

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

**Criminal Case No. 130 / 2010
22 / 2011
23 / 2011
24 / 2011
25 / 2011
26 / 2011
44 / 2011
45 / 2011**

PUBLIC PROSECUTOR

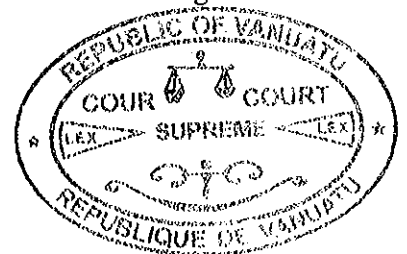
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**YEWIS BEN
BRENDON TARI
JOHN ALBERT
STEPHEN BEN
JIMMY JOHN
TABIWAK ROGER
JASON ABEL
JOHN PHILIP**

Hearing: *19 May 2011*
Before: *Justice Robert Spear*
Appearances: *Leon Malantugun for the State
Bryan Livo for Jason Abel and John Philip
Eric Molbaleh for Ben Yewis
Tom J Botteng for Jimmy John, Roger Tabiwak, Ben Stephen,
John Albert and Brendon Tari*

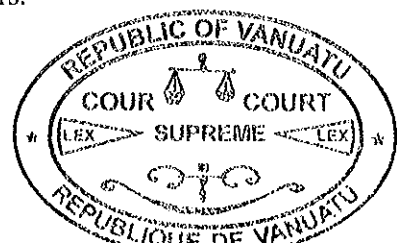
SENTENCE

1. Each of you is for sentence for possessing cannabis. In each case, you were found with a small amount of cannabis consistent with personal use. In many of the cases, you are found at the Kimani Marley concert.
2. Each of you has pleaded guilty at an early time and you are entitled the credit for that.
3. I propose to deal with each of you in exactly the same way as there is nothing significant to differentiate one from the other. There is a slight



variation in age and there is a slight variation in the quantity of cannabis but there is nothing to suggest that any of you had cannabis for the purposes of selling it. That is nothing suggest that any of you is a cannabis dealer.

4. Accordingly, you can conveniently be put in to the category of a young man who should be able to learn from this experience. If you understand what I am saying then listen carefully - the use of cannabis will not help as you start to make your way in life. There is a reason why it is generally called "dope". It tends to turn regular users into dopes. That is well understood. If that is the way you want to live, unemployed and shuffling along the street because your mind is so addled with regular cannabis use then that will be your choice. However, also remember that you will be at distinct risk of going to prison if you are caught.
5. If you want to go to prison, if you want to have your life ruined, then a cannabis habit is one way to get there. You have chance now to put this offending behind you. This conviction should not restrict your ability to travel overseas and it does not necessarily restrict your ability to find work but a subsequent and further conviction will.
6. The sentence that I will impose on each of you is one that contains a small measure of punishment by community work and also supervision in the hope that the *Niufala Rod* programme will help you see that there is another way to live without using cannabis. However, each of you now is of an age where you make decisions and you must live with the consequences.
7. In each case, you are placed under supervision for 6 months with special conditions that you attend the *Niufala Rod* programme as directed by your probation officer and that you are not to possess or consume illegal drugs. You will also sentenced to carry out 100 hours community work.
8. I direct that you attend the Supreme Court Office at 4 pm today so that you can be served with Community Work and Supervision Orders.



- 9. You have the right to appeal this sentence if you are not satisfied with it.

BY THE COURT

