

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

Criminal  
Case No. 25/2197 SC/CRML

BETWEEN: Public Prosecutor

AND: Steven Bakeo  
Defendant

Coram: Justice Dudley Aru  
Counsel: Ms. J. Tete the Public Prosecutor  
Ms. B. Taleo for the Defendant

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## SENTENCE

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### Introduction

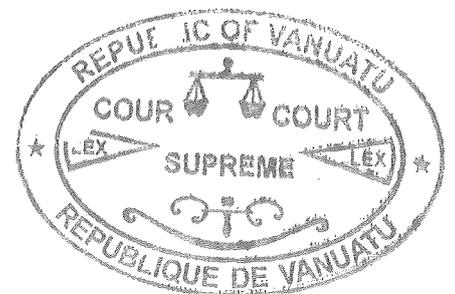
1. Steven Bakeo pleaded guilty to a single charge of cultivation of cannabis plants. He is convicted on his guilty plea and the admitted facts. This is his sentence.

### Facts

2. The Police carried out an operation on the Island of Malo following information they received that a certain number of people within the community were either in possession of or were cultivating cannabis plants on the island. As part of the operation the Police were also informed that the defendant was cultivating cannabis plants. The Police went to his gardens at Nailivuhaivanua village and saw the defendant with what they suspected to be cannabis plants.
3. Police Officer Andrew Leo uprooted a total of 57 plants altogether and the defendant was arrested. The Police conducted a test on the plants on 5 June 2025. The test results showed that the 57 plants were cannabis plants with a total net weight of 8.150 kilograms.
4. The defendant admitted cultivating the cannabis plants to the Police.

### Sentence start point

5. The maximum sentence available for cultivation of cannabis plants is a fine not exceeding VT 100 million or a term of imprisonment not exceeding 20 years or to both. This is specified under s17 of the Dangerous Drugs Act [CAP12]. The fact that the defendant planted 57 cannabis plants with a total net weight of 8.150 kilograms is the main aggravating factor of his offending. There are no mitigating factors.



6. Both Counsels referred to Wetul v PP [2013] VUCA 26 .This offending falls with a category 2 type offending, as it was a small-scale cultivation but there was no indication that it was for a commercial purpose. The prosecution submitted that I adopt a starting point of 12 to 18 months imprisonment. Defence on the other hand submit that I adopt a starting point of 2 years imprisonment.
7. I adopt a sentence start point of 18 months imprisonment.

#### **Guilty plea and personal factors**

8. The defendant entered a guilty plea at the first available opportunity as a sign of remorse. Balancing that with the strength of the prosecution case, the sentence start point will be discounted by 27%.
9. The Same Day Report states that the defendant is 25 years old and is a first-time offender. He lives in a de facto relationship with his wife who is currently pregnant. He is a farmer and earns his living by selling food crops and copra to support his family.
10. Taking these factors into account the sentence start point is further reduced by 3 months.

#### **End sentence**

11. I sentence the defendant to an end sentence of 10 months imprisonment. Considering the fact that the defendant is a first-time offender and there was no indication that the cannabis was sold or was for commercial purposes I will suspend the sentence for a period of 2 years. In addition, he must perform 90 hours of community work. I also order supervision for a period of 6 months for the defendant to undertake rehabilitation in relation to his offending.
12. I also direct that the seized cannabis be destroyed immediately.
13. The defendant has 14 days to appeal if he is not satisfied with the decision.

DATED at Luganville Santo this 29<sup>th</sup> day of August, 2025

BY THE COURT

Dudley Aru  
Judge

