

PUBLIC PROSECUTOR

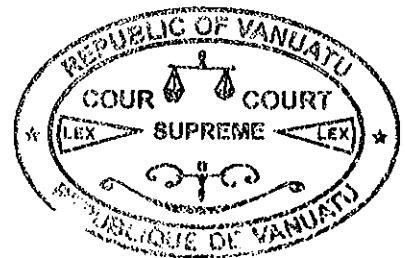
V

ROBERT KORAN

Hearing: 6 September 2011
Before: Justice Robert Spear
Appearances: Simcha Blessing for the State
Francis Tasso for the Accused

SENTENCE

1. The accused has today been arraigned and he pleads guilty to 1 count of Possession of Cannabis. He is convicted accordingly.
2. The summary of facts is not disputed. It explains that the accused, now the prisoner, and a prison inmate met by chance at the outpatient area of Northern District Hospital. Through an impulsive act, the prisoner gave the prison inmate a small quantity of cannabis.
3. This Court treats with concern any offence where illegal drugs are supplied to prison inmates. The presence of drugs in the prison environment is a toxic cocktail indeed and it has often contributed to untoward and indeed riotous behaviour occurring at times. It is a difficult job supervising prisoners at the best of times. When the prisoners are provided with illegal drugs, the responsibilities of a prison officer simply get that much harder. Accordingly, a supplier of cannabis or other illegal drugs to a prison inmate would almost always attract a prison sentence to reflect the seriousness of the offending and to act as a warning to others.
4. In this case, I accept, as does the prosecutor, that this was an impulsive act at the time when the prisoner and the prison inmate met by chance at the hospital. This is not a case where the prisoner had set out to supply drugs to a prison inmate. If that was indeed the case then it is difficult to see how he could have avoided a sentence of imprisonment. Additionally, the amount of cannabis was quite small – enough for one joint.



5. The prisoner is 24 years of age, he has three children from a relationship that has recently come to an end and he is looking after one of those children on a full time basis. He is paying child support for the others. He is currently a student at the hospitality school here in Port Vila.
6. In all the circumstances, I consider that this offending can be addressed by a sentence of community work and supervision. That approach to sentencing also recognises early admission of guilt to the Police and the early plea of guilty.
7. The accused is sentenced to carry out 200 hours community work.
8. He is also placed under supervision for a term of 9 months on these special conditions:-
 - a) That he does not possess nor consume cannabis.
 - b) That he undertakes the *Niufala Rod* programme as directed by his probation officer.
9. Robert Koran you are required to attend the Supreme Court Office at 3 pm this afternoon so you can be served with the Orders for supervision and community work.
10. You have 14 days to appeal this sentence in the unlikely event that you are unhappy with it.

BY THE COURT

