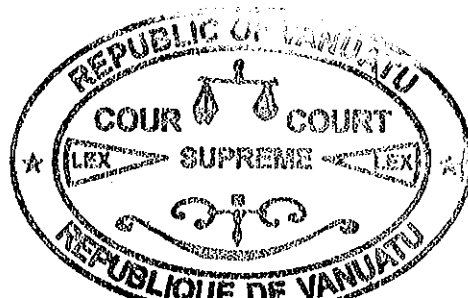
Decision to remove tower

Your lawyer informed the Court further that a meeting was held sometime in January 2009 during which time it was decided that the tower would be removed. The decision to remove the tower was collective.

Your lawyer finally informed the Court and submitted as follows:

Matter in mitigation:

1. You have removed the tower for a reason, while the reason may not justify your unlawful actions, it nevertheless shows that incoming development need to respect your custom and culture.
2. You are people who live in traditional ways all your life and you have very strong belief in your traditional ways and sites for gardening. An intrusion onto a sacred site where rituals are held for gardening was to you, disrespectful to your beliefs and custom.
3. You did not immediately decide to remove the tower without trying to find a solution. You attempted to contact Digicel but without very little or no success. You had an alternative site which you were prepared to have the tower built on.
4. Your actions do not mean you are opposed to the services delivered by Digicel. You know and realize the importance of the services Digicel is providing.
5. You realize your actions have affected many people in the area who were serviced by the tower. As a result of your actions mobile phones cannot be used in and around some coastal areas around South West Tanna.
6. You have had to live with the stigma of having been referred to as "trouble makers". You realize your actions have caused disunity amongst the nakamals around Envitana area. You would like to see your community unite again.



Reconciliation

7. Your Chiefs have asked for reconciliation between the nakamals three (3) times but those opposed to your actions have refused. In 2010, Defendant Narvie Netai took kava to Chief Nipiko Howan for reconciliation (the opposing Chief) but his kava was refused.

Relocation of tower

8. You would like the tower to be rebuilt but relocated to the site you (Defendants) first proposed.
9. Costly
You are very much aware that your actions have costs Digicel a lot of money. You can never repay that money but hope a new relationship can be fostered between your community and Digicel as the service provider.
10. You also realize your actions have cost the government a lot of money and time for having the Supreme Court to convene to deal with your case.

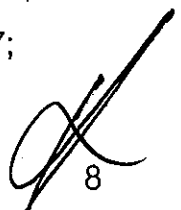
11. Particulars

- Your lawyer provides the particulars of each of you as shown in the table attached to and is part of your sentence. You are remorseful for what you each and all did.
- Each and all of you pleaded guilty at the earliest opportunity which saves time, money and what could possibly be a lengthy trial especially when prosecutions indicated it had 25 witnesses.
- Each and all of you have no prior convictions.
- Each and all of you are unemployed, you are subsistence farmers,
- Majority of you are married with children.
- You all live on Tanna except for the 7 of you currently on Efate Island.
- Each and all of you would like the services you destroyed to be restored.
- You have tried to reconcile with the opposing group but opposing group of Chief Nipiko Howan refused to accept your reconciliation.

On your sentencing, your lawyer refers the Court to the following cases:

- **PP v. Chief Henry Cyrel Manlaiwia & ors**, Criminal Case No.24 of 1997;
- **PP v. Chief Koloran Maripopongi & ors**, Criminal Case No.25 of 1997;
- **PP v. Niklam & ors**, Criminal Case No.24 of 2004.




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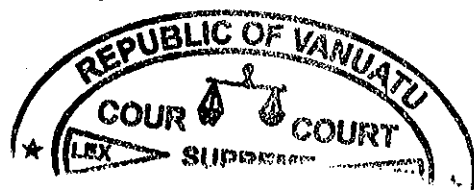
The circumstances of the above cases arose out of concerns of the custom of local people and their practices as they are in direct conflict with the criminal laws of Vanuatu. In **Manlaewia and Maripopongi cases**, the disputes were over rules of customs as to who should be the paramount chief. The **Niklam case** was about the execution of Orders issued in custom by the custom chiefs and leaders. The present case is about the concerns by one part of the local community of Envitana area to protect and preserve their traditional site which culminated in unlawful actions committed by the Defendants out of frustrations and as reactions to the refusal of their proposed site.

