

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

Criminal
Case No. 25/3215 SC/CRML

PUBLIC PROSECUTOR

v

ADAM ISAIAH

Date of Plea: 17th November 2025
Before: Justice Josaia Naigulevu
Counsels: Public Prosecutor – Ms. Josephine Tete
Public Solicitor – Ms. Barbara Taleo

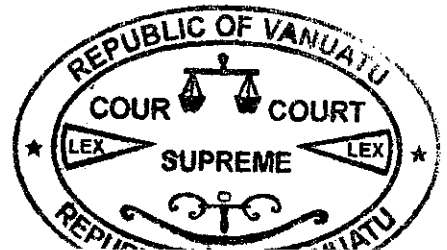
SENTENCE

Introduction

1. Adam Isaiah, you pleaded guilty and accepted the summary of facts presented by the prosecution relating to one count of unlawful possession of cannabis substance contrary to section 2 (62) of the Dangerous Drugs Act [Cap 12] when you were arraigned on the 17th November 2025.
2. You were duly convicted on your plea.

Facts

3. Following the receipt of information that you were selling cannabis at the Million Dollar Point at the Banban area, search warrant was executed on your property by the police on the 17th July 2025. During the course of the search, they found and seized dried plant materials in your house.
4. In a test conducted on the 13th August 2025, the materials tested positive for cannabis. They weighed a net 12.3 grams.
5. You were interviewed under caution on the 18th July 2025 and made admissions.



Statutory Maximum Sentence

6. A conviction of Unlawful possession of cannabis contrary to section 2 (62) of the Dangerous Drugs Act attracts a fine not exceeding VT100, million or a term of imprisonment not exceeding 20 years, or both, such fine and imprisonment.

Sentencing purpose and Guideline

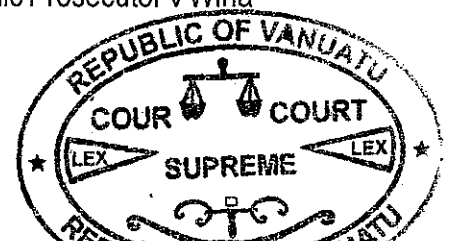
7. There are several principles that guide the sentence to be imposed on you. They include the proposition that you must be held accountable and must take responsibility for your action. Additionally, your action is the kind that is denounced by society, and that similar future acts by you and others must be deterred.
8. Equally important is that you must be given ample opportunity to rehabilitate and reintegrate.
9. The approach taken in the present case follows the guidance given by the Court of Appeal in the case *Philip v Public Prosecutor* [2020] VUCA 40.

Aggravating Factors

10. The following circumstances constitute the aggravating factors in the present case:
 - a) You agreed to a summary of facts that suggested that you were suspected of selling cannabis at the Million Dollar Point. This appeared to have been confirmed by your own admission to the Correctional Service officer who interviewed you on the 17th November 2025; You told him that you sold cannabis to help support your family, and believed it was an easy way of making money; This Court is entitled to assume that the 12.3 grams of cannabis found at your house was intended for sale.

Starting Point

11. In assessing the appropriate starting point, I have taken into account the statutory maximum sentence, as well as the aggravating and mitigating factors of the offending.
12. I have considered the submissions of counsel as well as the authorities they have referred to, for the Court's consideration. Both counsels helpfully referred me to the same cases. *Public Prosecutor v Karu* [2025] VUSC 137 and *Public Prosecutor v Wina* [2025] VUSC 275.



13. In the former case the defendant was found in possession of 13.4 grams of cannabis. The adopted a starting point of 15 months. In the latter case, the weight of the substance was 14.5 grams. The Court sets the starting point at 12 months.
14. In the present case, the specific aggravating factor I had mentioned persuades me to adopt the starting point of 15 months, and I do so accordingly

Guilty Plea

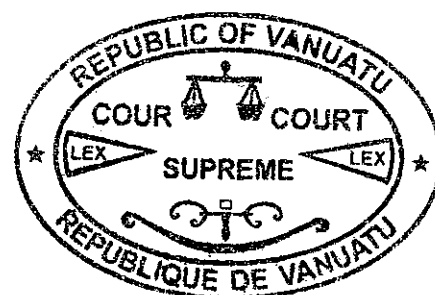
15. You entered a plea of guilty in this Court at the earliest opportunity. It indicates you have accepted responsibility for your wrong doing. I reduce your sentence by 25% from the starting point.

Mitigating and Personal Factors

16. Adam Isaiah, you are twenty-three-year-old, and live at Million Dollar Point. You have engaged in a number of employments, as a gardener, a mechanic, a construction worker and a builder. It shows your drive to continue with some form of gainful employment.
17. You have a good relationship with members of your family, chief, and members of your community, and in the past have undertaken community work.
18. You have not offended against the law in the past.
19. These factors reduce your sentence by a further 5.25 months

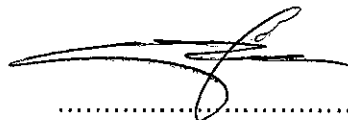
End Sentence

20. The end sentence that the Court will impose on is 7 months imprisonment.
21. On the question about how this sentence should be served, your counsel suggests that it be suspended, and in its place an Order for community work be made. The prosecutor has expressed a similar view. I agree with them.



22. I take into account the factors prescribed by section 57 of the Penal Code and order that your entire sentence be suspended for 12 months. In its place, you will be required to undertake a total of 70 hours community work.
23. You have 14 days to appeal this sentence.
24. The substance seized by the police will be destroyed.

DATED at Port Vila this 21st day of November 2025
BY THE COURT



Hon. Josaia Naigulevu
Justice

