



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

Criminal Case No. 62 of 2010

**PUBLIC PROSECUTOR**

**-v-**

**LAVINIA HOPER**

*Coram: Justice N. R. DAWSON*

*Date of Sentence: 2<sup>nd</sup> September, 2010*

*Counsel: Mr. E. Csiba for Public Prosecutor*  
*Mr. E. Molbaleh for Accused*

**SENTENCE**

1. Ms. Hoper you appear in Court today on the charge of Unlawful Supply of Cannabis. This is a serious offence that has a maximum sentence of 20 years imprisonment.
2. Sometime in April 2010 you were working for Digicel and you were deployed to Epi Island to promote Digicel mobile phones. On 13<sup>th</sup> April, you received 2 parcels of cannabis wrapped in newspaper from a person at a kava bar and you posted it to your boyfriend in Port Vila. On your return from Epi the Police interrogated you and that lead to your arrest.
3. I have read the Probation Report and also the submissions by the Prosecution and your defence counsel. In sentencing you it is necessary to impose a sentence that will promote within you a sense responsibility so that you can live an offensive free life and keep away from the Courts. I am of the view that there are no aggravating factors to your offending. The Court needs to take into account. The supply of cannabis is a very serious offence but your particular offence was very much at the lower end of offending for that charge. There was only one occasion where you



posted on some cannabis to a boyfriend. This is not a case where you are the commercial dealer selling cannabis.

4. In mitigation you are 20 years of age, you entered an early guilty plea. You have expressed remorse and you have no previous convictions so you have been a person of good character. The Probation Report notes that you have the support of your family and you have a strong ambition to find another job. You are also motivated to attend any programs provided by the Probation Service.
5. Ms. Hoper, I am of the view that it will be appropriate to impose a sentence of 60 hours of community work. However I note that you spent 3 weeks in prison while on remand and in view of that time in prison on remand, I am going to convict you but without imposing any further community work sentence. I am also imposing a sentence of supervision for 9 months with the special condition of supervision that you are to attend the Niufala Rod Program and any other program as provided by Probation Services. The purpose of imposing a sentence of supervision is to help you get your life on track so that you do not come back to Court again.
6. You have the right to appeal this sentence. For any appeal you must lodge a notice of appeal within 14 days of today's date.

**DATED at Port Vila, this 2<sup>nd</sup> day of September, 2010**

**BY THE COURT**

  
**N.R. DAWSON**  
Judge

