

PUBLIC PROSECUTOR

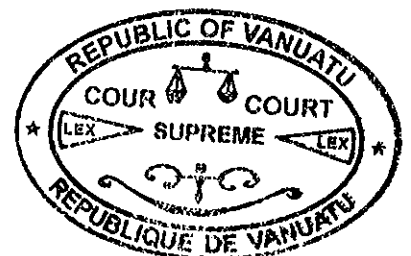
V

**TANGA OBED
TONNY SEWERE**

Sentence: 12 August 2011
Before: Justice Robert Spear
Appearances: Simcha Blessing for the State
Roger Tevi for the Defence

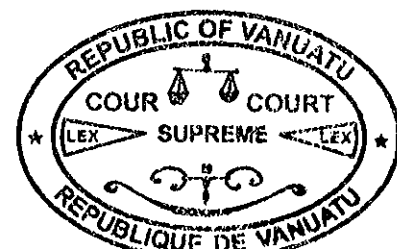
SENTENCE

1. The two accused have been committed today into this Court for trial on 3 counts. Tanga Obed faces (Count 1) a charge of possession of cannabis and (Count 2) a charge of supplying cannabis. Tonny Sewere faces (Count 3) a charge of possession of cannabis.
2. Having had the facts explained to me and there being no objection to this course, it is unnecessary for Count 2 against Tanga Obed to be pursued. It is agreed that the supply can be dealt with as part of the facts behind Count 1. Mr Blessing sought leave for Count 2 to be dismissed.
3. Tanga Obed now pleads guilty to Count 1 and he is convicted accordingly. He is discharged on Count 2.
4. Tonny Sewere now pleads guilty to Count 3 and he is convicted accordingly.
5. There are differences between the factual situations between the two accused. There is no dispute as to these facts. These two young men



came to the notice of the Police on 22 July 2011 at Lakatoro. Tanga Obed was found with a small bag containing some cannabis leave; enough for about 20 joints. Tonny Sewere was found with one joint. They both admitted that they were in possession of the cannabis found in their respective custody. Tanga Obed admitted that he had supplied the joint of cannabis to Tony Sewere.

6. Both accused are young men with no previous convictions. They have both pleaded guilty at the first reasonable opportunity. What is important here today is to recognise their youth and that they made full admissions right from the outset. That needs to be reflected in the sentence.
7. This is a case where the sentence should principally be rehabilitative in its emphasis with just a small portion of punishment by way of community work to reflect the knowing breach of the law by them.
8. In case the two young men here do not understand it there is overwhelming evidence that the smoking of cannabis is extremely harmful to the users both physical and mental health.
9. As I have said, the sentence should be primarily rehabilitative but it must also recognise the factual differences in that Tanga Obed, you had the small handbag of cannabis and that you supplied a joint to Tony Sewere. Accordingly, your culpability is greater.
10. Both of you are placed under 12 months supervision. It comes with two special conditions that are designed to help you so that you will not come back before the Court again. The first is that you are not to possess nor consume cannabis. If you are found with cannabis again, not only will you be prosecuted for that offence but you will also be in breach of this sentence and that will permit the Court to reconsider the sentence it has imposed on you on this occasion. The second special condition is that you undertake such rehabilitative programs to address drug use as may be seen as appropriate by your probation officer. If the probation officer does not



consider that it necessary for you to attend a drug program then you will not have to attend it.

11. Tanga Obed, you will also carry out 100 hours community work.
12. Tonny Sewere, you will carry out 40 hours community work.
13. You each have 14 days to appeal this sentence if you do not accept it.

BY THE COURT

