

PUBLIC PROSECUTOR

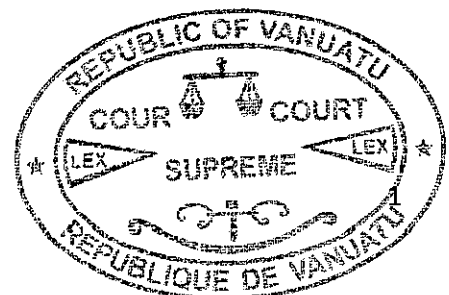
v

LORENZO NUMAKE NANGO

Date: 30 August 2024
Before: Justice V.M. Trief
Counsel: Public Prosecutor – Ms M. Meltebury
Defendant – Mrs K. Karu

SENTENCE

1. The Defendant Lorenzo Numake Nango pleaded guilty to cultivation of cannabis contrary to s. 4 of the *Dangerous Drugs Act* [CAP. 12]. He is convicted on his own plea and the admitted facts.
2. On 4 April 2024, the Police after receiving a complaint from the local chief of Lounapikiko area on Tanna island, went to Mr Nango's garden and found cannabis plants growing in 3 sections of the garden. They uprooted 58 cannabis plants altogether from the 3 sections of the garden, which weighed 81 kilograms. Testing confirmed the plants to be cannabis.
3. The maximum penalty for the offence of cultivation of cannabis is 20 years imprisonment and/or a fine of up to VT100 million.
4. I conclude from the way that the cannabis plants were planted, the number of plants and the total weight of those plants that this was small scale cultivation of cannabis plants for a commercial purpose, within category 2 set out by the Court of Appeal in *Wetul v Public Prosecutor* [2013] VUCA 26. It cannot be said that 58 plants were a small number, and for personal use only. I infer otherwise.
5. There are no mitigating factors to this offending.



6. The sentence start point I adopt is 2 years imprisonment.
7. Mr Nango is 24 years old, has no prior convictions, cooperated with the Police and pleaded guilty at the first available opportunity.
8. One third (8 months) is deducted from the sentence start point for the early guilty plea.
9. A further 9 months 2 weeks is deducted from the sentence start point as Mr Nango has been remanded in custody since 9 April 2024 to the present date.
10. The end sentence imposed is 6 and a half months imprisonment.
11. Given the time that Mr Nango has already served in custody for this offending, his prior clean record, early guilty plea and prospects of rehabilitation, I suspend the end sentence for a period of 12 months pursuant to s. 57 of the *Penal Code*. Accordingly, Mr Nango is to be immediately released from custody but is warned that he needs to remain offence-free for 12 months or will be brought back into custody to serve the end sentence imposed today in addition to the penalty imposed for the further offending.
12. Mr Nango has 14 days to appeal the sentence.
13. The drugs are to be destroyed.

**DATED at Port Vila this 30th day of August 2024
BY THE COURT**


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Justice Viran Molisa Trief

