

of any property damaged by you.

### **Who will be present in Court?**

#### **- Island Court Justices**

3 Justices who will decide your case

#### **- Clerk**

The clerk is the person who helps the Justices during a case

#### **- The Public Prosecutor**

The prosecutor is the police who have charged you.

#### **Witnesses:**

The witnesses are the persons who come to give their side story for the prosecutor and for you.

### **What can I do if I am not happy with the decision of the court?**

If you are not happy with the decision you can appeal to the Magistrate Court within 14 days from the date of the decision.



Port Vila : PMB 9041,  
26715 / 22420

Isangel, Tanna : 33903  
Lakatoro, Malekula : 48423  
Luganville, Santo : 36457

#### **OPENING HOURS**

7:30 am— 11:30 am

1:30 pm— 4:30 pm

This brochure is authorised by the Chief Justice of the Republic of Vanuatu and produced by the Supreme Court.

**Note:** The information contained in this brochure is intended as a guide for all court users in particular the unrepresented litigants.

This brochure is current as at 30 June 2020.

**Court Website :** <http://courts.gov.vu> or  
<http://judiciary.gov.vu>



# **ISLAND COURT**

## **CRIMINAL PROCEEDING GUIDE**

### **What is a crime?**

- A crime is when you break the law and you can be punished by the court.

### **What is the power of the Island Court in criminal cases?**

- The Island Court has the power to deal with small criminal cases where the punishment is less than 6 months or a fine of 24.000vt
- Example:
  - Stealing or theft; taking something from another person without their permission, with the intention of not returning it.
  - Abusive Language- saying a bad word to another person
  - Fighting with someone and causing small injuries on the other person's body.

### **What is a charge?**

- A charge is a document that states the crime you are accused of committing.

### **Do I need a lawyer?**

- You do not need a lawyer but you can ask a lawyer for legal advice before coming to court.

### **How do I come to court?**

- Summons/Notice
- A court summons or notice tells you the day and the time to come to court



### **•Warrant of arrest**

The police can arrest you and bring you to court

### **How does a case start?**

On the date and time of hearing of your case, the court will ask you whether you plead guilty or not guilty.

### **What happen if I plead guilty?**

If you plead guilty at the beginning of your case or during the hearing of your case the court will give you a punishment.

### **What happen if I plead not guilty?**

If you plead not guilty, the court will set a date and time to hear your case

### **What happens at the hearing of your case?**

- The prosecutor will bring witnesses who will give their side of the story against you in order to prove to the Lay

Justices that you should be found guilty. You can also ask the witnesses questions.

- The Justices will allow you to present your witnesses to help you prove you are not guilty. The Prosecutor can also ask your witnesses questions.

- If the prosecutor does not prove that you are guilty the court will say that you are free to go.

- If the Prosecutor proves you are guilty then the court will punish you.

### **What type of punishment can the court give?**

- Fine: The court can order you to pay money to the state instead of going to prison
- Imprisonment: The Court can send you to prison.
- Non-Custodial punishment: The court will not send you to prison but it will give you strict rules to follow.
- Community sentence: The Court can order you to do community work.
- Compensation: The court will make you pay money to your victim.
- Restitution: The court can order you to refund the victim of your crime the value