

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

**Criminal**  
**Case No. 21/2643 SC/CRML**

**PUBLIC PROSECUTOR**

**v**

**JACKSON LANGO NOAL**

*Date:* 3 November 2021  
*Before:* Justice V.M. Trief  
*Counsel:* Public Prosecutor – Ms L. Lunabek  
Defendant – Mrs C.T. Gesa

---

**SENTENCE**

---

A. Introduction

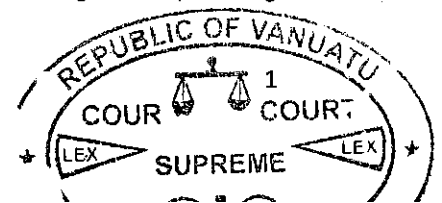
1. Mr Noal pleaded guilty to obtaining money by deception. He accepted the brief of facts and was accordingly convicted on his own plea and the admitted facts.

B. Facts

2. On 5 August 2015, at Port Vila, Mr Noal by deception obtained VT85,000 for himself and Hamsen Surai from Mary Cundell and Susan Cundell when he told them that the amount of VT35,000 was equivalent to \$35.

C. Sentence Start Point and Mitigation

3. The sentence start point is assessed having regard to the maximum sentence available, and the mitigating and aggravating factors of the offending.
4. The maximum sentence for obtaining money by deception is 12 years imprisonment.
5. There are no mitigating aspects of the offending.
6. The offending is aggravated by the following - there was some degree of planning involved.



7. The factors set out above require a sentence start point of 16 months imprisonment.
8. Mr Noal pleaded guilty at the first opportunity. I deduct 33% for the plea.
9. Mr Noal is 31 years old. He has 5 children with his *de facto* partner. He is a bus driver by occupation and was a tour guide when he committed the offending.
10. He paid the VT85,000 obtained to the Police on the same day. However, the Police could not locate the complainants (tourists from overseas) and returned the money to him 5 months later. Mr Noal remains willing to repay the money. He is stated to be remorseful.

D. End Sentence

11. Taking all of those matters into account, the end sentence imposed is a fine of VT30,000 to be paid by 4pm on 31 January 2022.
12. In addition, Mr Noal is to complete 120 hours of community work.
13. Mr Noal has 14 days to appeal.

**DATED at Port Vila this 3<sup>rd</sup> day of November 2021  
BY THE COURT**

.....  
Justice Viran Molisa Trief

