

CO-OPERATIVE REPUBLIC OF GUYANA

ANNUAL REPORT 2012

CHAMBERS OF THE DIRECTOR OF PUBLIC PROSECUTIONS

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Chambers of the Director of Public Prosecutions

1.0 Background Information

Institution's Objectives, Functions & Structure

The Office of the Director of Public Prosecutions (DPP) is a constitutional Office which plays a vital role in the administration of justice in criminal causes and matters. While the DPP is a person, the DPP is also an Office. The DPP is the sole authority vested with the power and responsibility to exercise control over the prosecution of all criminal matters except the institution of a Court-Martial.

Functions of the DPP's Office: The functions of the Office of the DPP **and** the DPP are set under Article 187 of the *Constitution of the Co-operative Republic of Guyana*; these are:

1. "To institute and undertake criminal proceedings against any person before any court, other than a court-martial, in respect of any offence against the law of Guyana;
2. To take over and continue any such criminal proceedings that may have been instituted by any other person or authority; and
3. To discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by him or any other person or authority."

According to the said Article 187, the powers conferred on the DPP are vested in the DPP to the exclusion of any other person or authority and the DPP shall not be subject to the direction or control of any other person or authority.

In carrying out these functions the major activities of the DPP are to give legal advice and to appear in Court "to discharge in accordance with the Constitution of Guyana, the obligation to ensure that all criminal matters are dealt with in a fair, impartial and efficient manner". This is in keeping with the Office Mission Statement.

Pursuant to Act No. 4 of 2010 which amended the *Court of Appeal Act*, Cap. 3:01, the DPP has now been vested with the authority to appeal against verdicts of acquittal including:

1. a trial judge upholding a no case submission,
2. a defect in the depositions,
3. a defect in the committal of the accused person,
4. a decision by the trial judge to exclude material evidence,
5. the trial judge's substantial misdirection of the jury in the course of his summation on the law, facts or on a mixed question of law or fact,
6. a material irregularity in the trial,
7. the sentence.

In carrying out these functions the DPP provides legal advice to and representation for all law enforcement and other agencies in relation to the prosecution of criminal cases depending on the availability of legal staff. In the execution of the above mentioned functions, the major activities of the DPP are:

- A. To proffer indictments in the criminal sessions in the Demerara, Berbice and Essequibo counties; during these criminal sessions, one or more State Counsel would be assigned to prosecute the cases listed to be heard by the sitting trial judges. There are 4 assizes for the year in the county of Demerara and 3 assizes each in the counties of Berbice and Essequibo. The Courts in all three counties sit nearly simultaneously during these assizes; hence, the DPP has to provide Attorneys-at-law to appear exclusively in these assizes since generally the Courts sit everyday and all day. Only one Judge sits each in the High Court in Berbice and Essequibo but Demerara usually has more than one Judge in each criminal assizes.
- B. To appear in the Appellate Court, that is the Full Court for appeals for summary charges and the Court of Appeal for appeals from all indictable charges, and the Caribbean Court of Justice for appeals from the Court of Appeal.
- C. To appear in the Magistrate's court for a technically high profile matter and in extreme instances where the police prosecutors would request assistance. Most fraud charges are indictable but the trial for these charges are done in the Magistrates' courts. However, any fraud charges concerning the right to property has to be done in the High Court.
- D. To appear in the High Court in Applications for Bail, *Habeas Corpus*, or Application to Leave the Jurisdiction, and for Extension of Time to keep persons in custody pending police investigations.
- E. To appear before the Chief Justice for ex parte Orders under the *Anti Money Laundering and Countering Financing of Terrorism Act 2009*, the *Telecommunications Act 1990*, *Interception of Communications Act 2008*, *Fugitives Offenders Act 1988*, *Mutual Assistance in Criminal Matters Act 2009*.
- F. To provide the Guyana Police Force (GPF) and other Law Enforcement Agencies such as the Customs Anti Narcotic Unit (CANU) and Guyana Energy Authority (GEA) with legal advice in the prosecution of criminal cases.
- G. To provide on the spot legal advice to other Government Ministries, such as, the Ministry of Labour, Ministry of Foreign Affairs, *et cetera*.
- H. To ensure that no citizen is charged unjustly.
- I. To ensure that persons who break the law are charged and prosecuted according to the relevant provisions of the laws of Guyana.
- J. The DPP enters Plea Bargaining Agreements with Attorney at their request and after due consideration of the matter.

There are two types of criminal charges—summary charges and indictable charges. Both types of charges are instituted in the Magistrates' courts. All summary charges are heard by a Magistrate while some indictable charges are heard by a Magistrate. Purely indictable charges must be done before a judge and jury; however, for these, either a preliminary inquiry (P.I.) or a Paper Committal (P.C.) must first be done by a Magistrate in the Magistrates' courts.

After an indictable charge is instituted, if it is being disposed of by the Magistrate, a trial is held. If however, the charge has to be heard by a judge and jury, then a P.I. or a P.C. has to be done by a Magistrate to determine if an accused person must stand trial for the offence for which he or she is charged. A P.I. or P.C. must be conducted for purely indictable offences, such as, murder, manslaughter, rape. After the P.I. or P.C. is completed, the DPP receives the P.I. depositions or P.C. documents.

Upon receipt of the depositions/documents, the DPP either proffers the indictments or discontinues the charge or orders the re-opening of the P.I., depending on the evidence contained in the depositions/documents. Where indictments are proffered they will then be presented to the judges in the High Court for hearing at the criminal sessions.

Complaints:

Prisoners who are awaiting their trial in the High Courts in Demerara, Berbice or in Essequibo and other parties to a criminal matter would usually complain to the DPP if they are not satisfied with the police investigations.

The DPP also receives from Attorneys-at-law letters in relation to issues concerning their clients' case, and the DPP takes appropriate action.

Complaints received on misconduct by members of the Guyana Police Force are sent to the Commissioner of Police for action to be taken by the Office of Professional Responsibility. Complaints can also be made to the Police Complaints Authority for their action.

