

**IN THE CENTRAL MAGISTRATES' COURT  
OF SOLOMON ISLANDS AT HONIARA**  
(Criminal Jurisdiction)



Criminal Case No. 548 of 2022

**REGINA**

-v-

**PETER MALEFO**

**Date of Plea:** January 18, 2023  
**Date of Hearing:** January 20, 2023  
**Date of Sentence:** January 27, 2023

Mrs. Monica Rehomora for the Crown  
The Defendant in person

**SENTENCE**

- [1] The defendant, Mr. Peter Malefo, is charged with an offence of Possessing a Prohibited Substance contrary to section 8 (b) as read with section 39 (2) (b) of the Dangerous Drugs Act. He pleaded guilty to the offending and a criminal conviction was entered against him. He is appearing before this court to receive his sentence today; this is my reasoning.
- [2] The agreed facts disclosed that on October 4, 2022, at about 12:45pm, was found selling marijuana in front of the Solomon airlines office at Point Cruz. After being observed by Police Officers to be suspicious, they approached him and, upon a brief body search, they discovered ten (10) rolls and a parcel wrapped with newspaper containing marijuana as well.
- [3] The offence for which the defendant is charged carries a maximum penalty of a fine of \$5,000 or 6 months imprisonment, or both such fine and imprisonment. The amount was recently increased from \$500, in 2009 under the Miscellaneous Amendment Act, which demonstrates the seriousness of the offence and intention of our lawmakers to abhor such offending from occurring in our beloved nation Solomon Islands.
- [4] The country has recently seen the rise in number of people with psychological illness roaming the streets of Honiara – many of whom are victims of the so-called drug, 'marijuana'. The government is trying to figure out ways to accommodate them, due to the current infrastructure issue with Kilufi Mental Health Hospital. And the defendant's behaviour of selling Marijuana

on the streets of Honiara, is not helping the Government, the people and more specially, the youths at all.

[5] The sentence that I will pass today must send a resounding message to the defendant, and others who may wish to explore this illegal area, that the courts will not take such offence lightly when passing its sentence. For the defendant, I hope the case is a lesson for him, to make constructive change and for him to put to good use his vibrant youth.

[6] Having considered the circumstance of offending, the aggravating and mitigating factors, I am of the view, that a sentence of imprisonment is warranted in this case. Therefore, impose a 4 months' imprisonment sentence.

### SENTENCE ORDER

- (1) The defendant, Mr. Peter Malefo, is sentenced to **4 months imprisonment.**
- (2) Time spent in pre-trial custody shall be deducted.
- (3) 14 days' right of appeal applies.
- (4) Order accordingly.

BY THE COURT

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**MR. LEONARD B. CHITE**  
Principal Magistrate  
Central Magistrates' Court

