

PUBLIC PROSECUTOR

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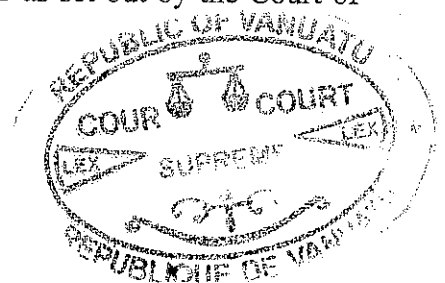
LUEN SABLONG

Defendant

Date of Sentence: 27th day of June, 2023 at 8:30 AM
Before: Justice Oliver Saksak
In Attendance: Mr Jordan Aru for the Public Prosecutor
Mr Francis Tasso for the Defendant

SENTENCE

1. Luen Sablong pleaded guilty to one charge of unlawful possession of cannabis on 6th June 2023. He is for sentence today.
2. Possession of cannabis is a serious offence contrary to section 2 (62) of the Dangerous Drugs Act [CAP 12].
3. The maximum penalty is a fine of up to VT 100 million and imprisonment of up to 20 years imprisonment.
4. The defendant admitted to possessing 0.24 grams of cannabis substance on 3rd December 2020.
5. There is no mitigating circumstances warranting the commission of this offence. This is an offence punishable by imprisonment but due to circumstances of the defendant such as the delay taken to prosecute this case, the age of the offender, and keeping a clean record from the date of offending, this offence warrants a sentence of supervision for the purpose of his rehabilitation.
6. The defendant's offending falls within category 1 as set out by the Court of Appeal in Wetul v PP [2013] VUCA 26.



7. By comparison this case is similar to the case of PP v Shing [2022] VUSC 95. The amount in that case was 0.16 grams, a lot less than in this case but fully within the first category. The Court will follow the case of Shing.
8. The offender is now 23 years old. He was about 21 years old in 2020 when he offended. And he did not reoffend since that date. He needs to be afforded an opportunity to rehabilitate. Therefore only a supervision sentence is appropriate for him.
9. Accordingly the Court convicts the defendant on his own guilty plea and sentences him to a sentence of supervision pursuant to section 58F of the Penal Code Act (as amended), for a period of 6 months.
10. The defendant is warned that during the period of 6 months supervision, he must not reoffend, this offence or any other criminal offences. He must receive spiritual counselling and attend any rehabilitative programs as directed by a Probation Officer and keep the other standard conditions as specified in his Order of Supervision.
11. He is further warned that if he fails to meet the special and standard conditions, he will likely be imprisoned if he next comes before the Court.
12. That is the sentence of the Court on this defendant. He may wish to appeal this sentence within 14 days if he so chooses.

DATED at Port Vila this 27th day of June, 2023.

BY THE COURT


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Oliver Saksak

Judge