The Office has a complaint Form which they will fill up stating their complaints. These forms contain the necessary information required for taking further actions into matters. Each complaint or observation is addressed and this has also served to assist the DPP in the performance of her function under the Constitution.

Bringing Police Prosecutors under the DPP's Office:

Generally, it is preferred that prosecution of criminal charges be done by lawyers.

The majority of criminal charges are disposed of in the Magistrates' courts and the police are the prosecutors, thereby resulting in the prosecution of most of the criminal charges being done by police prosecutors. Generally, the prosecutors in the Magistrates' courts are police.

There are three police prosecutors assigned on a full-time basis at the Office.

The secondment of these police prosecutors to the Office allows them to have immediate and direct access to the DPP and the State Lawyers when they need advice on the prosecution of cases, as well as, to have access to the Office's library for research purposes.

The police prosecutors assigned to the Office also do fraud cases.

While the Office of the Director of Public Prosecutions (DPP) is a part of the executive of the State, it is an independent Office and this is provided for under Article 116 of the *Constitution of the Co-operative Republic of Guyana*. Significantly, while the DPP is a person, the DPP is also an Office.

Article 116 states that there shall be a DPP whose Office shall be a public office and that the functions of the said Office are stated in Article 187 of the Constitution. The DPP is appointed by the Judicial Service Commission according to Articles 203 and 199 of the *Constitution*, as amended by the *Constitution (Amendment) Act (No. 6) of 2001*. The DPP is supported by a Deputy DPP, four Assistant DPPs, six Senior State Counsel and ten State Counsel as well as a support staff. The support staff consist of an Administration Officer, a Communications and Outreach Officer, a Data and Knowledge Management Officer, three Legal Assistants, an Accountant, an Accounts' clerk, a Confidential Secretary, a Librarian, one Typist Clerk, three Legal Clerks, a Receptionist, an Office Assistant and a Cleaner. The Deputy DPP is also appointed by the Judicial Service Commission according to Article 199 of the *Constitution*, as amended, and all other staff of the Office of the DPP are Law Officers.

During the year 2012 approvals were given by the Ministry of Public Service to create and fill the following positions:

Memorandum Date	No.	Position	Category
16/03/2012	3	Senior State Counsel	1: Administrative
31/08/2012	1	Assistant DPP	1: Administrative

The Office of the DPP achieves the objectives of its programme by exercising control over all criminal matters in accordance with the provisions of the Constitution. The Office prides itself in the expeditious manner in which the work is conducted particularly the time within which files are dealt with and returned to the police headquarters to be dispatched to the various police stations through the rout established by the Guyana Police Force. This is especially given the shortage of staff at the Office.

To ensure that no person is unjustifiably charged and prosecuted the Office advises the police and other law enforcement agencies either before or after charges are instituted. It is better to advise before charges are instituted. The failure of the police to send the files before the charges are instituted sometimes resulted in charges being instituted which are weak and eventually they are dismissed. It also delays the process in court, in that, the files may have to be returned to the

police station for further investigations to clarify or explain pertinent aspects of the original statements or for statements to be taken to complete investigations, during the course of the trial. The majority of files are sent for legal advice after charges are instituted by the police. This system is unsatisfactory. In some instances where the files come after the charges are instituted it is too late for the police to benefit from legal advice as the time for certain investigations would have already passed. It is important for investigations to be done timely, that is, immediately after the commission of the offence. When this time passes it is difficult to do the investigations desired for a successful prosecution. The quality of the investigations to a great extent determines how successful the prosecutions are in court.

In addition to the aforementioned this system has other constraints. There is the problem of the police sometimes not forwarding some files to the Office for legal advice. All files for indictable charges ought to be sent to have the benefit of the advice of the DPP. There is another constraint where the DPP requests a police file from the Guyana Police Force and it is not always sent on time or at all, sometimes resulting in Magistrates dismissal of the charges.

The police ought to send files to the DPP immediately after charges are dismissed or an accused is discharged so that the DPP could advise how to proceed and take appropriate action accordingly. The appropriate action may be to file a Notice of Appeal if there was a trial or to give the Magistrate directions to take further action in cases of a P.I. Where a Notice of Appeal has to be filed this must be done within fourteen days of the dismissal of the charge. And in the case where an accused is discharged the police must also immediately inform the DPP so if the discharge is in question the DPP can write to the Magistrate requesting a copy of the depositions. The DPP will then peruse to see if the Magistrate acted in accordance with the law and evidence. If not, the DPP writes to the Magistrate to reopen and commit the accused to stand trial or take further evidence depending on the statements in the police file.

Although it is envisaged that charges will be laid promptly upon receipt of the advice this is not always the case. Sometimes advice given is not complied with by the police or the police delay in complying with the advice both in relation to the conduct of investigations as well as in relation to the institution of charges.

The DPP addresses issues with the Commissioner of Police through correspondence and hopes that the constraints existing will be addressed so there can be improved investigations and prosecutions resulting in a high rate of convictions thereby improving the existing Criminal Justice System.

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SHALIMAR ALI-HACK
Director of Public Prosecutions.
2014-12-02.

2.0 Mission Statement

To discharge in accordance with the Constitution of Guyana, the obligation to ensure that all criminal matters are dealt with in a fair, impartial and efficient manner.

3.0 Role of the Chambers

The Chambers of the Director of Public Prosecutions continues to play a vital role in the administration of justice in criminal matters. It is the authority vested with the power and responsibility of exercising control over the prosecutions of all criminal matters except the institution of courts-martial. The Chambers therefore provides professional advice to and representation for all law enforcement and other agencies in relation to the prosecution of criminal cases depending on the availability of legal staff.

The Chambers seeks to ensure that no citizen is unjustifiably charged and prosecuted and that those whose acts or omissions justify the institution of criminal proceedings are charged and prosecuted under the relevant provisions of the law. It also tries to ensure that all persons charged are given a fair hearing within a reasonable time in accordance with their constitutional rights.

