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

CR 152 of 2020

REX

-v-

'Ioane TAVŌ

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 produced before the court on 21st October 2021 a warrant having been issued for his arrest when he failed to attend for his arraignment.
2. He was charged with a single count of possession of 0.04g of Methamphetamine.
3. He had been the sole occupant of a vehicle that police had detained on 10th June 2019 on the Hihifo Road at Hala'ovave.
4. The police had acted on information and in expediting the investigation had needed to act without a warrant.
5. A search of the vehicle had revealed a single packet of suspected drugs. This was seized and tested and proved to be Methamphetamine.
6. He pleaded guilty on 21st October 2021 and so the question of length sentence needed to be determined.

7. In considering how to approach the correct tariff for this offence the court considered comparable sentences recently passed in the Supreme Court.
8. *R v Vaiangina* 231/2020; 16.12.2020 for possession 0.4 g methamphetamine Lani J imposed 9 months, fully suspended and 70 hours community service with an alcohol and drugs awareness course to be completed.
9. *R v Afu* 177/2020; 10.9.2020 for possession 0.11 g methamphetamine Whitten QC LCJ imposed a sentence of 6 months, fully suspended with a drugs awareness course to be completed.
10. *R v Takau* 270/2020; 26.1.2021 For possession of 0.08 g methamphetamine Whitten QC LCJ passed a sentence of 4 months, fully suspended, 40 hours community service and alcohol awareness and life skills course.
11. Mr. Tavō has a previous conviction for a like offence, but that was in 2002.
12. In considering the range of sentences for similar quantities the court then passed a sentence of 9 months suspended for 18 months.
13. Forfeiture and destruction of the drugs.
14. Any breach I reserve to myself.

NUKU'ALOFA
21 October 2021



N. J. Cooper
J U D G E