

PUBLIC PROSECUTOR

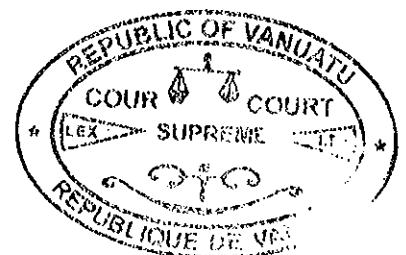
V

NIES RICHARD

Hearing: 16 May 2011
Before: Justice Robert Spear
Appearances: Leon Malantugun for State
Eric Molbaleh for Accused

SENTENCE

1. Richard Nies, you are for sentence for possessing cannabis. This is an offence carrying a maximum penalty of 20 years imprisonment. In your case, you are found with a bag containing 104 grams of cannabis. It included both plants and stem and, as such, is often described as cabbage or low level cannabis.
2. Be that as it may, there was a reasonable quantity of cannabis and there is the other concern that you mentioned that you were contemplating selling some of it. It has, however, been put to me that this was your first involvement with cannabis and that it will be your last. That is easy to say but harder to live with.
3. You pleaded guilty at an early stage and you are entitled to distinct credit for that. I would have sentenced you to a short term of imprisonment, and that indeed is what the State seeks, but I notice that you have been in custody now for some 27 days. In my view, that is a penalty in itself and can be supplemented by a community based sentence. It is clear that you are relatively unsophisticated individual who gave little thought to what you were getting yourself into. There is no indication that you are someone entrenched in the cannabis sub-culture.
4. I will deal with you in this way:
 - a. You are sentenced to carry out 150 hours community work.
 - b. You are placed under 6 months supervision of the special condition that you undertake the Niufala Rod programme.



- 5. You have 14 days to appeal this sentence if you do not agree with it.

BY THE COURT