4.0 Description of Sections of the Chambers and Update of Staffing

The Chambers comprises of two sections, the Legal and the Support Sections.

4.1 The Legal Staff Section

The professional staff at the Chambers of the Director of Public Prosecutions comprises of the Director, the Deputy Director, four Assistant Directors, six Senior State Counsel and ten State Counsel. On December 31, 2012 there were the Director, the Deputy Director, one Assistant Director, three Senior State Counsel and five State Counsel.

Mrs. Shalimar Ali-Hack who was appointed by the Judicial Service Commission continued in this position.

Ms. Jo-Ann Barlow who was appointed by the Judicial Service Commission as Deputy Director of Public Prosecutions continued in this position.

Ms. Sonia Joseph who was appointed by the Public Service Commission as Assistant Director of Public Prosecutions continued in this position.

Ms. Dionne Mc Cammon who was appointed as Senior State Counsel by the Public Service Commission continued in this position.

There were two promotions during the year 2012:

1. Ms. Prithima Kissoon who joined the Chambers as a State Counsel with effect from the 9th March, 2009 was promoted to Senior State Counsel with effect from 21st June, 2012.

2. Mrs. Judith Gildharie-Mursalin who joined the Chambers as a State Counsel with effect from 7th September, 2009 was promoted to Senior State Counsel with effect from 21st June, 2012.

Ms. Rhondel Weever, Ms. Teshana James, Ms. Konyo Sandiford, Ms. Renita Singh and Ms. Diana Kaulesar who joined the Chambers as State Counsel continued in this position.

Two new Lawyers who were admitted to the Bar in October 2012, joined the Chambers as State Counsel. They are Ms. Dhanika Singh and Ms. Natasha Backer. They joined the Chambers with effect from 22nd November, 2012 and 26th November, 2012, respectively.

During the year 2012, the following Legal Staff was appointed to the Magistracy:

1. Ms. Zamilla Ally who was appointed to act as Senior State Counsel by the Public Service Commission with effect from September 1, 2010 was appointed to the Magistracy with effect from 31st July, 2012.

4.2 The Support Staff Section

The Support Staff at the Chambers of the Director of Public Prosecutions comprise of an Administrative Officer, a Communications and Outreach Officer, a Data and Knowledge Management Officer, three Legal Assistants, an Accountant, an Accounts' clerk, a Confidential Secretary, a Librarian, one Typist Clerk, three Legal Clerks, a Receptionist, an Office Assistant and a Cleaner. These positions were all filled except for the Data and Knowledge Management Officer, one Legal Assistant and three Legal Clerks.

Ms. Merlyne Lall retained her position as the Administrative Officer.

Ms. Candace Welcome, the Librarian, continued in this position.

Ms. Rochelle Gill, the acting Accountant, also continued in this position.

Ms. Deborah Wilson, the Confidential Secretary, continued in this position.

Ms. Vanessa Kissoon continued as the Accounts Clerk.

Ms. Carolyn Munro, the Receptionist, continued in this position.

Ms. Bebe Gopaul, the Typist Clerk, continued in this position.

Ms. Deborah Williams, the Office Assistant, continued in this position.

Ms. Lydia Bishop, the Cleaner, continued in this position.

Mrs. Joy Morris-Williams joined the Chambers as Legal Assistant with effect from 11th April, 2012.

Ms. Lazeena Rahaman joined the Chambers as the Communications and Outreach Officer with effect from 3rd September, 2012.

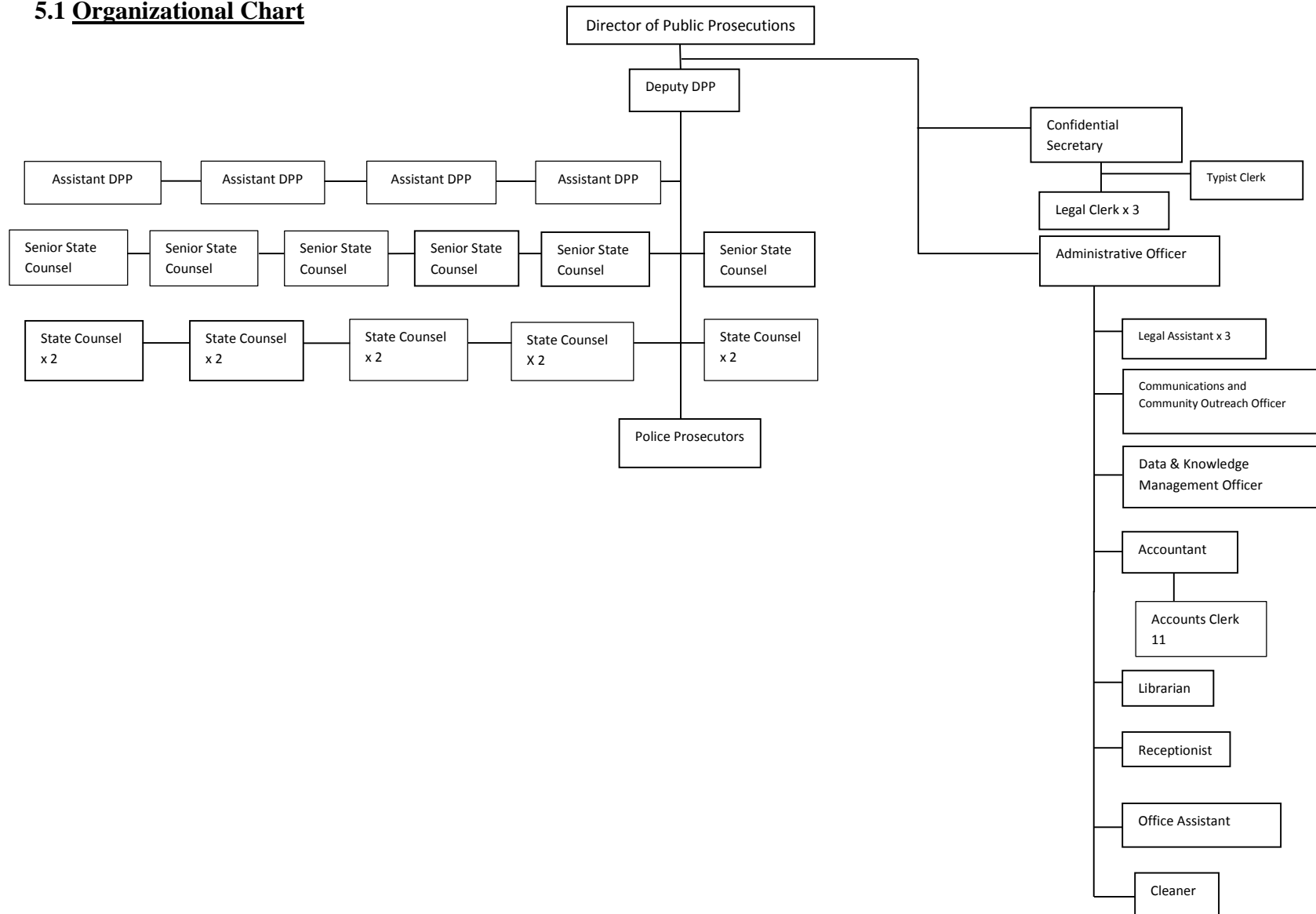
Ms. Donnette Bentham joined the Chambers as Cleaner with effect from 27th December, 2012.

