

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

Criminal
Case No. 25/3218 SC/CRML

PUBLIC PROSECUTOR

v

JOEVIN BULETARE

Date of Plea: 17th November 2025
Before: Justice Josaia Naigulevu
Counsels: Public Prosecutor – Ms. Josephine Tete
Public Solicitor – Ms. Barbara Taleo

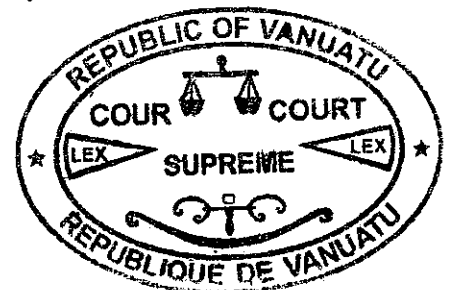
SENTENCE

Introduction

1. Joevin Buletare, you were arraigned on the 17th November 2025 and pleaded guilty and accepted the summary of facts presented by the prosecution relating to one count of unlawful possession of cannabis substance contrary to section 2 (62) of the Dangerous Drugs Act [Cap 12].
2. You were duly convicted on your plea.

Facts

3. Following the receipt of information that you were selling cannabis at Chapuis area, a search warrant was executed on your house on the 17th July 2025. During the course of the search, the police found substance they believed to be cannabis in your bedroom.
4. It was wrapped in an aluminium foil. A test of the substance that weighed 0.3 grams was carried out on the 13th August 2025. It recorded positive for cannabis.
5. You were interviewed under caution by the police on the 18th July 2025 and admitted that you sold cannabis in May 2025.



Statutory Maximum Sentence

6. A conviction of Unlawful possession of cannabis contrary to section 2 (62) of the Dangerous Drugs Act attracts a fine not exceeding VT100, million or a term of imprisonment not exceeding 20 years, or both, such fine and imprisonment

Sentencing purpose and Guideline

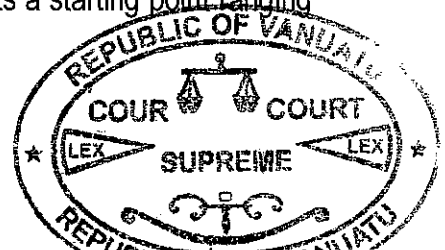
7. There are several principles that guide the sentence to be imposed on you. They include the proposition that you must be held accountable and must take responsibility for your action. Additionally, your action is the kind that is denounced by society, and that similar future acts by you and others must be deterred.
8. Equally important is that you must be given ample opportunity to rehabilitate and reintegrate.
9. The approach taken in the present case follows the guidance given by the Court of Appeal in the case *Philip v Public Prosecutor* [2020] VUCA 40.

Aggravating Factors

10. The following circumstances constitute the aggravating factors in the present case:
 - a) Upon your own admission to the police and the facts you agreed to in Court, you sold cannabis for monetary gain;
 - b) You also supplied cannabis to friends, potentially causing them to commit a criminal offence and additionally introduce them to a proven harmful lifestyle.

Starting Point

11. In assessing the appropriate starting point, I have taken into account the statutory maximum sentence, as well as the aggravating and mitigating factors of the offending.
12. I have considered the submissions of counsel as well as the authorities they have referred to, for the Court's consideration. Your counsel mentions the case *Public Prosecutor v Esau* [2024] VUSC 62, in which the offender was found in possession of cannabis weighing 0.5 grams.
13. The prosecutor referred me to the case *Public Prosecutor v Kalwas* [2021] VUSC 275 in which the total weight of cannabis was 0.5 grams. This Court in that case set a starting point of 10 months. The prosecutor further suggests a starting point ranging from six (6) to ten (10) months in this case.



14. I adopt a starting point of 10 months in this case.

Guilty Plea

15. You entered a plea of guilty in this Court at the earliest opportunity. It indicates you have accepted responsibility for your wrong doing. I reduce your sentence by 25% from the starting point.

Mitigating and Personal Factors

16. You are 31 years old, and live with your partner and son in Chapuis area. You have a kava bar business that provides your family with a source of income. This is supplemented by a lending scheme operated by your family.

17. You help the community by cleaning the roadside, and support other individuals clean their gardens and build their houses.

18. This is your first offence.

19. These factors reduce your sentence by a further 4 months and 6 months.

End Sentence

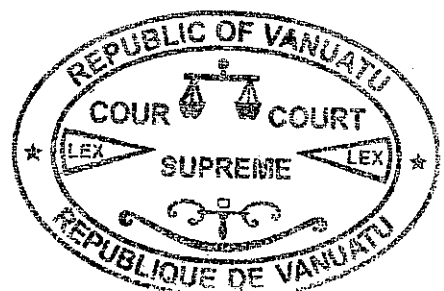
20. I have taken all these matters in consideration Joevin Buletare, and I impose on you an end sentence of three (3) months imprisonment.

21. Your counsel recommends that you serve a non-custodial sentence. The prosecutor suggests that I suspend your sentence. I agree with them, after taking into account the provisions of section 57 of the Penal Code.

22. Your sentence is accordingly suspended in full for a period of 12 months. You will however be required to undertake community work totalling 60 hours.

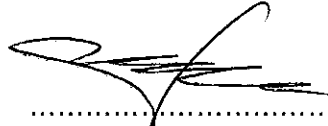
23. You have 14 days to appeal this sentence if aggrieved.

24. The substance seized by the police is to be destroyed.



DATED at Luganville this 21st day of November 2025

BY THE COURT



Hon. Josaia Naigulevu
Justice

