

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

**Criminal Case No. 54 / 2010**

**PUBLIC PROSECUTOR**

**V**

**MARI ANNA TAHUN**

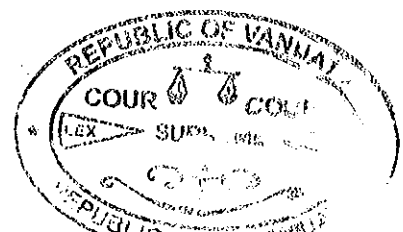
**Hearing:** *13 May 2011*  
**Before:** *Justice Robert Spear*  
**Appearances:** *Leon Malantugun for State*  
*Andrew Bal for Accused*

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**SENTENCE**

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1. The accused has been arrested on a warrant issued on 6 July 2010. She has asked to be arraigned and to plead and that has now occurred. She has pleaded guilty to one count of possession to cannabis.
2. The summary of facts is not disputed. She was found with a small parcel of cannabis amounting to 41 grams. The amount is .41 kilogram. That is an amount consistent with personal use. There is certainly nothing to suggest that there was any commerciality involved in this possession.
3. The prisoner is a first offender and indicates through Mr Bal that she has learned the error of her ways and that she will not be subjecting herself to the risk of further prosecution by being involved with harmful and illegal substances.
4. It is unnecessary to obtain a pre-sentence report. This matter can be dealt with in the following way:
  - a. you are sentenced to carry out 150 hours community work
  - b. you are placed under supervision for 12 months with the special condition that you undertake the *Niufala Rod* program as directed.
5. I record that prisoner understands English and that it is unnecessary for the sentence to be translated into Bishlama.
6. I further direct that the prisoner returns to the office of the Supreme Court at 9 am on Monday so that she can be served with the orders. I simply mention



now that if she does not return as required on Monday then a further warrant for her arrest will be issued and she will need to anticipate being in custody until the matter is finally resolved. She may also be subjected to a term of imprisonment for contempt in respect of my direction that she return to the court office on Monday.

**BY THE COURT**

