

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

Criminal
Case No. 25/3223 SC/CRML

PUBLIC PROSECUTOR

v

FASELIS SALERUA

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

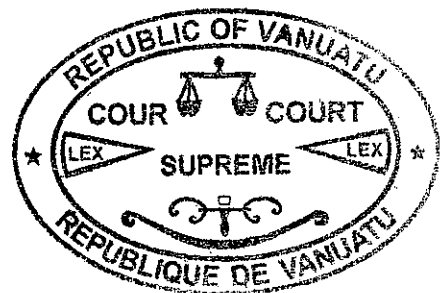
SENTENCE

Introduction

1. Faselis Salerua, you 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] when you were arraigned on the 17th November 2025.
2. You were duly convicted on your plea.

Facts

3. On the 10th August 2025, your uncle Kamisese Baiamere confronted you after observing your condition and behaviour, and found in your possession a box of match containing a cannabis substance. You run away when you were taken to the police station. The substance was handed to the police. It was tested on the 13th August 2025 and confirmed to be cannabis. It weighed 2.4 grams.
4. Following your arrest, you were interviewed under caution and made admissions.



Statutory Maximum Sentence

5. 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

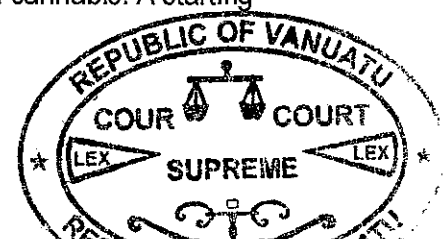
6. There are several principles that guide the sentence to be imposed on you. They include the proposition that you must be held accountable and must take responsibility for your action. Additionally, your action is the kind that is denounced by society, and that similar future acts by you and others must be deterred.
7. Equally important is that you must be given ample opportunity to rehabilitate and reintegrate.
8. 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

9. The following circumstances constitute the aggravating factors in the present case:
 - a) The cannabis substance found in a box that was in your possession was 2.4 grams.
 - b) You ran away whilst you were being taken to the police station

Starting Point

10. 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.
11. I have considered the submissions of counsel as well as the authorities they have referred to, for the Court's consideration. Your counsel referred me to a number of cases which did not assist me in determining the appropriate starting point. The weight of the substances in those cases were not similar to the present one. She did however propose a starting point of six (6) to ten (10) months.
12. The prosecutor referred me to the case *Public Prosecutor v Sandy* [2022] VUSC 190 in which the defendant was found in possession of 3.63 grams of cannabis. A starting point of two (2) years was adopted by the Court.



13. I adopt a starting point of 12 months in this case.

Guilty Plea

14. 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

15. Faselis Salerua, you are seventeen (17) years old and live with your uncle Kamisese Baiamere at Sarete Village. You are reported to have a good relationship with your family, chief and community. You have participated in community work in the past.

16. You have never offended the law in the past.

17. You have stated that you are remorseful and are very sorry for your action which has occurred in part as the result of peer pressure.

End Sentence

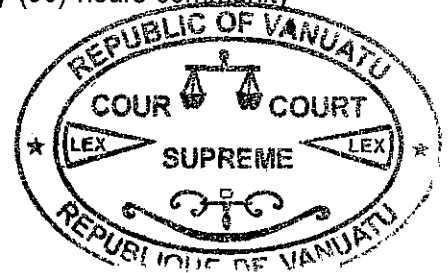
18. These factors reduce your sentence by a further four (4) months.

19. I have taken into account all the foregoing matters and impose on you an end sentence of five (5) months. You were remanded in custody between the 14th August 2025 and the 12th September 2025, a period of about 30 days. Your sentence is reduced by the same period.

20. The question about how you will serve the remaining term of your sentence requires that I consider the nature and circumstances of your crime, and your character, in order to decide whether I should suspend your sentence: section 57 of the Penal Code.

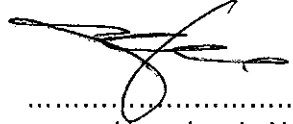
21. I have taken these factors into account and have decided to suspend the remaining end sentence of four (4) months in entirety for a period of six (6) months.

22. You will however carry be required to carry out a total of fifty (50) hours community work.



- 23. You have 14 days to appeal this sentence if aggrieved.
- 24. The substance seized by the police will be destroyed.

DATED at Luganville this 21st day of November 2025
BY THE COURT



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Hon. Josaia Naigulevi
Justice

