

**IN THE HIGH COURT OF FIJI**  
**AT LAUTOKA**  
**CRIMINAL JURISDICTION**

**CRIMINAL CASE NO.: HAC 13 OF 2014**

STATE

-v-

GREGORY WILCOX STIRES

**Counsels** : Mr. J. Niudamu for the State  
Ms. L. Jiuta for the Accused

Date of Trial : 16 July 2014 to 17 July 2014  
Date of Summing Up : 18 July 2014  
Date of Judgment : 21 July 2014

**JUDGMENT**

1. The Accused is charged under following count:

**Statement of offence**

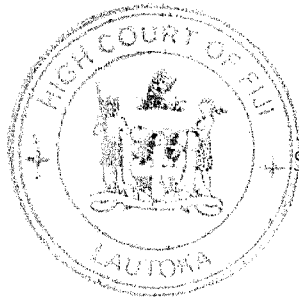
**UNLAWFUL POSSESSION OF ILLICIT DRUGS:** Contrary to Section 5 (a) of the Illicit Drugs Control Act 2004.


**Particulars of the Offence**

**GREGORY WILCOX STIRES** on the 2<sup>nd</sup> day of February 2014 at **NADI** in the **WESTERN DIVISION**, without lawful authority, was found in possession of illicit drugs, namely **METHAMPHETAMINES** weighing 3.8 kilograms.

2. The three assessors unanimously found accused Guilty of the count against him.
3. I direct myself in accordance with the law and the evidence which I discussed in my summing up to the assessors.
4. Considering the nature of the evidence before the court, I am convinced that the prosecution had proved the case beyond reasonable doubt.

5. Prosecution case was based on the evidence of Custom Officers and Police officers. The accused had come to Fiji from Hong Kong after coming from USA to Togo and to Ethiopia. On suspicion he was directed for 100% baggage check. Methamphetamine was recovered concealed in one of the suitcases brought in by the accused. The forensic evidence had confirmed that the substance is Methamphetamine. The total weight was 3.8 kg.
6. I reject the version of accused that he had no knowledge of the drug in his suitcase. The defence version is highly improbable and inconsistent.
7. I am satisfied that evidence is sufficient to establish the guilt of the accused beyond reasonable doubt.
8. In my view, the assessor's verdicts were not perverse. It was open for them to reach such conclusion on the evidence. I concur with the verdict of the assessors.
9. I find accused Guilty as charged on the count of Unlawful Possession of Illicit Drugs contrary to Section 5 (a) of the Illicit Drugs Control Act 2004 and convict him for the count against him.
10. This is the Judgment of the Court.



  
Sudharshana De Silva  
JUDGE

At Lautoka  
21<sup>st</sup> July 2014

Solicitors: Office of the Director of Public Prosecution  
Legal Aid Commission for all the Accused