

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

**Criminal
Case No. 22/2125**

BETWEEN: Public Prosecutor

Mekana Kaltabang

AND: Defendant

Coram: Justice Aru

Counsel: Ms. J. Tete for Public Prosecutor

Mr. T. J. Botteng for the Defendant

SENTENCE

1. Mr Mekana Kaltabang pleaded guilty to one count of possession of cannabis. This is his sentence.
2. Sometime on 12 May 2022, the defendant was within the vicinity of the Electro Night Club near the Centre Point building when the Police approached him as he was under the influence of alcohol. They found in his possession five quantities of cannabis packages. This was later weighed and determined to be 162.0 grams. After being cautioned and interviewed the defendant admitted the offending.
3. Possession of cannabis is a serious offence as the maximum sentence available is imprisonment not exceeding 20 years or a fine not exceeding VT 100 million or both.
4. When considering the appropriate sentence, I have taken into account the submissions and authorities referred to by the Public Prosecutor and the submissions by Counsel on your behalf. Counsel conceded and adopted the prosecution submissions that a non-custodial sentence be imposed.
5. A pre-sentence report was directed to be filed, however, I am informed by your probation officer that neither yourself nor Counsel answered calls by the probation officer to arrange an interview therefore no reports could be filed.
6. You are therefore sentenced to 11 months imprisonment suspended for a period of 2 years. In addition, you will perform 70 hours of community work.
7. You have 14 days to appeal if you are not satisfied with the decision.

DATED at Port Vila, this 21st day of December, 2022

BY THE COURT

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D. ARU
Judge.