Your lawyer submitted that in the light of the above cases, the appropriate sentence that the Court should pass on each and all of you for your offending should be a suspended custodial sentence.

In the present case, I have considered the prosecution submissions and submissions of your lawyer and all what your lawyer informed the Court about on your behalf. I have also perused and considered the relevant provisions of the law and the case authorities provided by the prosecution and your lawyer, I must inform each and all of you that your offending constitute very serious offences which attract custodial sentence. It appears that your unlawful actions were carried out as a result of your frustrations, lack of understanding and communication, reactions after you realized that your proposed site to build Digicel tower was refused and that the tower was built on your traditional site you use for special custom ceremonies.

In sentencing each and all of you, the Court must inform you that Vanuatu as an independent and sovereign nation has laws for everyone including each and all of you. As citizens of Vanuatu, each and all of you and your chiefs, you are subject to the laws of Vanuatu. Each and all of you must understand that you cannot take the law into your own hands to do justice to yourselves out of frustrations, reactions, misunderstanding and lack and/or poor communications.

Your custom motives or custom rationals may be the basis of your actions. However, your custom and practices are not excuses for each and all of you to commit criminal offences as you did on 2 February 2009 when you were unlawfully assembled



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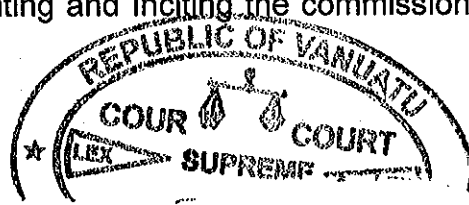
together, maliciously damaged the Digicel tower causing its fall on the ground with the encouragement and incitement of some of your custom chiefs and leaders. Your offending resulted in substantial losses of VT23,000,000 to Digicel and one part of Tanna Island people could no longer have access to their mobile phone communications. This has far reaching effect on the telecommunications and economic developments on Tanna and Vanuatu.

Custom chiefs and leaders shall refrain from soliciting and inciting their people to commit criminal offences out of frustrations and reactions using their custom and practices as justifications for the breaking of the criminal laws of the Republic of Vanuatu.

In the present case, I have balanced the aggravating factors with the mitigating factors and after I have cross referenced each with the other, I sentence each and all of you in this way:

ORDER FOR SENTENCE

1. Defendants: Iakei Naus, Naus Namten, Netai Kwaten, Jack Katawa, Nakur Loughiauma, Amos Iauhua, Andrew Iauhua, John Iauhua, Jimmy Iaruel, Karae Pasua, Kapia Rokono, Charlie Ioram, Napang Navi, Jack Mawa, John Kutpauta, David Namatau, Namatau David, Katawa Nitai, Remmy Rouawus, Timothy Ianakel, Iau Urpei, Rino Napip, Tuta Tom, Willie Nakou, Kasua Naus, Naus Kuenkirkir, Jimmy Lency, Naupir Repah, Ronies Quapitana, Sam Nakau, Naiwa Rose, Tomake Ianakel, Wahai Wahai, Albert Tangap, Jimmy Nahu, Jerry Peter, Kausir Nauka Peter, Konpiken Amos, Kalahi Harry, Melen Ishmael and Jerry Iaput, each and all of you are sentenced to 2 years imprisonment for Unlawful Assembly, contrary to section 69 of the Penal Code Act [CAP.135]; and
2. Each and all of you are sentenced to 11 months for Malicious Damage to property, contrary to section 133 of the Penal Code Act [CAP.135];
3. The terms of imprisonment imposed on each and all of you are concurrent to each other.
4. Defendant Yauhua Lounako, you are sentenced to 2 years imprisonment for Unlawful Assembly, contrary to section 69 of the Penal Code Act [CAP.135]; and 11 months imprisonment for Soliciting and Inciting the commission of the



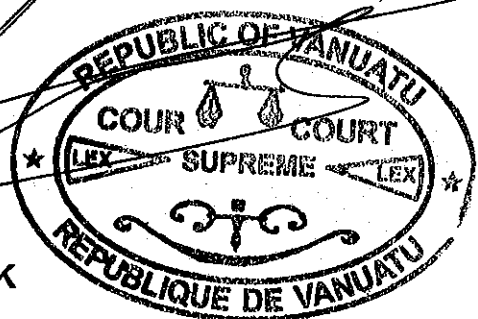
offence of Malicious Damage to property, contrary to sections 35 and 133 of the Penal Code Act [CAP.135].

