

PUBLIC PROSECUTOR

v

ALILI JULUN

*Defendant*

**Coram:** Justice Oliver A. Saksak

**Counsel:** Ms Laura Lunabek for Public Prosecutor  
Mr Steven Garae for Defendant

**Dates of Plea:** 15<sup>th</sup> July 2024  
**Date of Sentence:** 23<sup>rd</sup> July 2024

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## SENTENCE

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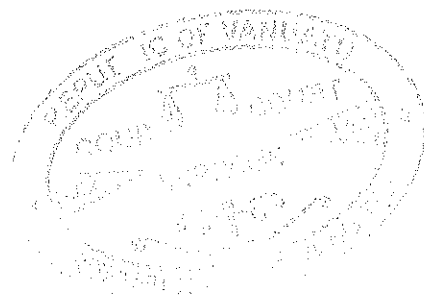
1. On 15<sup>th</sup> July 2024 Alili Julun pleaded guilty to all four charges against him which were: domestic violence ( Count 1), cultivation of cannabis ( Count 3), and possession of cannabis ( Counts 2 and 4). And he is here for sentence today.
2. Cultivation and possession of cannabis carry the same penalty which is VT 100 million or imprisonment of 20 years or to both. And domestic violence carries the maximum penalty of 5 years imprisonment or a fine of VT 100,000.
3. These penalties show that those are serious offences. The defendant committed these offences over a period from 13 June 2023 ( Count 4) and 1<sup>st</sup> January to 24 March 2024 ( Count 1 and 2). The drug offences were aggravated by the defendant assaulting his own mother on 24<sup>th</sup> February 2024. On 29 February 2024 he had in his possession 1.08 kg of cannabis in his green jacket. On 13 June 2023 he had in his possession 13.5grams of cannabis. And between January and 25 March 2024 he had planted 6 plants of cannabis weighing 71.5 grams.



4. From those facts the defendant appears to be a habitual user and dealer in cannabis. He stood in a position of trust towards his aunt but abused that trust by assaulting her by touching her without her consent.
5. There was no mitigating circumstances for his offendings. I consider that his drugs offendings fall within Category 2 of the Wetul v PP [2013] VUCA 26 case.
6. It is my view that a custodial sentence is the appropriate punishment for the defendant for his offendings. He is therefore convicted and sentenced on his own guilty pleas as follows:-
  - a) For domestic violence, count 1- A sentence of 12 months imprisonment to be served concurrently with Counts 2 and 4.
  - b) For possession of cannabis, Counts 2 and 4- A Sentence of 2 years imprisonment on each count to be served concurrently.
  - c) For cultivation of cannabis, Count 3- A sentence of 2 years imprisonment to be served consecutively with the sentences for domestic violence and possession of cannabis in Counts 2 and 4.

The total sentence for the defendant for all 4 charges is 4 years imprisonment.

7. This is to mark the seriousness of these offences, to deter the defendant and other like-minded persons, to mark public condemnation of his unlawful actions, to protect the weak and vulnerable members of the family and to punish the defendant adequately.
8. I now consider reduction of sentence for mitigating factors. First his guilty pleas for which the full 1/3 is granted. That means 1 year and 4 months are taken out from 4 years sentence leaving the balance of 2 years and 8 months.
9. Next, for clean past record and other factors personal to him, including the period he spent in custody on remand, his sentence is further reduced by 8 months. His end sentence is therefore exactly 2 years imprisonment.



10. I accept Prosecution's submissions that there are no exceptional circumstances warranting the suspension of his sentence. He is sentenced to an end sentence of 2 years imprisonment. The sentence is not suspended. It takes immediate effect as of today but is backdated to 19 May 2024 when he was first remanded in custody. His bail is revoked accordingly.

11. That is the sentence of the Court for the defendant. He has a right of appeal within 14 days.

DATED at Luganville this 23<sup>rd</sup> day of July 2024.

BY THE COURT



Hon. OLIVER A SAKSAK

Judge

