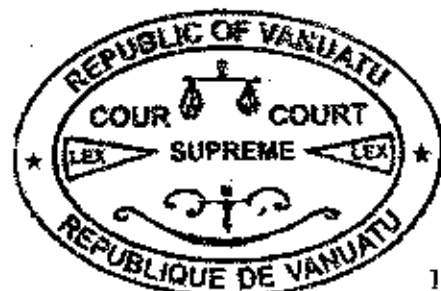


PUBLIC PROSECUTOR – VS – BULESAH DADE

Coram: *Mr. Justice Oliver A. Saksak*
Counsel: *Mr. Ken Massing for Public Prosecutor*
Ms. Jane Tari for Defendant

SENTENCE

1. Bulesah Dade, you pleaded guilty on 7th May 2013 to one count of unlawful possession of cannabis contrary to section 2(62) of the Dangerous Drugs Act Cap 12.
2. The maximum penalty for this offence is a fine not exceeding VT100 Million or 20 years imprisonment.
3. On 21st April 2013, you were arrested by Police at the entrance to the Luganville Soccer Stadium on suspicion of possession of cannabis. Upon search, the police found cannabis leaves in your trousers pocket. They were tested to be cannabis. The net weight was 0.295 g.
4. You have stated that it was a friend of yours who gave the leaves to you and you accepted them simply because you smoke marijuana. You admit using cannabis occasionally.
5. You have expressed remorse over your action and have realised that what you did is against the law. You are a first time offender. You have a defacto wife and a six month old child. You are 26 years old and with no gainful employment at the moment.



6. Taking those factors into account I consider that a suspended sentence is the appropriate penalty which will reflect not only a deterrence effect, but also one which will give you a chance to rehabilitate.
7. Applying the case of Public Prosecutor v. Tuk Sope [2004] VUCA 14, the Court convicts you and sentences you to 3 months imprisonment suspended for 12 months. During these period of suspension you must not re-offend and be convicted of any other offences. If you do, you will go to prison to serve your 3 months imprisonment.
8. I should remind you that this is your chance to take your suspended sentence seriously and as the last chance. You should think seriously about your young family and your life ahead of you. You must make a serious decision to stop being involved with cannabis. If you don't then live will not get any better for you.
9. That is the Sentence of the Court. If you do not agree with it you have a right to appeal within 14 days.

DATED at Luganville this 5th day of August 2013.

BY THE COURT


OLIVER A. SAKSAR

Judge