5. Your terms of imprisonment are concurrent to each other.
6. For all Defendants including Defendant Yauhua Lounako, your imprisonment terms are suspended for a period of 3 years from today's date i.e. 16 February 2011 under s.58G of the Penal Code (Amendment) Act No.14 of 2007 [CAP.135].
7. During such period of 3 years suspension, each of you must not re-offend. If any of you re-offend again before the end of 3 years suspension period, you shall be charged and convicted on the new offence and the current suspended terms of 2 years imprisonment shall be reactivated by the Supreme Court.
8. In addition to your suspended terms of imprisonment under s.58G of the Penal Code Act, all of you including Defendant Yauhua Lounako are ordered to perform each 100 hours of community work.
9. Each and all of you who are sentenced today 16 February 2011, is entitled to appeal his sentence within 14 days if you are not happy with your sentence.
10. Your sentence is a criminal sentence imposed on each of you for the criminal offences each of you had committed against the criminal laws of Vanuatu.
11. As a final note/observation, if Digicel Company issue civil proceedings against each and all of you, you must understand that that is a different process from a criminal process.

DATED at Isangel, Tanna this 16th day of February 2011

BY THE COURT

**Vincent LUNABEK
Chief Justice**

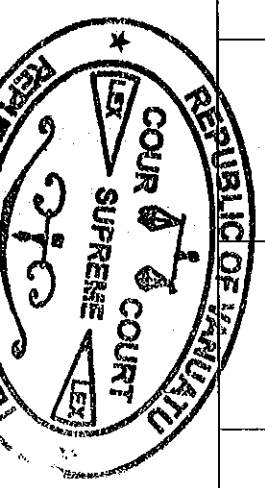


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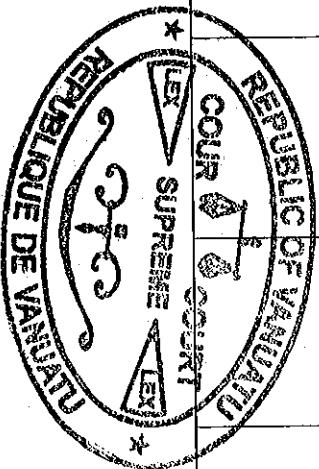
Personal Particulars of defendants

Defendant's name & age	Village	Plea	Prior convictions	Marital Status	Number of children	Employment Status	Commitments	Leadership role	Remarks
1 Yauhua LoiNakou (70s)	Yakunauka west Tanna	Guilty	0	Married	10 All grown up children	Unemployed	Helps look after grand children. Chief and responsible for community.	Chief of Nimatature	First time offender
2 Narwie Netai		Guilty	0			Unemployed			First time offender
3 Bruno Niprei	Envitana South Tanna	Guilty	0	Married	6 3 attending school, 1 in Noumea 2 at Montmarie school yr11 & 12	Unemployed	School fees at Montmarie vr56,000 per term for 2 children. Currently subsistence farmer at Teouma	Def is sick see Dr medical report dated 13/12/10 Def looks after people in Vila	First time offender
4 lakei Naus	Envitana, south Tanna	Guilty	0	single	0	Unemployed	Looking after parents		First time offender
5 Naus Namtan	Envitana south Tanna	Guilty	0	Married	8, none attend school	Unemployed	Supports family through subsistence farming	He is father of defendant Albert Tangap	First time offender

