

**IN THE MAGISTRATE'S COURT AT NABOUWALU**  
**CRIMINAL JURISDICTION**

*Criminal Case No. 29 of 2018*

**STATE**

v

**INOKE SOGOKOSO**

Appearance : **CPL Ahbinesh** for Prosecution  
**Mr Buakula** for the Accused

Sentence : **31 August 2018**

**SENTENCE**

1. *Inoke Sagokoso* today is for sentencing for one count of *Unlawful Possession of Illicit Drugs*, contrary to section 5(1)(a) of the *Illicit Drugs Control Act*.
2. On 17 May 2018, you pleaded guilty to the charge in the presence of your counsel. I find your plea to be unequivocal as it was given on your own free will.
3. The brief summary of facts are;-

*"On 13 March 2018, the accused Inoke Sogokoso get off from the Sprit of Love at Nabouwalu jetty on it trip from Suva. Police Detective Corporal 3191 Neori was on surveillance at the jetty had suspicious on the accused behaviour and followed the accused with other police officers. The accused was stopped and taken to the Nabouwalu Police Station where he was searched and 121.5 grams of marijuana was found in his possession. The marijuana was sent to the Fiji Police chemist where it was confirmed to be marijuana."*

4. You admitted to the above summary of facts on 17 May 2018, and convicted as charged.
5. The maximum penalty for this offence is a fine of \$1,000,000.00, life imprisonment, or both fine and imprisonment. The tariff for this offence was set in the case of ***Sulua v State*** [2012] FJCA 33; AAU 0093.2008 (31 May 2012) where the Fiji Court of Appeal categorise this offence into four categories with the appropriate sentence for each category.
6. The total weight of drugs involved in this case is 121.5 grams and it category 2 under the *Sulua case*. Category 2 in *Sulua case* is between 100 grams to 1,000 grams. The tariff for category 2 is between 1 to 3 years imprisonment.
7. There is no aggravating factor in this case.
8. The compelling mitigating factors are;-
  - a. *sole bread winner*,
  - b. *promise not re-offend*.
9. For your sentence, I pick 2 years as my starting point. I reduce 6 months for your mitigation. That reduce your sentence to 1 year and 6 months imprisonment.
10. You entered an early guilty plea and you are entitle to a one third reduction of 6 months. I reduce 6 months for your early guilty plea and that reduce your sentence to 1 year imprisonment.
11. Your final sentence is 1 year imprisonment. This is a category 2 case where suspension of sentence is not an option.
12. You have been in the remand centre for 2 months and 3 days. I reduce 2 months and 1 week from your sentence. That reduce your sentence that you have to serve to 9 months, and 3 weeks imprisonment.

13. Inoke Sogokoso, I now sentence you to serve 9 months and 3 weeks imprisonment with immediate effects.

**28 days to appeal.**



A handwritten signature in black ink, appearing to read 'C. M. Tuberi', written in a cursive style.

C. M. Tuberi

RESIDENT MAGISTRATE