

PUBLIC PROSECUTOR – VS - JOHNATHAN VASU

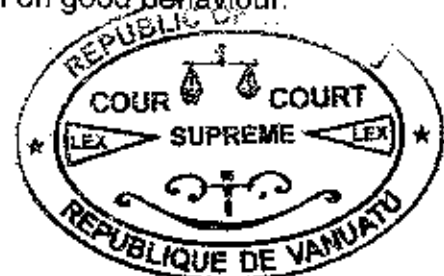
Coram: *Mr. Justice Oliver A. Saksak*

Counsel: *Public Prosecutor, Ms Kayleen Tavoa for the State
Ms Jane Tari for the Defendant*

Date of Hearing and Sentence: *3rd September 2013*

SENTENCE

1. Johnathan Vasu, for pleading guilty to one Count of Unlawful Possession of Cannabis contrary to Section 2(62) of the Dangerous Drugs Act Cap 12, you are hereby convicted as charged.
2. You have accepted that on 2nd July 2013 you were apprehended by the Police who upon search found 0.243 grams of cannabis on you. That is a very small quantity.
3. The Public Prosecutor has urged the Court to consider a suspended sentence or a community based sentence. Defence Counsel endorsed the submissions by the Public Prosecutor.
4. Despite the amount being small, the offence of unlawful possession of cannabis and related offences are on the increase. The Court ought to impose appropriate a sentence which would not only deter offenders and others, but those which should give you a chance to rehabilitate.
5. Considering your age which is given at 18 years old, I consider that this Court must follow the guideline in Public Prosecutor v. Tuk Sope [2004] VUCA 14 by imposing a custodial sentence but with suspension on good behaviour.




6. Accordingly, you are sentenced to imprisonment for a period of 3 months but this is suspended for a period of 12 months from the date hereof. You must understand that within 12 months from today you must not commit this offence again or commit any other criminal offence(s) for which you would be convicted. If you do, you will go to prison for 3 months without further notice.

7. That is the Sentence of the Court. You have a right of appeal against Sentence within 14 days, if you so choose.

DATED at Luganville this 3rd day of September 2013.

BY THE COURT


OLIVER A. SAKSAK
Judge

