



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

Criminal Case No. 25 of 2010

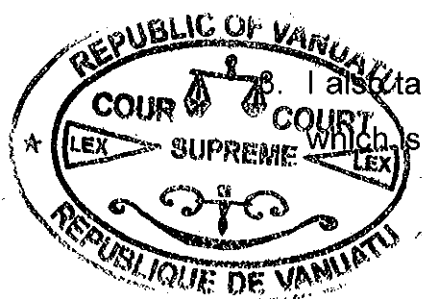
**PUBLIC PROSECUTOR  
V.  
PETER HAUL**

*Coram:* Justice N. R. DAWSON  
*Date of Decision:* 14<sup>th</sup> May, 2010  
*Counsel:* Mr. G. Takau for Public Prosecutor  
Mr. E. Molbaleh for the Accused

**SENTENCE**

1. Mr. Haul you appear in Court today for sentencing on a charge of possession of cannabis. The complainant is a Police Officer who is currently working at the Vila Police Station. On the 30<sup>th</sup> of March 2008 he was at work when he received a phone call from a staff member of Club Vanuatu seeking assistance, on arrival there a security officer brought you to the policeman and handed across a roll of marijuana or cannabis which looked to be a roll that was ready to be smoked. They arrested you, and took you to the police station. At the police station and you took out a piece of paper which contained some dry cannabis leaves in it.
2. Mr. Haul, I have read the Probation Report and I have also read and take into account the submissions that have been filed on your behalf by your defence counsel. In sentencing you is necessary to impose a sentence that you encourage a sense of responsibility within you.

I also take into account your background which appears to be offence free which is mark in your favour.



4. I find there are no aggravating factors to take into account, but there are mitigating factors including your early guilty plea, your remorse that you've expressed, and that you're a person of good character, and have no previous convictions.
5. I note that you are 25 years of age; the Probation Report notes that you have not performed any custom ceremony but that you are willing to perform one. The recommendation for Probation Service is a community based sentence.
6. The ordinary starting point for a sentence for a conviction of this kind would be a sentence of imprisonment. I now take into account mitigating factors that I have mentioned and impose a community based sentence. You are convicted to 100 hours community work and also I sentence to attend supervision for 9 months. The conditions of your supervision are:
  - 1) To undertake Niufala Rod Program.
  - 2) Undertake Spiritual Counseling.
  - 3) Not to reoffend.
7. I also make an order for destruction of cannabis that was taken in evidence.
8. You have the right to appeal this sentence. For any appeal you must lodge a notice of appeal in 14 days of today's date.

**DATED at Port Vila, this 14<sup>th</sup> day of May, 2010.**

**BY THE COURT**

  
.....  
**N. R. DAWSON**  
Judge.