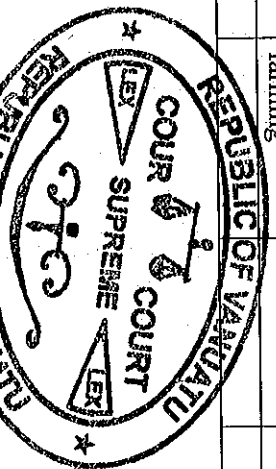
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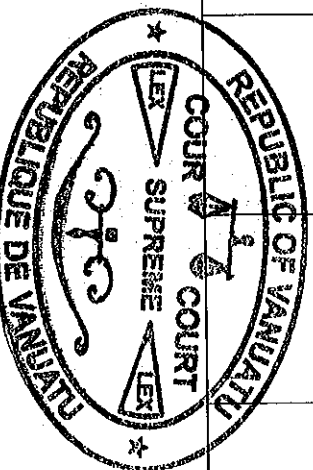
Def name & age	Village	Plea	Prior conviction	Marital status	No Children	Employment status	Commitments	Father of defendant	Remarks
6 Netai Kwaten (50s)	Envitana south Tanna	Guilty	0	Married	5 None attends school	Unemployed	Supports family through subsistence farming	Father of defendant Daniel Netai	First time offender
7 Jack Karawa (30s)	Envitana, south Tanna	Guilty	0	married	7 Oldest 14yrs, none goes to school	Unemployed	Looks after his family through subsistence farming		First time offender
8 Nakur Loughnauma (60s)	Evitana, south Tanna	Guilty	0	married	4 None goes to school	Unemployed	Looks after his family through subsistence farming		First time offender
9 Amos Tauhua (30s)	Evitana south Tanna	Guilty	0	married	1, one daughter 9yrs	Unemployed	Daughter attends french school class 2 Supports family through subsistence farming		First time offender



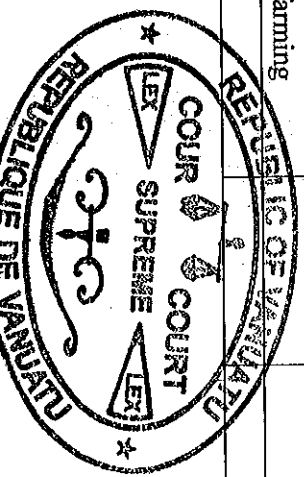
Def name & age	Village	Plea	Prior convictions	Marital status	No of children	Employment status	Commitments	Remarks	
10 Andrew Iauhua (20s)	Envitana South Tanna	Guilty	0	Married	3 None attending school oldest 4yrs	Unemployed	Supports family through subsistence farming.	Has a small loan at Lenakel Cooperative loans society pays monthly	First time offender Chairman of Numla Committee e which looks after water supply to Isangel.
11 John Iauhua (30s)	Envitana south Tanna	Guilty	0	married	4, Oldest 7yrs	Unemployed	2 children attend Isangel French school. Cares for mentally sick father	First time offender	
12 Lasul Sapa		Guilty	0			Unemployed			
13 Jimmy Iaruel (30s)	Envitana south Tanna	Guilty	0	married	3, Oldest 17 yrs	Unemployed	1 child attends Kona primary school	Owns & operate small bricks making business	First time offender
14 Karae Pasua (60s)	Envitana, South Tanna	Guilty	0	married	5, all grown up children	Unemployed	Supports family through subsistence farming	First time offender	



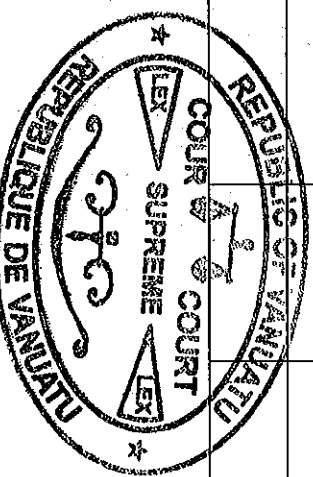
Def name & age	Village	Plea	Prior conviction	Marital status	No of Children	Employment status	Commitments	Remarks
15 Kapia Rokono (60s)	Envitana southf Tanna	Guilty	0	married	3 None attends school	Unemployed	Supports family through subsistence farming	Father of defendant Rapi Rapapai First time offender
16 Charlie Iorann	Envitana southf Tanna	Guilty	0	Married	4 oldest child 9 yrs none attends school	Unemployed	Supports family through subsistence farming	First time offender
17 Nampang Navi (40s)	Envitana south Tanna	Guilty	0	Married	6 Oldest is 15yrs	Unemployed	Supports his family through subsistence farming	First time offender
18 Jack Mawa (30s)	Envitana south Tanna	Guilty	0	Married	3, 6 yrs, 4yrs, 3yrs	Unemployed	Committed to looking after his family	First time offender
19 Johnson Kurpautia (20s)	Envitana south Tanna	Guilty	0	Single	0	Unemployed	Subsistence farmer	First time offender
20 David Namatau	Envitana	Guilty	0	Married	1, 9 month old baby	Unemployed	Committed to looking after his family	Father also defendant in this case First time offender



