

SUPREME COURT OF SEYCHELLES

Reportable
CO 14/2024

In the matter between:

THE REPUBLIC
(represented by Mrs. Rongmei)

Applicant/Petitioner

V/S

VALENTINO MICKY HOAREAU
(represented by Mr. Guy Ferley)

Respondent

Neutral Citation: *Rep vs Hoareau (CO14/2024) (06th May 2025)*

Before: Adeline, J

Summary: Sentencing on conviction for the offence of Acts intended to Cause Grievous Harm-section 219 (a) of the Penal Code – Accused convicted on guilty plea.

Heard: 24th April 2025

Delivered: 06th May 2025

FINAL ORDER ON SENTENCING

On account of all the facts put before this Court as regards to the circumstances which the Accused/ convict committed the offence of which he has pleaded guilty, his personal circumstances, and the matter raised by defence counsel in plea in mitigation, I sentence the accused/convict Valentino, Micky Hoareau to serve a term of imprisonment of 4 years as of today.

SENTENCE

Adeline J,

- [1] The Accused Valentino, Micky, Hoareau of Roche Bois, Mont Buxton, Mahe now a convict, was indicted before this Court with a single count of Acts Intended to Cause

Grievous Harm contrary to Section 219 (a) of the Penal Code and Punishable under Section 219 of the Penal Code.

- [2] In the indictment filed in Court on the 25th March 2024, the offence which the accused/convict is alleged to have committed is particularised as follows;

“Valentino Micky Hoareau, resident of Roche Bois, Mont Buxton, Mahe in the night of the 1st October 2016, at Beau Vallon, Mahe with intent to cause grievous harm, unlawfully wounded one Jean Daniel James Laurence of Roche Bois, Mont Buxton, Mahe by causing laceration on the right side of the face till the right side of the neck of the said Jean Daniel James Laurence with a knife.

- [3] On the 11th April 2025, the accused/ convict pleaded guilty to one count of Acts Intended to Cause Grievous Harm, and on his own guilty plea he was accordingly convicted after he admitted the facts pertaining to the offence as narrated by the prosecution which were as follows;

“On the 1st October 2016, at about 2200 hrs, the virtual complaint Jean, Daniel, James, Laurence together with his cousin and friends, went to Beau Vallon where a Regatta was taking place on the beach. At around midnight, the complainant, his cousin and friends moved closer to the other part of the beach opposite La Plage Restaurant near to boat house restaurant getting ready to leave the place. Whilst there, he unexpectedly felt someone touching him on his right elbow. He turned around to look who was the person touching him when he saw the accused/convict Valentino, Micky Hoareau who is well known to him. Valentine Hoareau, the accused/convict suddenly and unexpectedly came closer to the complainant/victim and strike at his neck with a yellow handle knife. Blood then started coming out of the wound as well as of the mouth of the complainant that made him difficult to breath. One of his friend put a shirt on the wound to try and stop the bleeding while the other friends ran after the accused/convict to try and catch him. As a result of the injuries, complainant sustained grave wound on his face with a laceration of approximately 20 cm long on the right side of his face, under his nose all the way to his neck. The complainant was admitted for 5 days and treated by Maxillofacial Surgeon for the deep injuries it sustained. The

complainant was discharged from hospital on the 5th October 2016, and thereafter, had his case reviewed by a plastic surgeon, the injuries having disfigured his face.

- [4] The medical certificate dated 1st October 2016, spells out the extent of the complainant/victim's injuries which was a deep laceration in the face about 20CM long. Another medical certificate dated 17th November 2017 disclosed to the defence as part of the prosecution's docket written by Dr. Ronalda Dedu, a Maxillofacial Surgeon of the Seychelles Hospital, describes the extent of the injuries sustained by the complainant/victim. The report confirms the injuries on the facial sustained by the complainant around midnight on the 1st October 2016 by a sharp object believed to be a knife. As per the report, on the 10th October 2016 stiches were removed, and X-ray carried out. The complainant/victim was referred to the Dental Clinic.
- [5] The maximum Penalty for the offence of Acts Intended to Cause Grievous Harm contrary to Section 219 (a) of the Penal Code and punishable under Section 219 of the Penal Code is life imprisonment.
- [6] To determine the appropriate sentence that will do justice to this case and bring about a closure, I have taken into account the Accused/convict antecedent that shows, that he is a first time offender. I have also taken into account the matters raised by learned defence counsel in plea in mitigation, notably, the fact that the accused has pleaded guilty to the charge at the first available opportunity showing remorse for the offence he committed. I note that in doing so the accused/convict has not wasted the Court's time and resources. I have also taken into account the personal circumstances of the accused/convict whom I am told grew up in an environment at Roche Bois that has impacted on his behaviour negatively, and the fact that he has accepted responsibility for what he did, knowingly, that the offence of which he has been convicted is very serious.
- [7] As I pause and ponder about the appropriate sentence that will do justice to this case, I keep reminding myself of the facts and circumstances of the case and the injuries sustained by the complainant/victim as reflected in the medical reports. The injuries are described as a laceration of 20cm Long on the right side of the complainant/victim's face under his nose

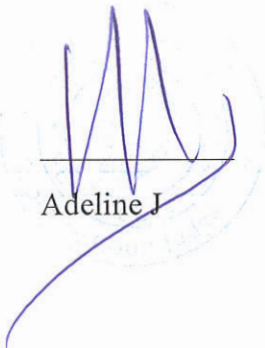
to face. Therefore, I am of no illusion, that the injuries sustained by the complainant/victim is grievous harm, a serious offence which in law means really serious bodily harm.

[8] Given the seriousness of the injuries, I have sought to be guided by the case of Mikhael Cedras VS The Republic CA SCA38/2014 (Appeal from the Supreme Court decision in CR58/2013, in which case, the Court of Appeal upheld a 9 year prison sentence meted on the Appellant, Michael Cedras, after a full blown trial.

[9] On account of all the facts put before this Court as regards to the circumstances which the Accused/ convict committed the offence of which he has pleaded guilty, his personal circumstances, and the matters raised by defence counsel in plea in mitigation, I sentence the accused/convict Valentino, Micky, Hoareau to serve a term of imprisonment of 4 years as of today.

[10] The convict has 30 days to appeal to the Court of Appeal against this sentence.

Signed, dated and delivered at Ile du Port on 6th May 2025.



Adeline J