

PUBLIC PROSECUTOR

- v -

ANTONY BONGNAIM NAMBONG

Coram: V.LUNABEK CJ
Counsel: Mr Ken Massing for the Public Prosecutor
Ms Jane Tari for the Defendant

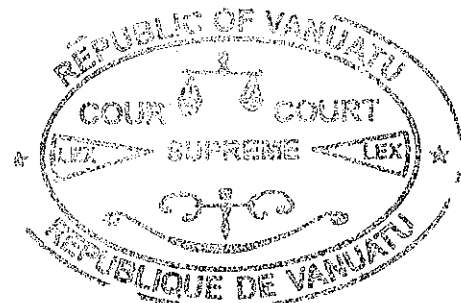
SENTENCE

Antony Bongnaim Nambong, you appear today for sentence. You are originally from Olal village on the Island of Ambrym. You come from a family of seven (7) children and you are the eldest. You are currently residing at Showground in Luganville, Santo. On 17 February 2015, you entered a guilty plea on one count of Possession of Cannabis, contrary to s.2 (62) of Dangerous Drugs Act [Cap 12].

The brief facts of your offending are set out as follow:

Brief Facts:

1. A complaint was made against you for the offence of Possession of Cannabis.
2. You are a bus driver and you are 21 years of age.
3. On the 31st of October 2014, you went with some other men to solve a problem at Santo Police Station.
4. While at the Police Station the police search your bus. Inside the bus they found a brown island basket containing Marijuana leaves.
5. Investigation revealed that the island basket belong to you.
6. The Marijuana leaves were confiscated and kept by the Police.
7. The results shows that the Marijuana were positive cannabis. The net weight was 22.81 grams.



8. You were cautioned and interviewed by the Police where you admitted to the allegations made against you.

Possession of cannabis is prohibited by law. It is a serious offence. It carries a maximum penalty of a fine of vatu 100Millions or an imprisonment term of 20 years or of both fine and imprisonment.

You must be punished for being in possession of 22.81 grams of cannabis.

In your sentencing, I take into account the submissions and authorities advanced by the prosecution and I also take into account of the submissions and authorities made by your lawyer on your behalf. I further peruse the Same Day Report filed by the probation office in order to assist me in your sentencing.

The report reveals that you have tried to justify your offending by minimising it and also by putting the blame on your father's failure to support your education. The Court cannot accept this justification. You are now an adult person. You know the difference between what is right and what is wrong. You are responsible for your own act or conduct in the society.

You are 21 years of age. You are a student undertaking computer courses with the Computer Network Services in Luganville, Santo. You are a first time offender. You plead guilty at the first time opportunity given to you by the court. It is to your credit. I will not send you to jail today. You will be given a chance to abide the law. The next time you reoffend you will be sent to prison.

In this case, you are sentenced to 6 months supervision on the general standard conditions. I have also considered Community Work type sentence. However because of your weak physical condition (heart problem) I decline.

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

DATED at Luganville, Santo this 18 day of February 2015

BY THE COURT

**Vincent LUNABEK
Chief Justice**