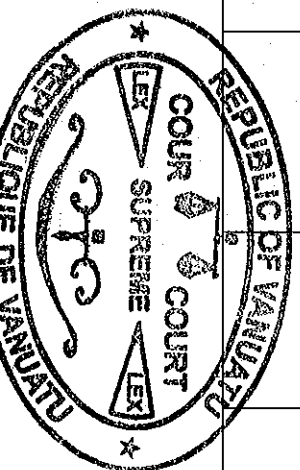
Def name & age	Village	Plea	Prior convictions	Marital Status	No of Children	Employment status	Commitment		Remarks
21 Donald Kathy	Envitana south Tanna	Guilty	0	Married	3 None attending school	Unemployed	Subsistence farmer on Tanna. Currently in Vila looking for job	Wife & children on Tanna while def tries looking for job	First time offender
22 Nipiko Namarianau	Envitana southf Tanna	Guilty	0	Married	4 None attending school, oldest 10yrs youngest 3 yrs	Unemployed	Wife & children on Tanna, def in vila looking for employment	On Tanna he is subsistence farmer	First time offender
23 Namatau David	Envitana south Tanna	Guilty	0	Married	5, none attends school	Unemployed	Supports family through subsistence farming.	Father of defendants David Nimatau & Ranap Mark Nimatau	First time offender
24 Katawa Nitai (30s)	Envitana southf Tanna	Guilty	0	Married	4, Oldest 10 yrs, youngest 3yrs	Unemployed	No children attend school. Supports family through subsistence farming		First time offender



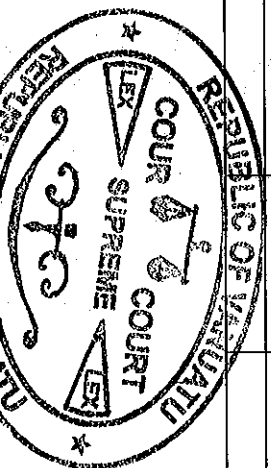
Def name & age	Village	Plea	Prior convictions	Marital status	No of Children	Employment status	No of children	Commitment	Remarks
25 Remy Rouawrus	Envitana south Tanna	Guilty	0	Single	0	Unemployed	Subsistence farmer, supports family through farming		First time offender
26 Timothy Ianakel (30s)	Envitana south Tanna	Guilty	0	Married	4 Oldest 9yrs, youngest still a baby, None attends school	Unemployed	Supports family through subsistence farming		First time offender
27 Ian Urpei (30s)	Envitana south Tanna	Guilty	0	married	3, none attending school. Oldest 6 yrs	Unemployed	Supports family through subsistence farming		First time offender
28 Rino Napip (30s)	Envitana south Tanna	Guilty	0	Married	3 Oldest child 5 yrs youngest few months old	Unemployed	Supports family through subsistence farming		First time offender



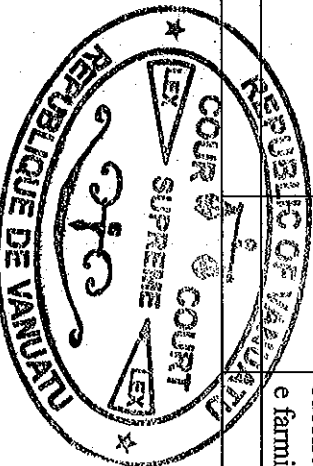
Def name & age	Village	Plea	Prior convictions	Marital status	No of Children	Employment status	Commitments	Remarks
29 Tura Tom (40s)	Envitana south Tanna	Guilty	0	Married	6, none attending school	Unemployed	Supports family through subsistence farming	Father of defendant Nipiko Namarian First time offender
30 Willie Nakou (40s)	Envitana south Tanna	Guilty	0	Married	4 Oldest 16yrs, youngest 3yrs. None attends school	Unemployed	Supports family through subsistence farming	First time offender
31 Kasua Naus (40s)	Envitana, south Tanna	Guilty	0	married	2 9yrs & 1 yr	Unemployed		First time offender
32 Naus Kuankirkir (30s)	Envitana south Tanna	Guilty	0	married	5, oldest 7yrs, youngest baby	Unemployed	Supports family through subsistence farming	Fist time offender
33 Jimmy Lency	Envitana south Tanna	Guilty	0	Married	2 4 yrs old & 1 yrs old	Unemployed	Supports family through subsistence farming	First time offender