Ms. Tenny Mc Calmon who was holding the position of temporary Typist Clerk 11, was transferred to the Regional Democratic Council, Region Four, with effect from 31st January, 2012.

Ms. Alicia Primo who joined the Chambers as the Legal Assistant with effect from September 15, 2008, tendered her resignation with effect from 14th June, 2012.

5.0 Organization and Management

5.1 Organizational Chart



6.0 Summary and Review of the Year's Programme.

6.1 Indictments disposed of at the High Court of Demerara for 2012.

At the Demerara Assizes there were thirty nine (39) indictments disposed of for the year 2012. For the January, April, June and October sessions there were six, five, nine and nineteen matters completed respectively. For three of the indictments there were more than one offence. At the High Court of Demerara a total of twenty six indictments were presented and the remaining thirteen indictments were Nolle Prosequi by the DPP in writing. The matters which were Nolle Prosequi by the DPP were for the offences of Manslaughter, Rape, Murder, Robbery Under Arms, Possession for the purpose of Trafficking and Causing Greivous Bodily Harm with Intent to Murder. One of the matters for Manslaughter was nolle prosequi because the accused died. In the Rape case the victim did not wish to proceed with the prosecution. In the Murder, Robbery Under Arms, Possession for the purpose of Trafficking and Causing Greivous Bodily Harm with Intent to Murder and the other Manslaughter cases, the witnesses were not available to testify.

Offences	Presented	Convicted	Acquitted	Nolle Prosequi by DPP by letter.
*Murder	20	2 Accused were found guilty by Jury. 8 Accused pleaded guilty to the lesser offence of Manslaughter.	10	6
*Rape	4	-	3	1
Robbery under Arms	2	-	2	1
*Carnal Knowledge	1	-	-	-
Manslaughter	-	-	-	3
Carnally Knowing girl under 15 years	1	-	1	-
*Break and Enter and Larceny	1	-	-	-
Possession for the purpose of Trafficking	-	-	-	1

Causing Greivous Bodily Harm with Intent to Murder	-	-	-	1
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* Murder – In one of the Murder matters there were two accused persons. The Number 1 accused was found not guilty and a retrial was ordered for the Number 2 accused.

In another Murder matter there were three accused persons. The Number 1 and 2 accused persons pleaded guilty to the lesser offence of Manslaughter and the Number 3 accused person was found not guilty.

In one Murder matter a retrial was ordered and in the other matter the indictment was quashed.

*Rape – One of the Rape matters was pending.

*Carnal Knowledge – there was a retrial ordered for the matter.

* Break and Enter and Larceny – this matter was pending.

Priority is given to prosecuting indictments for Murder because the accused are on remand in prison. Priority is also given to persons who are indicted for other offences and are on remand either because bail was refused or bail was granted but they were unable to post the bail.

6.2 Indictments disposed of at the High Court of Berbice for 2012.

Seventeen (17) indictments were disposed of at the Berbice Assizes for the year 2012. For the October 2011 session which continued in January 2012 there were two matters completed. For the February, May and October sessions there were six, five and four matters completed respectively. For two of the indictments there were more than one offence. At the High Court of Berbice a total of fifteen indictments were presented and the remaining two indictments were Nolle Prosequi by the DPP in writing. The matters which were Nolle Prosequi by the DPP were for the offences of Assault Causing Actual Bodily Harm and Carnal Knowledge of girl under fifteen and Incest. These matters were Nolle Prosequi by the DPP because the victims did not wish to proceed with the prosecution.

Offences	Presented	Convicted	Acquitted	Nolle Prosequi by DPP by letter.
*Murder	9	4 Accused were found guilty by Jury. 4 Accused pleaded guilty to the lesser offence of Manslaughter.	1	-
Assault Causing Actual Bodily Harm	-	-	-	1
Manslaughter	1	-	1	-
*Carnal Knowledge	1	-	-	-
Carnal Knowledge of girl under fifteen years	2	-	2	1
Abduction	1	1	-	-
*Sexual activity with a child by abusing a position of trust.	1	-	-	-
Incest	-	-	-	1

*Murder – One Murder matter had two accused persons.

A retrial was ordered for two Murder matters.

*Carnal Knowledge – there was a retrial ordered for the matter.

*Sexual activity with a child by abusing a position of trust - there was a retrial ordered for the matter.

Priority is given to prosecuting indictments for Murder because the accused are on remand in prison. Priority is also given to persons who are indicted for other offences and are on remand either because bail was refused or bail was granted but they were unable to post the bail.

