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IN THE SUPREME COURT OF TONGA
CRIMINAL JURISDICTION
NUKU'ALOFA REGISTRY

CR 99 of 2019

REX

-v-

Tevita 'Osaiasi MATANGI

SENTENCING REMARKS

BEFORE : THE HONOURABLE COOPER J

Counsel : Mr. T. 'Aho for the Prosecution

Defendant in person

Date of Sentencing: 21st October 2021

1. The defendant was in a taxi on 10th September 2018 and his journey was diverted to the Hufanga taxi base at Longolongo as police needed to speak to him in connection with a separate allegation.
2. When they arrived in Hufanga Detective Vaea approached the defendant and detained him.
3. The officer noticed him try to hide something under the car seat. A match box was found with 6 packets of Methamphetamine inside. A further packet was recovered from his person; in total he had possession of 7 packets of Methamphetamine weighing a total of 1.22 g.
4. He was arrested and interviewed and he admitted the offence.
5. He was produced at court on 21st October 2021 on a warrant, having failed to attend in these proceedings.

6. He pleaded guilty to the single count indictment and so fell to be sentenced.
7. The court approached the sentencing exercise by considering comparable sentences passed recently in the Supreme Court.
8. *R v Moli* 284/2020; 31.12.2020 Whitten QC LCJ passed a sentence of 16 months fully suspended for possession of 2.12 g methamphetamine.
9. *R v Hufanga* 211/2020; 28.5.2021 Whitten QC LCJ passed a sentence of 21 months suspended for 9 months for possession of 2.13 g methamphetamine, with an alcohol awareness and drugs course.
10. *R v Fatongiatau*, 237/2020; 22.2.2021 Whitten QC LCJ passed a sentence of 9 months suspended for 6 months for possession of 0.89 g methamphetamine, with an alcohol awareness and drugs course.
11. *R v Ali*, 196/2020; 30.10.2020 Whitten QC LCJ passed a sentence of 9 months suspended for 18 months for possession of 0.86 g methamphetamine with alcohol awareness and life skills course.
12. In considering those cases the court concluded that the right sentence was one of 9 months' imprisonment suspended for 18 months.
13. Forfeiture and destruction of the drugs.
14. Any breach I reserve to myself.

NUKU'ALOFA
21 October 2021

