

IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(Criminal Jurisdiction)

Criminal
Case No. 24/3330 SC/CRML

PUBLIC PROSECUTOR

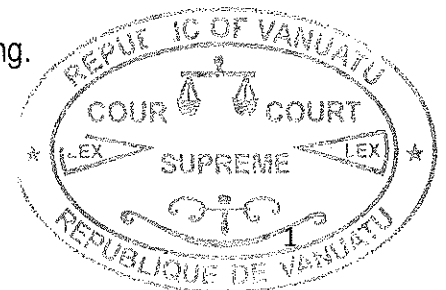
v

ALBANO ARU

Date: 6 March 2025
Before: Justice V.M. Trief
Counsel: Public Prosecutor – Ms J. Tete
Defendant – Ms B. Taleo


SENTENCE

1. Mr Albano Aru, you appear for sentence today having pleaded guilty and accepted the summary of facts in relation to cultivation of cannabis contrary to s. 4 of the *Drugs Act* [CAP. 12]. You are convicted on your own plea and the admitted facts.
2. On 14 June 2023, the chief of Pakotaura village at Santo came across your garden and saw plants there that he suspected to be cannabis. On 23 June 2024, the chief accompanied Police officers to your garden. The Police uprooted 10 plants which they suspected to be cannabis. Testing confirmed the plants to be cannabis weighing 14.84 grams.
3. The sentence start point is assessed having regard to the maximum sentence available, and the mitigating and aggravating factors of the offending.
4. The maximum penalty for the offence of cultivation of cannabis is 20 years imprisonment and/or a fine of up to VT100 million.
5. There are no aggravating or mitigating factors to this offending.



6. The sentence start point I adopt is 12 months imprisonment.
7. One third (4 months) is deducted from the sentence start point for the early guilty plea.
8. You are 24 years old. You live with your partner and 4-year old child. You have no prior convictions and cooperated with the Police. You did not go to school. You are a subsistence farmer with both cattle and kava crops. You are stated to be remorseful. A further month is deducted from the sentence start point for the personal factors.
9. You have served time in custody from 20 February 2025 to the present date, an effective imprisonment term of 1 month therefore a further month is deducted from the sentence start point.
10. The end sentence imposed is 6 months imprisonment.
11. Taking into account the circumstances, the nature of the offending, your prior clean record and prospects of rehabilitation, the end sentence is suspended for 12 months. You are warned that if you are convicted of any offence during that 12-month period, that you will be taken into custody and serve the sentence of imprisonment imposed today, in addition to any other penalty that may be imposed for the further offending. Given the suspension of sentence, you are to be released from custody today.
12. In addition, you are to complete 60 hours of community work within 12 months.
13. You have 14 days to appeal the sentence.
14. The drugs are to be destroyed.

**DATED at Luganville this 6th day of March 2025
BY THE COURT**


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Justice Viran Molisa Trief