6.3 Indictments disposed of at the High Court of Essequibo for 2012.

Five (5) indictments were disposed of at the Essequibo Assizes for the year 2012. For the October 2011 session which continued in January 2012 there were three matters completed. For the February and May sessions there was one matter each completed. At the High Court of Essequibo a total of five indictments were presented.

Offences	Presented	Convicted	Acquitted	Nolle Prosequi by DPP by letter.
*Murder	3	1 Accused pleaded guilty to the lesser offence of Manslaughter.	1	-
Manslaughter	1	-	1	-
Buggery	1	1	-	-

*Murder – one of the Murder matters was quashed.

Priority is given to prosecuting indictments for Murder because the accused are on remand in prison. Priority is also given to persons who are indicted for other offences and are on remand either because bail was refused or bail was granted but they were unable to post the bail.

7.0 Indictments listed to be heard for Demerara, Berbice and Essequibo for the year 2012.

A total of sixty one (61) indictments were completed during 2012. Thirty nine (39) were completed for Demerara, seventeen (17) were completed for Berbice and five (5) were completed for Essequibo.

At the end of December 2012 there were two hundred and fifty one (251) indictments listed to be heard. There were two hundred and one (201) indictments for Demerara, thirty three (33) indictments for Berbice and seventeen (17) for Essequibo.

8.0 Depositions received for Demerara, Berbice and Essequibo in 2012.

8.1 Depositions that were received for the County of Demerara in 2012.

In the year 2012 there were fifty nine (59) depositions received for the County of Demerara. The committals for five (5) of these depositions were discontinued by the DPP by letter because there was not sufficient evidence in the depositions for the DPP to prefer charges in an indictment.

Indictments were preferred for fifty four (54) of these depositions.

Twelve of the indictments were presented and tried in the High Court. These indictments were for the offence of Murder.

In four of the matters, the accused pleaded not guilty to murder and guilty to the lesser offence of manslaughter. In one matter involving three accused persons, they were all found guilty by the trial Judge. In two other matters the jury returned verdicts of guilty. In two matters the jury returned a unanimous verdict of not guilty. In another matter, the jury returned a verdict of not guilty. In one matter a retrial was ordered by the jury. There was a matter involving six accused persons. The Number 1, 2 and 4 accused persons pleaded not guilty to Murder and guilty to the lesser offence of Manslaughter. The jury returned a unanimous verdict of not guilty for the Number 5 accused person and retrial was ordered for the Number 6 accused person. The matter for the Number 3 accused person was Nolle Prosequi.

At the end of the trials, there were seven pleas of not guilty to Murder and guilty to the lesser offence of Manslaughter, five guilty pleas, three unanimous verdicts of not guilty, one verdict of not guilty and two retrials ordered by the jury. One matter was Nolle Prosequi.

The remaining forty two (42) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2012. These indictments will now be listed to be heard in 2013.

8.2 Depositions that were received for the County of Berbice in 2012.

In the year 2012 there were forty four (44) depositions which were received for the County of Berbice. The committals for five (5) of these depositions were discontinued by the DPP by letter because there was not sufficient evidence in the depositions for the DPP to prefer charges in an indictment.

Indictments were preferred for thirty nine (39) of these depositions.

Twelve of the indictments were presented and tried in the High Court. Eight of these indictments were for the offence of Murder, two indictments for Attempted Murder, one indictment for Carnal Knowledge of Girl under fifteen years and one indictment for Carnal Knowledge.

Of the eight Murder matters, the accused pleaded guilty to the lesser offence of Manslaughter for three of them. In two matters the jury returned a verdict of guilty. In another matter the jury returned a unanimous verdict of guilty. In another matter the jury returned a verdict of not guilty. In the other matter there was a retrial ordered.

For the Attempted Murder matters, the jury returned a unanimous verdict of guilty in one of them and a formal verdict of not guilty in the other. In the matter for Carnal Knowledge of Girl under fifteen years, a retrial was ordered. In the matter for Carnal Knowledge, the jury returned a unanimous verdict of not guilty.

At the end of the trials, there were three pleas of guilty by the accused, two verdicts of guilty, two unanimous verdicts of guilty, one verdict of not guilty, two retrials ordered, one formal verdict of not guilty and a unanimous verdict of not guilty.

The remaining twenty seven (27) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2012. These indictments will now be listed to be heard in 2013.

8.3 Depositions that were received for the County of Essequibo in 2012.

In the year 2012 there were twenty eight (28) depositions which were received for the County of Essequibo. The committals for three (3) of these depositions was discontinued by the DPP by letter because there was not sufficient evidence in the deposition for the DPP to prefer charges in an indictment.

Indictments were preferred for the other twenty five (25) depositions.

Seven of the indictments were presented and tried in the High Court. Four of these indictments were for the offence of Murder, two indictments for Attempt Murder and one indictment for Carnally Knowing girl under fifteen years.

In one of the Murder matters the jury returned a formal verdict of not guilty. In another matter the jury returned a unanimous verdict of not guilty. In the other two matters, the jury returned proportionate verdicts of not guilty. In one of the Attempt Murder matters, there were two counts namely, Attempt Murder and Wounding with Intent. The jury returned a not guilty verdict for the Attempt Murder and a guilty verdict for the Wounding with Intent. In the other Attempt Murder matter the jury returned a not guilty verdict. In the matter for Carnally Knowing girl under fifteen years, the jury returned a unanimous verdict of guilty.

At the end of the trials, there were one formal verdict of not guilty, one unanimous verdict of not guilty, two proportionate verdicts of not guilty, two not guilty verdicts, one guilty verdict and one unanimous verdict of guilty.

The remaining eighteen (18) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2012. These indictments will now be listed to be heard in 2013.

9.0 Matters heard by the Court of Appeal in 2012.

There were nine (9) appeals filed in the Court of Appeal. Five (5) were appeals against convictions from matters disposed of in the High Court while three (3) were against decisions of Magistrates.

One (1) reference was filed by the Director of Public Prosecutions.

There were eight (8) applications for extension of time within which to comply with the statutory requirements for filing of an appeal.

