

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

Criminal
Case No. 21/2991 SC/CRML

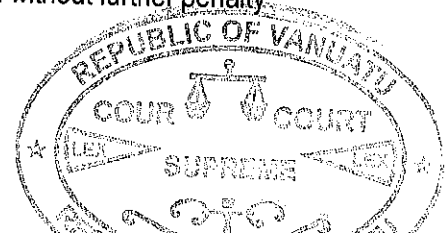
BETWEEN: Public Prosecutor

AND: 1. Jaysong George
2. Touruk Kalsong
Defendants

Date: 2 December 2021
By: Justice G.A. Andrée Wiltens
Counsel: Ms M. Tasso Public Prosecutor
Mr T. Meisung for the Defendants

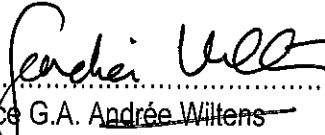
Sentence

1. Both Mr George and Ms Kalsong, who are in a relationship, pleaded guilty to intentional assault. The complainant in each instance was the same person, who had engaged in sexual intercourse with Mr George.
2. On 15 July 2021, Mr George had chased after the complainant and once he caught her, he hit her right hand with a stick before others intervened. No injury was caused.
3. On 18 July 2021, Ms Kalsong confronted the complainant about having sex with her partner, and proceeded to strike the complainant with her hand to her abdomen, her back and her mouth. No injury was caused.
4. It is correct that the complainant was then 9 weeks pregnant. However, there is no evidence to demonstrate that Ms Kalsong knew or should have known that. If there were such evidence, to strike the complainant to her abdomen would have been an aggravating factor.
5. Mr George had been remanded in custody for over 4 months before this matter could be completed. That is more than sufficient, and he is accordingly discharged without further penalty than the conviction being entered against his name.



6. Ms Kalsong pleaded guilty at the first available opportunity. She has no previous convictions. This offending is at a low point of the range.
7. Accordingly, she is convicted and fined VT 5,000; and she is ordered to pay VT 10,000 to the complainant for the pain, suffering and humiliation caused. Both amounts are to be paid within 21 days.

Dated at Port Vila this 2nd day of December 2021
BY THE COURT


.....
Justice G.A. Andrée Wiltens

