

**IN THE SUPREME COURT  
OF THE REPUBLIC OF VANUATU**  
(Criminal Jurisdiction)

**Criminal**  
**Case No. 25/1753 SC/CRML**

**BETWEEN: Public Prosecutor**

**AND: John Tarip**  
**Defendant**

**Coram: Justice Dudley Aru**

**Counsel: Mrs. B. Tamau for the Public Prosecutor**  
**Ms. L. Bakokoto for Defendant**

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**SENTENCE**

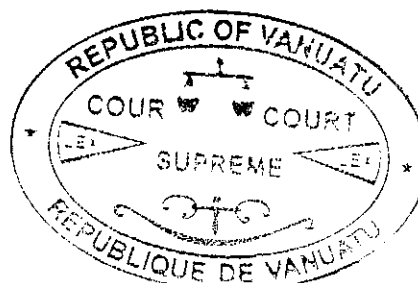
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**Introduction**

1. John Tarip this is your sentence. You pleaded guilty to a single charge of intentional assault therefore you are convicted on your guilty plea and the admitted facts. The remaining three charges of acts of indecency were nollied by the prosecution.
2. The maximum penalty for the offence of intentional assault where damage is of a temporary nature is 5 years imprisonment.

**Facts**

3. A memorandum of agreed facts was filed by the parties on 31 October 2025 setting out the following facts as agreed for the purposes of sentencing. The victim is a student. She was 17 years old when she lodged her formal complaint against you at the North Efate Police Post. You were 60 years old at the time of the offending and you are also a church elder in your community. The victim is your grand daughter. You are both from the island of Nguna.
4. Sometime in September 2024, at around 9.00 pm on the island of Nguna you went to the house where the victim was staying.
5. The victim was by then already in bed asleep with her sisters. After arriving at the house, you knocked on the door. The house girl opened the door and you entered the house and went straight to the victim's bed and repeatedly assaulted her with a poly pipe. The victim felt pain in her body as she awoke and saw you standing next to her bed.
6. You continued assaulting the victim with the poly pipe and as a result she sustained minor injuries to her head and body.

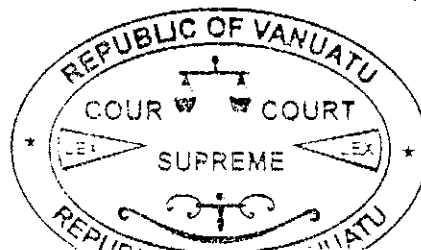


### **Sentence start point**

7. The starting point of sentence is assessed by taking into account any aggravating or mitigating factors of the offending with reference to the maximum penalty for the offence. The maximum sentence available is 5 years imprisonment. The aggravating factors of the offending are as follows:
  - There is a breach of trust as you and the victim are related to each other;
  - The offending was repeated;
  - A poly pipe being a weapon was used to cause the assault;
  - The victim was assaulted on her head being a vulnerable part of the body;
  - The victim sustained minor lacerations on her head and as a result suffered a headache;
  - The offending occurred in the home where the victim should be protected
  - The victim was assaulted in her sleep.
8. There are no mitigating factors of the offending.
9. The prosecution referred to PP v Buleko [2021] VUCA 341 and PP v Nasuai [2021] VUSC 360 but accepted that the circumstances of both cases are more serious than the current case and submitted that the starting point of sentence should be between 12 to 24 months imprisonment.
10. Counsel on your behalf referred to PP v Mul [2022] VUSC 199 for comparison but accepted that the offending in that case was more serious than the current case. It was submitted that the appropriate starting point be between 10 to 12 months imprisonment.
11. I set the starting point of sentence at 16 months imprisonment.

### **Guilty plea and personal Factors**

12. You entered a guilty to the charge as a sign of remorse therefore I will discount the sentence start point by 30%.
13. Your personal factors are outlined in the pre sentence report filed on 14 November 2025. You are now 61 years of age and you are a first-time offender. You are also a church elder of the Presbyterian Church and that is how you sustain yourself and your family. You are married and you live with your wife and four children on Nguna island. Your wife told the writer of the report that you are a good father and had been taking care of the victim for thirteen years. Your chief also speaks highly of you. You told your probation officer that you regret your actions to discipline the victim when you were angry with her for being involved in a relationship and ending up pregnant.
14. Taking into account these factors I reduce the sentence start point by 4 months. A further 2 months is deducted for custom reconciliation with the victim where you exchanged dry coconuts, one white rooster, two traditional mats and bananas. The items were accepted by the victim and her family.
15. You were remanded for 25 days in custody before bail was granted. This equates to an effective imprisonment term of 50 days which is also deducted from the sentence start point.



**End sentence**

16. John Tarip, I sentence you to an end sentence of 4 months and 20 days imprisonment. I note the fact that you are 61 years old and this is your first offending. As a result of the assault the victim felt pain which was temporary with no permanent injury to her body. Taking these factors into account in line with s57 of the Penal Code, I will suspend your sentence for a period of 12 months. Should you re offend during this time your sentence will be reactivated to be served in custody. In addition, you will perform 60 hours of community work.
17. You have 14 days to appeal if you are not satisfied with the decision.

DATED at Port Vila this 16<sup>th</sup> day of December, 2025  
BY THE COURT

