

**PUBLIC PROSECUTOR – VS – SAHE BABA**

**Coram:** *Mr. Justice Oliver A. Saksak*

**Counsel:** *Mr. Ken Massing for the State*  
*Mr Junior Garae for the Defendant*

**Date:** *6<sup>th</sup> March 2014*

**SENTENCE**

1. Sahe Baba, you pleaded guilty to one charge of unlawful Possession of Cannabis contrary to Section 2(62) of the Dangerous Drugs Act Cap 12.
2. On your own admission this Court convicts you and sentences you to 3 months imprisonment suspended for a period of 12 months. This suspension is made pursuant to Section 57 of the Penal Code Act Cap 135. The Court hereby warns you that if within the period of 12 months you reoffend or are convicted for any other offences, this sentence will be activated against you.
3. I consider that this Court should apply the sentencing principle set out by the Court of Appeal in the case of Public Prosecutor v. Tuk Sope [2004] VUCA 14 where the Court upheld the Supreme Court's Sentence of 3 months imprisonment suspended for 12 months for unlawfully possessing 9.55 grams of cannabis.
4. In your case you admitted to having in your possession Cannabis in the amount of 7.90 grams. In light of the current trend of drugs offendings in Vanuatu, the Court must impose a penalty that would act as deterrence both for you and other people.
5. That is the sentence of the Court. You may wish to appeal against this sentence in which case you have 14 days to do so.

**DATED at Luganville this 6<sup>th</sup> day of March 2014**

**BY THE COURT**  
  
**OLIVER A. SAKSAK**  
Judge.

