

**BETWEEN:** Public Prosecutor

**AND:** George Paul  
Defendant

Date: 26 June 2020  
By: Justice G.A. Andrée Wiltens  
Counsel: Mr T. Karae for Public Prosecutor  
Ms L. Bakokoto for the Defendant

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**SENTENCE**

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A. Introduction

1. Mr Paul pleaded guilty to possession of 110.5 grams of cannabis. The maximum penalty for such offending is 20 years imprisonment, and/or a fine of up to VT 100 million.

B. Facts

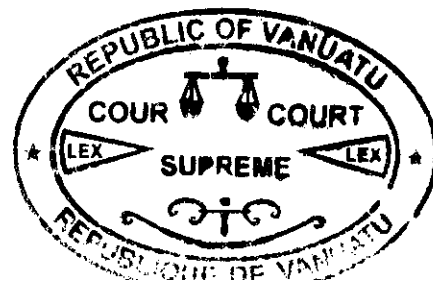
2. On 15 February 2020, Mr Paul was seen at the MV Urata anchored at the former Government wharf, Port Vila. He was stopped and searched.
3. Inside a parcel he was carrying the police located a roll containing suspected cannabis. The contents were weighed and found to weigh 110.5 grams. The contents were also tested and confirmed to be cannabis.
4. Mr Paul admitted the packages contained cannabis. He explained that his aunty had sent the parcel to him so that he could sell the cannabis for her as she had school fees she had to pay.

C. Sentence Start Point

5. The aggravating factor to this offending is Mr. Paul's stated admission that he wanted to sell the cannabis to others. There are no mitigating factors to this offending.
6. Due to the quantity of drugs possessed, and the nature of Mr Paul offending as (i) a courier picking up the contraband for his aunt, and then (ii) as a supplier to others, the appropriate sentence start point is 16 months imprisonment.

D. Mitigation

7. Mr Paul is 33 years old, with no previous convictions. He has carpentry skills and was employed with his father on a private construction. He is currently living with a de facto partner and their 8 years old son. He was a youth leader in his community.
8. Mr Paul co-operated with the police. He is said to be remorseful. He also participated in a custom reconciliation ceremony with his immediate community.
9. He has spent 2 months 10 days in custody prior to being sentenced.
10. For his personal factors, I reduce the sentence start point by 6 months.



E. Plea

11. Mr Paul pleaded guilty at the first available opportunity. However the prosecution case against him is that he was caught red-handed, and really had no option but to plead. Accordingly, I am prepared to reduce the sentence start point by 25% for his prompt guilty plea – by a further 2.5 months.

F. End Sentence

12. The end sentence that I impose is one of 7.5 months imprisonment, back-dated to 14 April 2020. The sentence is wholly suspended as his rehabilitation prospects are very good. He has the support of his chief, his parents and the community. He took part in custom reconciliation ceremony, and he pleaded guilty immediately.

13. The suspension is to run for 18 months. Mr. Paul therefore needs to remain offence-free for 18 months in order to be able to remain in the community.

14. Mr. Paul is also to serve 100 hours of community service.

15. Mr Paul has 14 days to appeal this sentence if he disagrees with it.

16. The drugs are to be destroyed.

Dated at Port Vila this 26<sup>th</sup> day of June 2020  
BY THE COURT

*Gandhi Ull*  
Justice G.A. Andrée Wiltens

