

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

**Criminal**  
**Case No. 25/3038 SC/CRML**

**PUBLIC PROSECUTOR**

**v**

**NANAT SILAS  
MOSES PAKOA**

*Date:* 18 February 2026  
*Before:* Justice V.M. Trief  
*Counsel:* Public Prosecutor – Ms L. Lunabek  
Defendant – Mr L. Moli

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**SENTENCE**

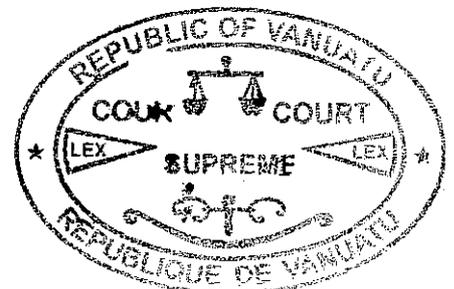
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A. Introduction

1. Mr Nanat Silas and Mr Moses Pakoa, you appear for sentence having pleaded guilty to the following charges:
  - a) Unlawfully entering a dwelling house contrary to subs. 143(1) of the *Penal Code* [CAP. 135] (Count 1); and
  - b) Theft contrary to subs. 122(1) and para. 125(a) of the *Penal Code* (Count 2).
2. You are convicted on those charges on your own pleas and the admitted facts.

B. Facts

3. On 17 June 2025, around 10am in the morning, you entered the dwelling house of Stephen Loic Sese and Ovelie Stephens at Malapoa Estate area on Efate. You

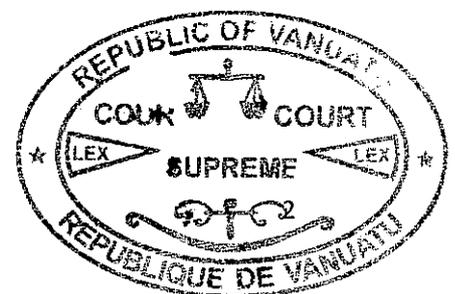


were cutting down some bananas to roast at the beach at Kawenu when you saw their house and decided to enter it. You climbed up a cassis tree, over the fence and entered the house through a door that was open (Count 1).

4. Without the owners' consent and without a claim of right, you took and carried away from the house 1 cash box containing VT15,000 cash, AI Belts (worth VT27,000), 2 jackets (worth VT10,000), a laptop (worth VT27,000), tablets (worth VT18,000), a money tin containing VT20,000 cash, a torch, a bag of coins (less than VT5,000), a USB flash drive (worth VT5,000), a backpack (worth VT5,000) and ammunition (worth VT238,880).
5. You carried the items over the fence and then placed them in a wheelbarrow. When you reached the Tebakor Road, you took out the money tin and cut it open. You shared that money between yourselves. You hid the cash box in the elephant grass on the side of the road. You returned later to retrieve the cash box from that spot (Count 2).
6. You admitted the offending under caution.

C. Sentence Start Point

7. The sentence start point is assessed having regard to the maximum sentences available, and the mitigating and aggravating factors of the offending.
8. The maximum sentences prescribed in the *Penal Code* are:
  - a) Unlawful entry of dwelling house – 20 years imprisonment (subs. 143(1); and
  - b) Theft – 12 years imprisonment (subs. 122(1) & para 125(a)).
9. A mitigating aspect of the offending is that many of the items were recovered.
10. The aggravating factors of the offending are as follows:
  - There was a certain level of planning; and
  - The number and value of the stolen goods.
11. The factors set out above require a global sentence start point of 3 years imprisonment.

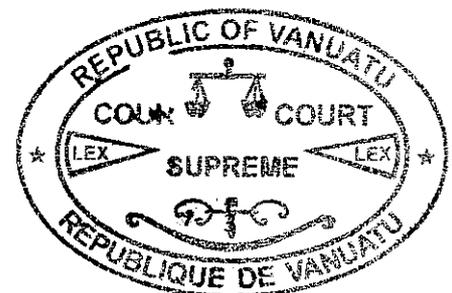


D. Personal Factors

12. You pleaded guilty at the first reasonable opportunity therefore one third is deducted from the sentence start point for your guilty pleas.
13. You were 18 and 17 years old respectively at the time of the offending and are still young. Mr Pakoa, you were a student at the time of the offending. You both are unemployed and dependent on your parents. You admitted the offending to the Police. You have no prior convictions.
14. For your personal factors, particularly your youth, another 9 months is deducted from the sentence start point.

E. End Sentence

15. The applicable sentencing principles are to hold you accountable and to denounce and express public disapproval of your conduct. The sentence is also to deter you and others from such offending, and to help you to rehabilitate. The Court trusts that in the future, you will take care to obey the law and fulfil your potential to become upstanding citizens.
16. Taking all matters into account, the following end sentences are imposed concurrently:
  - i) Unlawful entry of dwelling house (Count 1)  
1 year 3 months imprisonment; and
  - ii) Theft (Count)  
1 year 2 months imprisonment.
17. In certain circumstances, the Court can suspend all or part of the sentence. Exceptionally, considering that this is serious offending, I am prepared to suspend the sentence due to both of your youth, obvious immaturity, previous clean records and excellent prospects of rehabilitation. I also consider that it would be detrimental to your rehabilitation to make you serve imprisonment immediately thus exposing you to long-term hardened criminals at the correctional centre.
18. I must warn you that you need to stay offence-free for 2 years to ensure that you do not serve the imprisonment sentences imposed on you today.
19. In addition, you are both to complete 50 hours of community work.



20. You have 14 days to appeal the sentence.

**DATED at Port Vila this 18<sup>th</sup> day of February, 2026  
BY THE COURT**



.....  
Justice Viran Molisa Trief

