

PUBLIC PROSECUTOR – VS – REUBEN BONG

Coram: *Mr. Justice Oliver A. Saksak*

Counsel: *Mr. Ken Massing for Public Prosecutor*
Mr. Jacob Kausiama, Public Solicitor for Defendant

Date of Sentence: *9th August 2013*

SENTENCE

1. Reuben Bong, you pleaded guilty to one Count of unlawful possession of cannabis contrary to section 2(62) of the Dangerous Drugs Act Cap 12.
2. The maximum penalty for this offence is a fine not exceeding VT100 Million or imprisonment to a term not exceeding 20 years.
3. In assessing your appropriate sentence I have had regard to your pre-sentence report and have considered the written submissions made by both the Public Prosecutor and the Public Solicitor.
4. Your report indicates you have previous conviction in this Court on 16th March 2012 when you were sentenced to 2 months imprisonment concurrent for unlawful entry, theft, robbery, aiding theft and receiving stolen property. Further, on 23rd November 2012 you were convicted in the Magistrate Court again for unlawful entry, theft and aiding unlawful entry. You were sentenced to 2 months imprisonment suspended for 2 years. Earlier this year on 12th April 2013 you were convicted in this Court to serve an imprisonment term of 6 months for attempting to supply cannabis. You have served half of that term and have been released on parole on conditions. The report also indicates you have breached your parole conditions.
5. Your pre-sentence reports dated 9th February 2012 and 2nd March 2013 did not disclose the record of your conviction in the Magistrate Court.



November 2012. Had the Probation Service done so, your suspended sentence would have been activated in April 2013. It is obvious that your two months suspended sentence have not been activated and the Court will do so now.

6. With your blemished record, the only appropriate punishment for you will be a custodial sentence.
7. You do not seem to be deterred at all by your previous convictions and incarceration. This is now the fourth time you have come to the Courts and convicted. You need to consider your position and make some serious decisions about who you are going to be and what you are going to do in 10 years from today. If you do not, you may find that Correctional Centre is the only place fit for you.
8. Having said all that the Court now convicts and sentences you to 4 months imprisonment for one count of unlawful possession of cannabis. You have a 2 months suspended sentence for 2 years from 23rd November 2012 which have not been activated and will be served cumulative (in addition) to your sentence of 4 months imprisonment. That makes the total of 6 months imprisonment for you.
9. Your Sentence begins with immediate effect today 9th August 2013.
10. You have a right of appeal against sentence within 14 days, if you so choose.

DATED at Luganville this 9th day of August 2013.

BY THE COURT


OLIVER A. SAKSAK

Judge

