

PUBLIC PROSECUTOR

v

BRUCE METAN

Date: 28 November 2024
Before: Justice V.M. Trief
Counsel: Public Prosecutor – Ms M. Meltebury
Defendant – Mr K.S. Amos

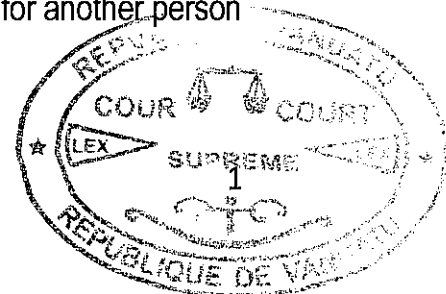
SENTENCE

A. Introduction

1. Mr Bruce Metan, you appear for sentence having pleaded guilty to unlawful possession of 22.72 grams of cannabis and unlawful supply of cannabis contrary to subs. 2(62) of the *Dangerous Drugs Act* [CAP. 12] (Charges 1 and 2) and domestic violence contrary to para. 4(1)(g) and s. 10 of the *Family Protection Act* 2008 (Charge 3). You are convicted on those charges on your own pleas and the admitted facts.

B. Facts

2. On 27 December 2023 at Pango area on Efate island, Police officer Seule Kaltan attended the Pango French school premises in response to a report of some young boys trespassing into the school area. Officer Kaltan searched you there and found 100 aluminium wrapped packages of cannabis in your pockets. The contents of the packages were tested and confirmed to be cannabis weighing 22.72 grams (Charge 1).
3. You admitted that the 100 aluminium wrapped packages of cannabis were for sale and that you had been selling cannabis since December 2022. You sell it for another person



for a commission. During the offending, you had given cannabis to the young boys who were with you and they rolled joints and smoked it. The boys stated that you were known as a seller of cannabis in their area but at that time you did not sell cannabis to them (Charge 2).

4. You reside with your grandfather in the same house at Pango village. In January 2024, you returned home in the afternoon and became angry with your grandparents because there was no food to eat in the house. You told your grandparents that you would kill them. They were scared when they heard that as you are violent towards them and usually beat them up (Charge 3).

C. Sentence Start Point

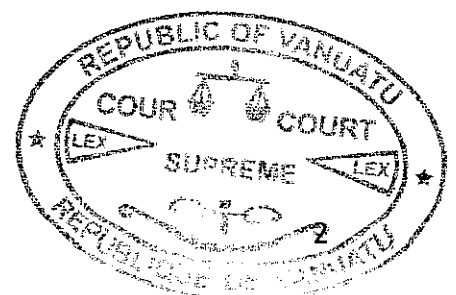
5. The maximum penalty for possession and supply of cannabis is 20 years imprisonment and/or a fine of up to VT100 million. The maximum penalty for domestic violence is 5 years imprisonment and/or a fine of up to VT100,000.
6. The aggravating feature of the offending in Charges 1 and 2 is that the cannabis was intended for sale. It was wrapped in aluminium packages which indicated that it had been prepared for sale. In addition, you had been supplying cannabis to others since December 2022.
7. The only mitigating factor of the offending in Charges 1 and 2 is the relatively low quantity of the cannabis. There are no mitigating features of the offending in Charge 3.
8. I set a global sentence start point of 18 months imprisonment for Charges 1 and 2, and a sentence start point of 9 months imprisonment for Charge 3.

D. Personal Factors

9. You pleaded guilty at the first opportunity. You cooperated with the Police. I deduct 33% from the sentence start point for the early guilty pleas.
10. You are 22 years old, with no prior convictions. You are single and lived with your grandparents. You are a Year 6 leaver. You had a job as a gardener at Ifira Point. I make no deduction for your personal factors.

E. End Sentence

11. The applicable sentencing principles are general and specific deterrence, and holding you to account for your offending.



12. Taking all of those matters into account, the Court imposes the following end sentences for Charges 1 and 2 concurrently, with the end sentence for Charge 3 to be served consecutively to the previous two sentences:
- a. Unlawful possession of cannabis (Charge 1) 12 months imprisonment;
 - b. Unlawful supply of cannabis (Charge 2) 12 months imprisonment; and
 - c. Domestic violence (Charge 3) 6 months imprisonment.
13. You were remanded in custody on 27 December 2023 for 24 hours. On 22 February 2024, your bail was revoked and you have been held in custody since – an effective sentence of 18 months imprisonment. Accordingly, you have served the time required in respect of these sentences and are to be immediately released.
14. The drugs are to be destroyed.
15. You have 14 days to appeal the sentence.

**DATED at Port Vila this 28th day of November 2024
BY THE COURT**


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Justice Viran Molisa Trief

