

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

Criminal  
Case No. 25/2610 SC/CRML

PUBLIC PROSECUTOR

v

GLENDIN LUAN

Date: 5 September 2025  
Before: Justice V.M. Trief  
Counsel: Public Prosecutor – Mrs B. Tamau  
Defendant – Ms C. Dehivanua

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**SENTENCE**

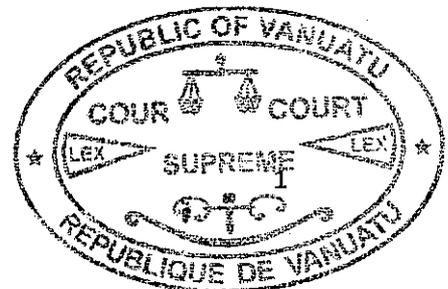
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A. Introduction

1. Mr Glendin Luan, you appear for sentence having pleaded guilty to unlawful possession of 12.01 grams of cannabis contrary to subs. 2(62) of the *Dangerous Drugs Act* [CAP. 12] (Charge 1) and domestic violence contrary to para. 4(1)(a) and s. 10 of the *Family Protection Act 2008* (Charge 2). You are convicted on those charges on your own pleas and the admitted facts.

B. Facts

2. You and the complainant Police officer Solomon Asang are related. You call Mr Asang father as he is the son of your uncle and aunty.
3. On 19 December 2024 at Vunavus area at Aulua on Malekula island, both you and Mr Asang were at a wedding. Later in the afternoon when the last part of the wedding ceremony was about to begin, you and several other young men were so drunk that you started swearing and fighting in the midst of everyone who had gathered to wait for the bride's family to leave the bride with the groom.



4. Mr Asang being a Police officer intervened to stop the fight. You would not listen to him. You punched him in the face. Another Police officer who was there tried to grab hold of you but you ran away from the wedding venue (Charge 2).
5. The Police arrested you and brought you to the Police station for interview. They searched you and found you to be in possession of 12.01 grams of dried cannabis leaves. You admitted that you assaulted Mr Asang and also that you were too drunk hence you acted in that manner towards him. You also admitted that the cannabis belonged to you (Charge 1).

C. Sentence Start Point

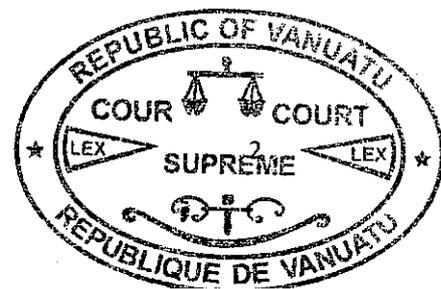
6. The maximum penalty for possession of cannabis is 20 years imprisonment and/or a fine of up to VT100 million. The maximum penalty for domestic violence is 5 years imprisonment and/or a fine of up to VT100,000.
7. The only mitigating factor of the offending is the relatively low quantity of the cannabis. The aggravating features of the offending are breach of trust, the lack of respect shown for a Police officer and the pain suffered by the complainant as a result of the assault.
8. I set a global sentence start point of 2 years imprisonment.

D. Personal Factors

9. You pleaded guilty at the first opportunity. You cooperated with the Police. I deduct 33% (8 months) from the sentence start point for the early guilty pleas.
10. You are 29 years old, with no prior convictions. You have a 3-year old child. You are self-employed, now working in construction. Your *de facto* partner is overseas for seasonal work. You plan to go to Port Vila to see your child and then to also travel overseas. On 23 December 2024, you performed a customary reconciliation with the complainant involving compensation of a pig worth VT30,000, a mat and VT5,000 cash. The complainant accepted the compensation. I deduct a further 25% (6 months) from the sentence start point for your personal factors.
11. You were remanded in custody from 4 April 2025 to 30 April 2025 – an effective sentence of 7 weeks imprisonment. Accordingly, a further 7 weeks is deducted from the sentence start point for this time served.

E. End Sentence

12. The applicable sentencing principles are specific and general deterrence, and holding you accountable for your offending.



13. Taking all of those matters into account, the Court imposes the following end sentences concurrently:
- a) Domestic violence (Charge 2) 8 months 1 week imprisonment; and
  - b) Unlawful possession of cannabis (Charge 1) 6 months imprisonment.
14. The Court has a discretion under s. 57 of the *Penal Code* to suspend all or part of the sentence where it is not appropriate to make an offender suffer immediate imprisonment "... (i) in view of the circumstances; and (ii) in particular the nature of the crime; and (iii) the character of the offender."
15. Taking into account the nature of the crime which involved a single-punch assault and the relatively low quantity of cannabis, your custom compensation payment to the complainant, your demonstrated remorse for the offending, your prior clean record and prospects for rehabilitation, I consider that it is not appropriate to make you suffer immediate imprisonment. Accordingly, your end sentences are suspended for 2 years on the condition that you do not commit any further offence within that period.
16. You have 14 days to appeal the sentence.
17. The drugs are to be destroyed.

**DATED at Lakatoro, Malekula this 5<sup>th</sup> day of September, 2025  
BY THE COURT**

*VM Trief*  
Justice Viran Molisa Trief