There was one (1) application for bail pending appeal.

The appeals from convictions in the High Court and the DPP's Reference were all for the offence of Murder.

The appeals from decisions from the Magistrates' Court were for the offences of

- Malicious Damage to Property
- Possession of Narcotics
- Discharging a loaded firearm with Intent.

One (1) Murder appeal was dismissed.

Three (3) of the Murder appeals resulted in the conviction and sentence for Murder being set aside and a conviction for Manslaughter substituted.

Two (2) of the Murder appeals were allowed and the accused persons were freed.

The one (1) Reference that was filed by the DPP was allowed.

All three (3) of the appeals from decisions of the Magistrates' Courts were allowed.

The applications for extension of time were from the following matters:

- Obtaining by false pretence
- Attempt to commit a felony
- Receiving stolen property
- Inflicting grievous bodily harm
- Felonious Wounding
- Conspiracy to commit a felony
- Robbery under arms
- Robbery with violence.

Six of the applications were withdrawn. They were for the offences of

- Robbery under Arms
- Trafficking in Narcotics
- Obtaining by false pretence

- Attempt to commit a felony
- Break and Enter and Larceny.

The applications from decisions of Receiving stolen property and Felonious wounding were refused while the appeal in the Possession of narcotics matter was allowed.

The one application for bail pending appeal was withdrawn.

10.0 Matters heard by the Full Court in 2012.

Ten (10) matters were heard by the Full Court.

Three were applications for extension of time within which to file an appeal. They were one for the offence of Possession of narcotics for the purpose of trafficking and two for Possession of ammunition without a licence. The latter application was granted while the other was refused.

The other seven (7) matters were appeals against decisions from the Magistrates' Court.

They were for

- Obstructing the police in the execution of their functions
- Possession of firearm without licence
- Trafficking in narcotics
- Indecent assault

One of the appeals for Trafficking in narcotics was withdrawn.

Obstructing the police and Indecent assault matters were allowed and the appellants were freed.

The appeal for Possession of firearm without a licence was dismissed while the Trafficking in narcotics matters saw the sentences being varied.

11.0 Police Files that came in the year 2012 for Legal Advice.

For the year 2012 there were two thousand five hundred (2,500) files which were received at these Chambers of the Director of Public Prosecutions for legal advice. Of these files, two thousand, four hundred and eighty (2,480) of them came from the Guyana Police Force, five (5) files came from the Guyana Energy Agency and fifteen (15) files came from the Customs Anti Narcotics Unit.

Of the two thousand, four hundred and eighty (2,480) that came from the Guyana Police Force, there were one hundred and eighty one (181) files for the offences of Murder and Manslaughter and two hundred and fifty (250) files for the offences of Carnal Knowledge, Rape and Buggery. These were the major offences that were tried in the High Court in the Assizes in Demerara, Berbice and Essequibo for the year 2012.

The two thousand, four hundred and eighty (2,480) police files which came into the Chambers in the year 2012 for legal advice were spread over the year as follows:

January	257
February	300
March	215
April	220
May	212
June	155
July	230
August	230
September	188
October	183
November	162
December	128

2,480

Number of files received in the month of January 2012:	257
Number of police files for legal advice:	232
Number of committal files:	18
Number of files for appeals:	7

The offences for the files for January 2012 are as follows:

Murder	18
Manslaughter	2
Rape	12
Rape of a child under 16	8
Carnally Knowing	5
Alleged rape	11
Unlawful wounding	3
Simple Larceny	10
Break and enter and larceny	11
Alleged fraud	1
Possession of narcotics for the purpose of trafficking	7
Alleged break and enter and larceny	1
Fatal shooting	1
Incident involving persons	8
Allegation	3
Alleged Fraudulent	1
Escape from lawful custody	1
Narcotics found	4
Felonious Wounding	4
Fraudulent Conversation	2
Alleged robbery with aggravation	1
Conspiracy to commit a felony and a forgery	1
Alleged Forgery	1
Fatal Accident	5
Assault	1
Incident resulting in death	1
Alleged Discrepancies	1
Alleged Abduction	1
Causing death by dangerous driving	6
Sexual activity with a child family member	3
Robbery under arms	15
Alleged simple larceny	2
Robbery with aggravation	3
Death	3
Making false statement for the purpose of procuring	1
Setting fire to a building	1
Incident	1
Complaint	4
Conspiracy to commit a felony	1

Embezzlement	1
Alleged incident involving	1
Larceny	3
Seizure	1
Damage Accident	10
Dismissal of case	3
Alleged trafficking in narcotics	5
Possession of narcotics	2
Possessions of firearm and ammunition without license	3
Trafficking in narcotics	5
Kaiaeteur News Article	1
Serious accident	4
A report of damage property	1
A report touching the death of	1
Minor accident	2
Seizure of narcotics	1
Alleged narcotics	1
Alleged murder	3
Allegation of rape	1
Alleged demanding money with menace	1
Alleged inflicting grievous bodily harm	1
Demanding money with menace	1
Discovery of one ammunition	1
Conduct	1
Missing ammunition	1
Alleged indecent assault	1
Alleged larceny	1
Unlawful possession of firearm	2
Attempt to commit murder	4
Burglary	1
Indecent assault	1
Alleged indecent assault	1
Malicious damage to property	1
Disturbance of a tenant peaceful enjoyment	1
Alleged unlawful wounding	1
Setting fire to a building	1
A report surrounding the death of	1
Seizure of ammunition	1
Trafficking in persons	1
Alleged assault	2
Obtaining by false pretense	2
Robbery with violence	1
False declaration	1
Alleged illegal ammunition	1
Alleged shooting incident	2
Alleged misconduct	1

Discharging loaded firearm	1
Attempt to commit a felony	1
Alleged shooting	1
Robbery	1
Illegal departure	1
Break and enter with intent	1
Disappearance	1
Obtaining money upon a forged instrument	1
Conspiracy	1

