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**PUBLIC PROSECUTOR -v- BRUCE REUBEN**

**Coram:** V. Lunabek CJ

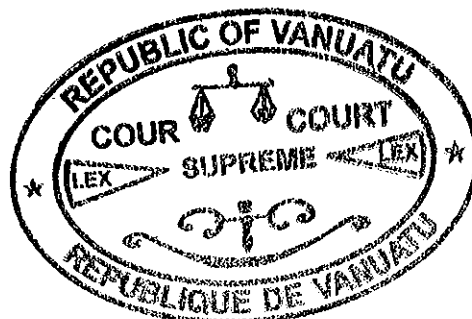
**Counsel:** Ms Tabisa Harrison for the Public Prosecutor  
Mr Eric Molbaleh for the Defendant

**SENTENCE**

Mr Bruce Reuben, this is your sentence. You are 25 years of age and you are originated from the Island of Epi. On 9 August 2011, you pleaded guilty to one count of possession of cannabis, contrary to section 2(62) of the Dangerous Drugs Act [CAP.12].

The brief facts are that:

1. On or about the 17th of June 2011 around 17:00hrs at. Mr. Dominique Nakamal at Teouma area the complainant Mr. Jackson Noal who is the Police Commander in Port Vila conducted a bodily search on you.
2. During the bodily search the complainant found suspected marijuana leaves rolled up in a newspaper. The complainant then called the police station to go over and bring you down to the police station. You are then detained at the police station. The suspected cannabis leaves were taken to the laboratory for testing. The tests conducted on the suspected substances were of cannabis and weighed at 6.57grams
3. On the 18th of June 2011, Officer Bakon Slyvano cautioned you and conducted an interview with you regarding the allegations that were laid against you. During the interview you admitted to the allegations that you were in possession of cannabis at that time and that you had bought the cannabis for VT500 from an unknown person at the BP wharf.



*[Handwritten signature]*

The law that you have been broken is the Dangerous Drugs Act [CAP.12].

Possession of cannabis is contrary to section 2(62) of the Dangerous Drugs Act [CAP.12], which provides that:

*"The possession of cannabis in Vanuatu except as provided in section 3 is prohibited."*

Section 17 provides the Penalty:

*"Punishable by a fine not exceeding VT 100 million or to a term of imprisonment not exceeding 20 years or to both such fine and imprisonment."*

The maximum penalties imposed by law is from 100 million Vatu up to 20 years imprisonment or both fine and imprisonment.

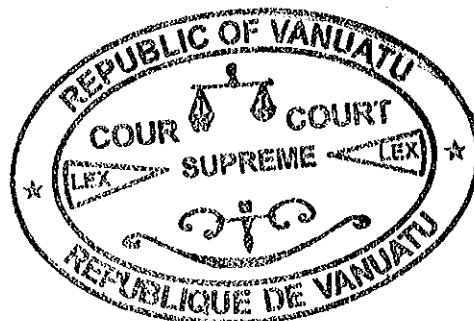
Possession of cannabis substance is a serious offence as reflected in the maximum penalty imposed by law.

I have considered the submissions of the prosecution and submissions made by your lawyer on your behalf. I also read the pre-sentence report filed to assist the Court in your sentencing.

In your case, your offending is aggravated by the quantity of 6.54 grammes you have in you possession.

In mitigation, you are a first time offender. You pleaded guilty at the first opportunity the Court gives you. You live with a defacto wife and a son. You obtain a certificate on computer school and you work on a computer. You have ambitions in life to own your private transport business and acquire knowledge and skills in joinery. You support your mother and family. You are remorseful and you told the writer of the pre-sentence report that you will not re-offend again.

On balancing between the aggravating and mitigating factors, I sentence you to 15 months imprisonment as a starting point.



I give you a 1/3 credit for your guilty plea and 3 months for other mitigating factors. You are sentenced to an end sentence of 7 months imprisonment. I decide to suspend it for a period of 12 months. During the period of 12 months (i.e. 9 September 2011 – 9 September 2012) you shall not re-offend. If you re-offend, your imprisonment term of 7 months imprisonment shall be re-activated upon your convictions on the new offence.

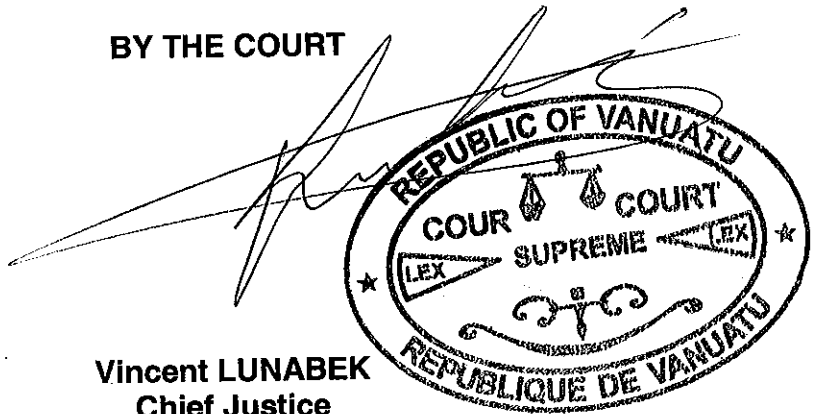
In addition, I order you to perform 40 hours of community work.

### **SENTENCE ORDER**

1. You are sentenced to 7 months imprisonment suspended for a period of 12 months.
2. You are ordered also to perform 40 hours community work.
3. You have 14 days to appeal you sentence if you are not happy with it.

**DATED at Port-Vila this 9<sup>th</sup> day of September 2011**

**BY THE COURT**



**Vincent LUNABEK  
Chief Justice**