

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

Criminal
Case No. 25/3745 SC/CRML

PUBLIC PROSECUTOR

v

GEORGINO NANUA

Date: 27 March 2026
Before: Justice V.M. Trief
Counsel: Public Prosecutor – Ms G. Kanegai
Defendant – Mr H. Vira

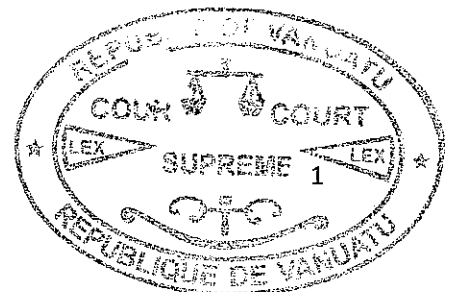
SENTENCE

A. Introduction

1. Mr Georgino Nanua, you appear for sentence having pleaded guilty to one charge each of attempted unlawful sexual intercourse with a child under 15 years of age but of or over the age of 13 years contrary to s. 28 and subs. 97(2) of the *Penal Code* (Count 2), two charges of intentional assault causing temporary injury contrary to para. 107(b) of the *Penal Code* (Counts 3 and 4) and one charge of domestic violence contrary to para. 4(1)(a) and subs. 10(1) of the *Family Protection Act* No. 28 of 2008 (Count 1). You are convicted on your own pleas and the admitted facts.

B. Facts

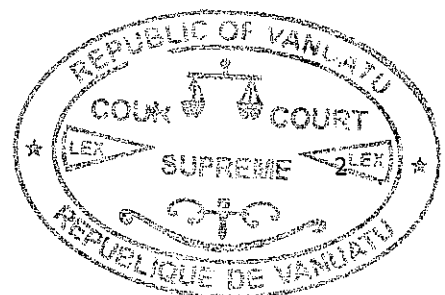
2. On 25 September 2025 at Bladinière stage II, around 7am, you had an argument with your mother at home. You took a machete and chased after your mother attempting to cut her, but she escaped and hid in a banana patch (Count 1).



3. On 25 September 2025 at Bladinière stage II, around 4pm, 13-year-old M (name suppressed) and her friends were making their way to stop a bus. She stopped to drink water at her aunt's residence. She took a sip from the outside water tap and heard someone calling her. When she turned around, she saw you. You told her that you like her. She was afraid of you as she saw blood on the machete that you were holding. You grabbed her, pushed her to the ground and squeezed her neck. You held her and dragged her for 10-15 metres from the aunt's house to your house. You removed M's shirt, trousers and panty and told her to close her eyes and that you would cover her face with a block so that you could have sex with her. You told her that's how you usually have sex. You covered M's face with the block which made her afraid that you would kill her, so she told you that she agreed to have sex with you but inside your house. As the two of you were about to enter your house, you were standing facing the door and she looked at the gate. She saw that the gate was open, so she ran towards the gate and out of the yard. She screamed and was running naked. People saw her and called out to a woman who came over to assist her by covering her with a cloth (Count 2).
4. The Police Tactical Response Unit responded to the call-out to Bladinière area. Your mother met them at your yard. You refused to come out of the house. Around 5 Police officers went into the house including Senior Inspector Sylvain Taliban and PC Manuriki Willie Toama. They located you in one of the rooms, holding the machete. You used the knife to cut at the police shields. The young officers fled the scene but Senior Inspector Taliban saw that PC Toama who had a shield on his hand as protection was struggling to escape because you were cutting continuously at his shield. The Senior Inspector intervened by grabbing a garden hoe and was trying to stop you from assaulting PC Toama. You then swung the knife toward the Senior Inspector, causing him to fall. You cut the back of the Senior Inspector's head with the machete. You also cut PC Toama's head. He ran outside but already injured by you.
5. The other officers came to assist and used force to gain entry into the house and managed to arrest you. Both Senior Inspector Taliban and PC Toama went to the Vila Central Hospital with serious injuries to their heads (Counts 3 and 4 respectively).

C. Sentence Start Point

6. The sentence start point is assessed having regard to the maximum sentences available, and the mitigating and aggravating factors of the offending.
7. The maximum sentences prescribed in the law are as follows:



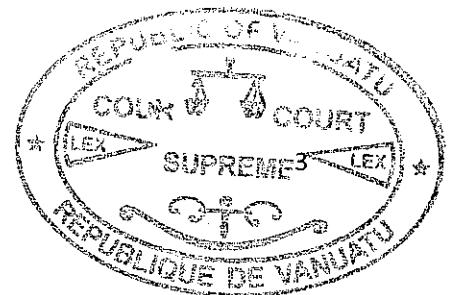
- a. Attempted unlawful sexual intercourse with a child under 15 years of age but of or over the age of 13 years of age – 15 years imprisonment (s. 28 and subs. 97(2), *Penal Code*);
 - b. Intentional assault causing temporary injury – 5 years imprisonment (para. 107(b), *Penal Code*); and
 - c. Domestic violence – 5 years imprisonment or VT100,000 fine or both (subs. 4(1) and subs. 10(1), *Family Protection Act*).
2. There are no mitigating aspects to the offending however, it is aggravated by the following:
- a. Serious breach of trust in respect of your mother;
 - b. The offending was pre-meditated;
 - c. The use of a knife as a weapon; and
 - d. The injury caused to all four victims.
8. Taking all matters into account, the global sentence start point adopted is 4 years 6 months imprisonment.

D. Personal Factors

9. You pleaded guilty at the first reasonable opportunity. One third (18 months) is deducted from the sentence start point for your guilty pleas.
10. You are 23 years old and single. You are a Year 14 leaver. You want to undertake further studies after this case is over. You have no prior convictions. You have good family support. You have some history of mental health episodes. You are stated to be remorseful and willing to perform a reconciliation ceremony although the two Police officers concerned have refused this due to the seriousness of the injuries that they suffered. I deduct a further 12% from the sentence start point (6 and a half months) for your personal factors.

E. End Sentence

3. Taking all matters into account, the end sentences imposed concurrently are:
- a. Attempted unlawful sexual intercourse with a child under 15 years of age but of or over the age of 13 years of age (Count 1)
2 years 5 and a half months imprisonment;



- b. Intentional assault causing temporary injury (Counts 3 and 4)
2 years 5 months imprisonment; and
 - c. Domestic violence (Count 1) 2 years imprisonment.
4. The end sentences are back-dated to commence on 26 September 2025 when you were remanded in custody.
 5. The sentences are imposed to reflect the need to denounce this criminal conduct, to protect the community, as a general and specific deterrence and to hold you accountable for your criminal conduct.
 6. The Court has a discretion under s. 57 of the *Penal Code* to suspend all or part of the sentence where it is not appropriate to make an offender suffer immediate imprisonment "... (i) in view of the circumstances; and (ii) in particular the nature of the crime; and (iii) the character of the offender."
 11. The offending was serious. You used a lethal weapon. You caused injuries to multiple victims. You injured Police officers in the course of duty. On the other hand, you are young and wish to undertake further studies. You have good family support. However, taking into account all factors, I consider that due to the nature and the seriousness of the offending, immediate imprisonment is warranted thus decline to suspend your sentences of imprisonment. An immediate custodial sentence must be imposed for this serious sexual offending: *Public Prosecutor v Gideon* [2002] VUCA 7 and for the other serious offending.
 7. You have 14 days to appeal the sentence.

**DATED at Port Vila this 27th day of March, 2026
BY THE COURT**

VM Trief

Justice Viran Molisa Trief