Number of files received in the month of February 2012:	300
Number of police files for legal advice	279
Number of committal files	20
Number of files for appeal	1

The offences for the files for February 2012 are as follows:

Murder	11
Manslaughter	1
Rape	6
Rape of a child under 16	12
Carnal Knowledge	2
Fire	2
Alleged arson	1
Break & Enter & Larceny	12
Simple Larceny	9
Alleged simple larceny	7
Larceny by clerk or servant	3
Larceny of house	1
Larceny from the person	1
Burglary	2
Fraudulent misappropriation	2
Fraudulent conversion	4
Alleged fraud	1
Obtaining property upon a forged instrument	4
Obtaining by false pretense	3
Alleged false pretense	1
Alleged forgery	2
Forgery	1
Uttering a forged document	1
Making a false statement	2
Alleged irregularities	1
Attempted rape	1
Alleged Rape	11
Alleged rape of a child	5
Alleged Sexual assault	2
Assault	1
Alleged assault	1
Indecent assault	2
Sexual activity with a child	1

Sexual activity with a child family member	2
Possession of narcotics	8
Possession of narcotic for the purpose of trafficking	8
Trafficking In narcotic	2
Alleged trafficking in narcotics	1
Missing cocaine from police	1
Narcotic found	2
Alleged narcotic found	1
Alleged wounding	1
Unlawful wounding	4
Felonious wounding	3
Inflicting grievous bodily harm	2
Alleged Murder	4
Attempted Murder	3
Possession of ammunition without license	1
Possession of firearm without license	2
Unlawful possession of firearm	4
Lost firearm	2
Alleged stolen firearm	1
Robbery with violence	2
Robbery under arms	23
Alleged Robbery under arms	3
Robbery with aggravation	4
Shooting incident	2
Alleged shooting incident	1
Damage accident	4
Serious Accident	4
Fatal Accident	12
Causing death by dangerous driving	6
Incident involving motor vehicles	2
Incident involving people	3
Alleged Minor Accident	1
Threatening Language	1
Conspiracy to commit a misdemeanor	1
Conspiracy to commit a felony	2
Attempt to commit a felony	1
Embezzlement	1
Items gas found	1
Complaint	9
Dismissal of case	3

Conduct of police	5
Disputed property	3
Alleged disputed property	1
Damage to property	1
Alleged escape from lawful custody	1
Death of	2
Arrest of GDF officer	1
Injury to growing things	1
Provoking breach of peace	1
Suspected drowning	2
Child stealing	1
Vulgar and threatening phone calls	1
Alleged abduction	1
Seizure of motor vehicle	1
Seizure of cocaine	1
Alleged unregistered motorcycle	1
Request for return of motor vehicle	1

Number of files received in the month of March 2012:	215
Number of police files for legal advice:	193
Number of committal files:	19
Number of files for appeal:	3

The offences for the files for March 2012 are as follows:

Murder	22
Rape	12
Rape of a child under 16	6
Carnally knowing	1
Stolen firearm	1
Possession of narcotics for the purpose of trafficking	1
Attempt murder	3
Alleged larceny	1
Alleged shooting	2
Incident involving persons	4
Narcotics found	3
Alleged rape of a child	10
Alleged rape	16
Simple larceny	3
Alleged carnal knowledge	1
Robbery	1
Break and enter and larceny	2
Sexual assault	1
Detention	1
Inflicting grievous bodily harm	2
Shooting incident	1
Fatal accident	8
Allegation	1
Conspiracy to commit a felony	2
Robbery under arms	10
Demanding money be menace	1
Trafficking persons	1
Uttering a forged document	1
Alleged murder	6
Forgery	3
Unlawful wounding	1
Alleged sexual assault	9
Alleged assault	2
Alleged robbery	1
Disputed	1
Larceny	2
Larceny from Dwelling house	3
Ammunition found	1
Complaint	6

Escape of a prisoner	1
Alleged incident involving vehicles	2
Alleged indecent assault	1
Alleged robbery with violence	1
Alleged threats	1
Possession of firearm and ammunition	1
Telephone Threats	1
Reports and Statements Touching the Arrest	1
Discovery of ammunition	2
Alleged larceny	1
Fire of an Unknown origin	1
Dismissal of case	4
Seizure of vehicle	1
Felonious wounding	1
Alleged trafficking in narcotics	2
Death	1
Alleged simple larceny	3
Alleged misplaced firearm and ammunition	1
Alleged disputed vehicle	1
Causing death	1
Possession of firearm and ammunition without license	1
Alleged incident involving persons	2
Sexual activity with a child	6
Damage accident	3
Causing death by dangerous driving	1
Kaiteur news article	1
Alleged sexual activity with a child	1
Alleged robbery under arms	2
Possession of narcotics	3
Touching the death of	2
Incident surrounding the injuries	1
Obtaining by false pretense	1
Discharging loaded firearm	1
Seizure of narcotics	1
Minor accident	2
Alleged threatening language	1
Serious accident	1
Burglary	1
Alleged manslaughter	1
Alleged embezzlement	1
Hit and run accident	1

Number of files received in the month of April 2012:	220
Number of police files for legal advice	201
Number of committal files	16
Number of files for appeal	3

The offences for the files for April 2012 are as follows:

Murder	16
Manslaughter	2
Carnal knowledge	1
Rape	12
Rape of a child	8
Rape of a child family member	1
Possession of firearm	2
Alleged rape	17
Alleged rape of a child under 16 years	4
Alleged Sexual activity with a child	1
Sexual activity with a child	5
Sexual activity with a child family member	3
Alleged sexual activity with a child family member	1
Alleged incest	1
Narcotic found	2
Alleged narcotic found	1
Possession of narcotics	3
Possession of narcotics for the purpose of trafficking	4
Trafficking in narcotics	1
Trafficking in persons	1
Possession of utensil used to prepare cocaine	1
Alleged murder	4
Attempted Murder	6
Larceny	2
Alleged Larceny	2
Simple Larceny	3
Alleged simple Larceny	3
Break and enter and larceny	2
Alleged Break and enter and larceny	1
Alleged indecent assault	1
Alleged assault	3
Sexual Assault	4
Alleged sexual assault	1

