

PUBLIC PROSECUTOR - v - FATI JIMMY

Coram: V. Lunabek CJ

Counsel: Mr Simcha Blessing for the Public Prosecutor
Ms Jessica Palo for the Defendant

ORAL SENTENCE

Defendant Fati Jimmy, you are charged with possession of cannabis, contrary to section 2(62) of the Dangerous Drugs Act [CAP.12].

You entered a guilty plea on the above offence as charged against you on 5 June 2012. You are sentenced today for such an offence. On 5 June 2012, the Court directed a pre-sentence report to be provided for your sentencing consideration. Today no pre-sentence was filed.

The brief facts of your offending are as follows:

You live at Blacksands area, Port-Vila, Efate. On 9 March 2012, you were at the police station in Port-Vila, you have in your possession cannabis substance. You were arrested and charged by the police of being in possession of cannabis. The cannabis substance was tested and confirmed to be of cannabis substance and it weighed 1.37 grams. You admitted you have in possession of cannabis when you were interviewed by the police on 9 March 2012. You also admitted your offending when you entered a guilty plea at the first opportunity given to you by the Court on 5 June 2012.

You are 26 years of age.

Possession of cannabis is a serious offence against the law. The law punishes this offending by payment of a fine of 100 millions Vatu or 20 years imprisonment



[Handwritten signature]

or both fine and imprisonment. The seriousness of your offending is as reflected by the maximum penalty imposed by law.

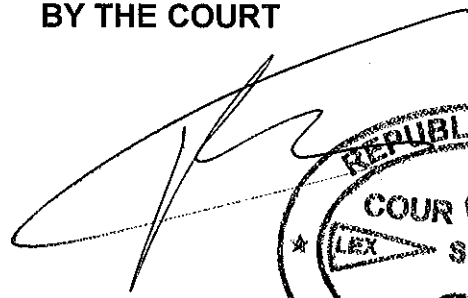
When the Court considers your sentencing, the Court takes into account the seriousness and the circumstance of your offending and the Court balances those with your guilty plea and the fact that you are a first time offender and you a young child.

You are sentenced to 15 months imprisonment and on balance between the aggravating and mitigating factors, the Court reduces your sentence to 12 months imprisonment and suspended it for 2 years. You are ordered to perform 50 hours community work in addition.

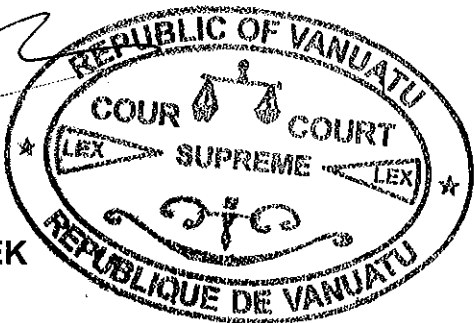
You have 14 days to appeal if your are unsatisfied with your sentence.

DATED at Port-Vila this 25th day of June 2012

BY THE COURT



Vincent LUNABEK
Chief Justice



The seal of the Supreme Court of Vanuatu is circular. The outer ring contains the text "REPUBLIC OF VANUATU" at the top and "REPUBLIQUE DE VANUATU" at the bottom, separated by two small stars. Inside the ring, the words "COUR" and "COURT" are positioned on either side of a central scale of justice. Below the scale, the word "SUPREME" is written in a larger font, flanked by two smaller triangles containing the word "LEX". At the bottom of the seal, there is a decorative flourish.