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Chambers

Director of Public Prosecutions,
P.O. Box 1031,
Georgetown,
Guyana

31st May, 2019

DPP'S CHAMBERS PRESS RELEASE: APRIL 2019 CRIMINAL SESSION

Gaol Delivery was done by Justice Navindra Singh on Thursday 30th May, 2019 bringing to an end the Demerara April 2019 Criminal Assizes. During the April Criminal Assizes, Justice James Bovell-Drakes, Justice Brassington Reynolds and Justice Navindra Singh sat.

During this Assizes which commenced on Tuesday 2nd April, 2019 a total of 259 cases were listed to be heard. Of these 259 cases, twenty-nine (29) matters were disposed of.

Of these 29 matters the Office of the Director of Public Prosecutions (DPP) presented 25 in the High Court of Demerara while 4 were *nolle prosequi* by the DPP.

Of the 25 cases presented, 15 were for the offence of *Murder*, 8 for *Sexual Offences* and 2 cases for the offence of *Manslaughter*.

There were 10 guilty pleas, 6 convictions, 3 not guilty verdicts by jury and 4 formal verdicts of not guilty.

State Counsel Tuanna Hardy, Abigail Gibbs and Teriq Mohammed and Sarah Martin presented 15 matters before Justice Navindra Singh. Of these 15 matters, 13 were for the offence of *Murder* while 2 were for the offence of *Manslaughter*.

Nine of these 13 *Murder* accused pleaded guilty to the lesser offence of *Manslaughter*. Three of these accused were each sentenced to 12 years imprisonment, *another two to 14 years each* and the others were respectively sentenced to 15 years, 10 years, 9 years, and 16 years, 8 months.

In another three separate *Murder* cases, the accused were all found guilty by jury verdicts.

In one of these three cases, there were two accused who were indicted together; the number one accused was sentenced to 65 years imprisonment while his co-accused was found guilty to the lesser offence of *Manslaughter* and sentenced to 20 years imprisonment. In the other two cases, one accused was sentenced to 75 years imprisonment while the other accused is awaiting sentencing.

In one other separate Murder case, trial judge upheld a no case submission and directed the jury to return a formal verdict of not guilty.

In one of the two trials for the offence of *Manslaughter*, the jury returned a guilty verdict for the accused; he is awaiting his sentence. In the other case, Justice Singh upheld a no case submission and directed the jury to return a formal verdict of not guilty.

Eight cases for Sexual offences were presented by State Counsel Lisa Çave, Seeta Bishundial and Sarah Martin before Justice Brassington Reynolds in the Sexual Offences Court.

In one of these cases, the accused who was indicted on 4 counts was found guilty by the jury on all counts and sentenced to 29 years imprisonment. In another three cases the accused were acquitted by the jury.

While in two other trials, the trial judge directed the juries to return formal verdicts of not guilty. In one of these two, he upheld a no case submission while in the other, the VC testified she did not wish to proceed with the evidence. Two matters are in progress before Justice Reynolds.

State Counsel Tiffini Lyken and Sarah Martin completed two cases for the offence of *Murder* before Justice James Bovell-Drakes. In one case the jury returned a unanimous verdict of guilty for the accused who was sentenced to 25 years imprisonment. While the other accused pleaded guilty to the lesser offence of *Manslaughter*. He will be sentenced on Monday 3rd June.

The 4 matters nolle prosequi by the DPP were for Sexual Offences in which the complainants submitted written statements they did not wish to proceed with their matters.

During this time the Berbice February Criminal Assizes which commenced on Tuesday 5th February, 2019 was in progress before Madam Justice JoAnn Barlow who sat from the month of April. A total of 100 cases were listed to be heard. Six (6) cases have been presented by State Counsel Mandel Moore.

Of these six cases, three were for the offence of *Murder*, one for *Attempt to Commit Murder* with an alternative count of *Wounding with Intent*, and two others for Sexual offences.

In one of these three Murder cases in which two accused were indicted together, trial judge up held a no case submission and directed the jury to return a formal verdict of not guilty. Another one accused was acquitted by the jury. While the other one accused pleaded guilty to the lesser offence of *Manslaughter* and will be sentenced on Tuesday 4th June, 2019.

The accused in the matter for *Attempt to commit Murder* with the alternative of *Wounding with Intent* was found guilty by the jury on the alternative count and sentenced to 20 years imprisonment.

In one of the two Sexual offences matters, the complainant informed the Court she did not wish to proceed with her testimony and trial judge directed the jury to return a formal verdict of not guilty. The other accused was acquitted by a jury verdict of not guilty.

The Berbice February Criminal Session remains in progress.

Meanwhile, the Essequibo February Criminal Assizes which commenced on Tuesday 19th February, 2019 continued before Justice Narishwar Harnanan who sat from the month of April. State Counsel Shawnette Austin prosecuted five matters before Justice Harnanan.

Of these five matter, two were for the offence of *Murder* and three for *Rape of A Child under 16 Years*.

In one of the two Murder cases, the accused was found guilty to the lesser offence of *Manslaughter* and was sentenced to 17 years and 10 months imprisonment. While the other accused pleaded guilty to the lesser offence of *Manslaughter* and was sentenced to 4 years and 3 months imprisonment.

The complainants in the three cases for the offence of *Rape of A Child under 16 Years* did not wish to proceed with their cases and trial judge directed the juries to return formal verdicts of not guilty.

The Demerara June Criminal Assizes will commence on Tuesday 4th June, 2019 with Madam Justice Simone Morris-Ramlall, Justice Brassington Reynolds and Justice James Bovell-Drakes. A total of 301 cases have been listed to be heard.

Meanwhile the Berbice February Session will continue until June 17, 2019.

The Essequibo May 2019 Criminal Session commenced on Tuesday 21st May. A total of seventy-four (74) cases are list to be heard. One trial for the offence of *Murder* is in progress.

During the month of May, we appeared three times in the Guyana Court of Appeal. The State was represented by Assistant DPP Teshana Lake and Assistant DPP Diana O'Brien.

These 3 matters were for the offence of *Murder*. In one of these cases, two appellants who were convicted together at the end of their High Court trial, were granted their appeal and their conviction for *Murder* substituted with the offence of *Manslaughter*; they were each sentenced to 25 years imprisonment.

Another one appellant had his appeal allowed and his 70 years prison sentence reduced to 30 years.

While the one other appellant had his conviction and sentence set aside and a retrial ordered.

The Demerara Full Court sat four times during the month of May. The four applications were presented by Senior State Counsel Mercedes Glasford, State Counsel Teriq Mohammed, Orenthia Schmidt and Tuanna Hardy.

The Full Court denied two appellants their applications for bail. While it upheld the convictions of the other two appellants but varied their sentences.