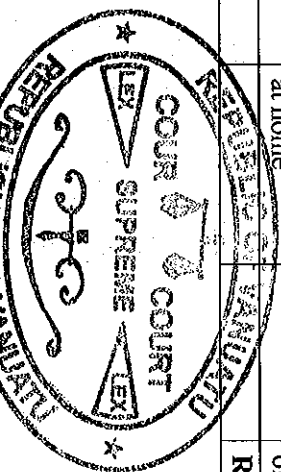
Def name & age	Village	Plea	Prior convictions	Marital status	No of children	Employment status	Commitments	Remarks	
34 Ramap Mark Namatau (15yrs)	Envitana South Tanna	Guilty	0	Single	0	Unemployed	No formal education, currently in vila since early 2010 looking for job	Son of defendant David Nematau	First time offender
35 Naupir Repah (30s)	Envitana south Tanna	Guilty	0	married	1 yr old son	Unemployed	Subsistence farmer		First time offender
36 Daniel Netai (20s)	Envitana Southf Tanna	Guilty	0	Married	2 4 yrs & 2 yrs none attending school	Unemployed	Currently in Vila since Sept 2010 looking for employment	On Tanna a subsistence farmer helps looks after parents	First time offender
37 Ronies Quapitana (40s)	Envitana	Guilty	0	Married	5, oldest 19 yrs	Unemployed	2 children attend school at Etap school & Ikiti school.	Supports family through subsistence farming	First time offender
38 Johnson Tufna	Envitana south Tanna	Guilty	0	Married	2 8 yrs & 4 yrs none attending school	Unemployed	Currently in Vila employed at Melektri area in plantation. He sends money to Tanna for his children	On Tanna he is subsistence farmer	First time offender



Def name & age	Village	Plea	Prior convictions	Marital status	No of children	Employment status	Commitments	Remarks
39 Rapi Rapeiai		No plea						
40 Sam Nakau (20s)	Envitana south Tanna	Guilty	0	Married	3 Oldest 4 yrs, youngest months old	Unemployed	No child attending school, supports family through subsistence farming	First time offender
41 Naitua Rose	Envitana south Tanna	Guilty	0	single	0	Unemployed	Supports himself & parents through subsistence farming	First time offender
42 Johnny Iawimam		Guilty	0			Unemployed		
43 Tomake Ianakel (20s)	Envitana south Tanna	Guilty	0	Single	0	Unemployed	Subsistence farmer	First time offender
44 Wahi Wahi (50s)	Envitana south Tanna	Guilty	0	married	8	Unemployed	1 daughter attends class 4 Etap school	He is the father of defendant Timothy Ianakel
								First time offender Supports family through subsistence farming



Def name & age	Village	Plea	Prior convictions	Marital status	No of children	Employment status	Commitments	Remarks
45 Albert Tangap (30s)	Enrivana South Taanna	Guilty	0	married	3, oldest is 5 yrs, youngest baby	Unemployed	Supports family through subsistence farming	First time offender
46 Jimmy Nahu (60s)	Enrivana south Tanna	Guilty	0	married	7, all grown up	Unemployed	Subsistence farmer, supports family	First time offender
47 Jerry Peter (30s)	Imai west Tanna	Guilty	0	Married	4	Unemployed	Supports family through subsistence farmer	First time offender
48 Kausir Nauka Peter (48yrs)	Imai	Guilty	0	married	8, 2 attend secondary school, 4 attend primary school	Unemployed	Vt50,000p/term sch fees College D'Isangel for 2 children.	First time offender Subsistence farmer, sells garden produce to support his children at school
49 Kompiken Amos		Guilty	0			Unemployed		
50 Ben lalu		Guilty	0			Unemployed		
51 Kalahi Harry	Imai, west Tanna	Guilty	0	single	0	Unemployed	Assist parents at home	First time offender
								Remarks



Def name & age	Village	Plea	Prior convictions	Marital status	No of children	Employment status	Commitments	
52 Melen Ishmael								
53 Jerry Iaput (43yrs)	Imai, west Tanna	Guilty	0	married	3, oldest 7yrs, 1 goes to school	unemployed	Supports family through subsistence farming	First time offender

