

IN THE SUPREME COURT OF TONGA
CRIMINAL JURISDICTION
NEIAFU REGISTRY

CR 66 of 2010

REX

V

TEVITA LEI'ATAUA

BEFORE THE HON. JUSTICE SHUSTER

Defendant appears for sentence. **HAVING HEARD** all the facts of this case AND HAVING HEARD from his Counsel and from the defendant in person I told him that Parliament treats the illegal use of illicit drugs as a serious offence carrying with it a maximum sentence of 25 years in prison and a fine of \$750,000 or both.

Having considered the defendants personal circumstances in that, he married in June 2009 and he tragically lost his wife during the MV Princess Ashika tragedy. He told me he was depressed already up to the Christmas season and I accept his explanation. The drugs were for his own person and use and I accept that explanation. However the quantity of drugs 13.8 gram is higher than normal. Accordingly having heard from the accused he is sentenced as follows:

IT IS ORDERED THAT:

1. Count 1 – 2 years in prison suspended for 3 year.

Clown
Finan/Athala
Closed ✓

Count 2 – Fined \$500 to pay at \$100 per week first payment 9 December 2010 – in default of payment 3 months imprisonment.

2. Destruction order made for the drugs in the presence of a Magistrate and Senior Police Officer.
3. This sentence complies with the Practice Directions of Ward CJ in 2001.
4. **NB** – Fine collection and enforcement transferred to Magistrates Court here in Vava'u.

DATED: 2 December 2010

