

**IN THE HIGH COURT OF FIJI**

**AT LAUTOKA**

**CRIMINAL JURISDICTION**

**Criminal Case No. HAC 014 of 2009**

**STATE**

v

**RATUNAI SA VUNIBOBO**

**KARALAINI WATI**

Date of Hearing : 6<sup>th</sup> March 2009

Date of Sentence : 6<sup>th</sup> March 2009

Counsel : Ms. V. Lidise for the State  
1<sup>st</sup> Accused in person  
2<sup>nd</sup> Accused in person

**SENTENCE**

[1] Criminal justice is seldom simple. Every case is different. Sensible sentencing has to balance the public interests and offenders prospect of correction. The challenge for courts is to devise sentences that serve both ends fairly and effectively.

- [2] The inevitable sentence for some one possessing 91 gms of Indian hemp would be an immediate custodial sentence particularly where it is intended for sale, as in this case judging from the interview notes.
- [3] The two accused are husband and wife. They lived at Natawa, Tavua at the time of the commission of the offence. They have moved away to Bukuya in the interior of Ba and have now begun to plant yaqona and dalo. They told me they engaged in the illegal activity due to financial difficulties. I believe the two accused that they have seriously begun farming in their mother's village at Bukuya for last two years. That is a sign of reform.
- [4] If I sentence them now to imprisonment, that farm would come to a ruin with resultant pressure on the two once they are released.
- [5] It may be unusual but I consider that the two objectives I stated in my opening paragraph can be met by a fine which is within their ability to pay. Each accused is fined \$150.00, in-default 3 months imprisonment. Fine is to be paid in 28 days.
- [6] Drugs to be destroyed.

[ **Jiten Singh** ]  
**Judge**

At Lautoka  
6<sup>th</sup> March 2009.