Alleged wounding	1
Alleged Suicide	1
Robbery under arms	13
Seizure of items	2
Death of	3
Complaint	10
Bigamy	1
Making false statement	1
Conspiracy to commit a felony	1
Alleged corrupt transaction	1
Attempt to commit a felony	1
Minor accident	3
Fatal Accident	5
Alleged damage accident	1
Damage Accident	1
Serious accident	1
Causing death by dangerous driving	7
Dangerous driving and breach of road service license	1
Bomb threat	1
Dispute between persons	2
Incident involving aircraft	1
Incident involving police	3
Incident involving people	3
Alleged Fraudulent conversion	2
Fraud	1
Obtaining by false pretense	1
Alleged obtaining by false pretense	1
Detention of motor vehicle	1
Alleged perjury	1
Dismissal of case	2
Alleged damage to property	2
Illegally practicing medicine	1
Alleged escape from lawful custody	1
Alleged abduction	1
Alleged fire	1
Fire	1
Damage to property	1
Escape from lawful custody	1

Number of files received in the month of May 2012:	212
Number of police files for legal advice:	188
Number of committal files:	19
Number of files for appeal:	4
Number of files for fiat:	1

The offences for the files for May 2012 are as follows:

Murder	16
Manslaughter	1
Rape	10
Rape of a child	11
Carnally knowing	2
Alleged rape	11
Trafficking in narcotics	1
Alleged murder	4
Possession of narcotics	4
Detention	2
Complaint	10
Fatal accident	10
Break and enter and larceny	4
Dispute property	3
Dismissed case	4
Incident involving persons	7
Alleged simple larceny	5
Conspiracy	3
Alleged incident involving persons	2
Alleged larceny	3
Demanding money by menace	2
Assault	1
Obtaining money by false pretense	1
Alleged rape of a child	3
Alleged sexual activity with a child family member	5
Sexual activity with a child family member	1
Alleged corrupt transaction	1
Detention	1
Alleged unlawful wounding	2
Alleged trafficking in narcotics	2
Causing death by dangerous driving	5
Attempt to obtain money by false pretense	1
Simple larceny	2
Wounding	1
Felonious Wounding	2
Robbery under arms	7
Inflicting grievous bodily harm	1

Alleged wounding	1
Larceny in dwelling house	2
Alleged break and enter and larceny	1
Possession of firearm and ammunition without license	1
Possession of narcotics for the purpose of trafficking	6
Alleged possession of narcotics for the purpose of trafficking	1
Damage accident	5
Uttering a forged document	3
Shooting incident	2
Escape from lawful custody	1
Assault causing actual bodily harm and abusive language	1
Serious accident	1
Larceny	1
Illegal connection of electricity	1
Unlawful possession	1
Fraudulent conversation	1
Robbery with violence	1
Forgery	2
Seizure	2
Unlawful possession of ammunition	1
Damage to property	1
Alleged robbery under arms	1
Attempt murder	1
Alleged sexual assault	2
Unlawful wounding	1
Kaieteur news article	1
Alleged assault	2
Minor accident	2
Narcotics found	1
Malicious damage to property	1
Threatening behavior	1
Fatal Shooting	1
Robbery with aggravation	1
Alleged suicide	1
Alleged Fraudulent conversation	1
Setting fire to a building	1
Attempt Murder	1
Alleged firearm and ammunition found	2
Alleged robbery	1
Threatening language	1
Alleged Burglary	1
Indecent assault	1

Number of files received in the month of June 2012:	155
Number of police files for legal advice	138
Number of committal files	16
Number of files for appeal	1

The offences for the files for June 2012 are as follows:

Murder	13
Rape	9
Rape of a child under 16 years	6
Carnal Knowledge	1
Illegal Possession	1
Possession of Narcotic	5
Possession of Narcotic for the purpose of Trafficking	7
Trafficking of Narcotic	1
Alleged Trafficking in Narcotics	1
Alleged Trafficking in Persons	1
Narcotic found	1
Alleged Narcotic Found	1
Harboring wanted person	1
Alleged unlawful Possession of a Licensed Firearm	1
Possession of firearm without License	1
Shooting Incident	1
Alleged Shooting	1
Alleged Robbery	1
Robbery under arms	4
Robbery with Violence	1
Alleged robbery under arms	1
Alleged Rape	4
Alleged rape of a child under 16 years	2
Sexual activity with a child	2
Alleged Sexual Activity with a child	1
Sexual Activity	1
Alleged Gross Indecency	1
Sexual Assault	1
Alleged sexual assault	1
Alleged Perjury	2
Alleged Assault	1
Alleged escape from Lawful custody	1
Fraud	1

Fraudulent Misappropriation	1
Fraudulent conversion	1
Alleged fraudulent conversion	1
Alleged Forgery	1
Death of	3
Alleged Murder	3
Attempted Murder	5
Fire	1
Wrongful Confinement	1
Incident involving People	4
Incident resulting in death	1
Minor Accident	1
Causing death by Dangerous Driving	5
Fatal Accident	4
Damage Accident	1
Complaint	5
Alleged false Pretense	1
Obtaining money by false pretense	1
Demanding with menace	1
Alleged demanding money with menace	1
Police Brutality	1
Conduct of police	3
Larceny by Clerk	1
Larceny by public officer	1
Larceny of house	1
Simple Larceny	1
Alleged Simple Larceny	7
Break & Enter & Larceny	3
Burglary	1
Inflicting grievous bodily harm	5
Dismissal of case	5
Conspiracy to commit a felony	1
Alleged Threats	1
Detention of motor vehicle	2
Alleged child neglect	1
Alleged Abduction	1
Embezzlement	1

Number of files received in the month of July 2012:	230
Number of police files for legal advice:	198
Number of committal files:	28
Number of files for appeal:	1
Number of files for fiat	3

The offences for the files for July 2012 are as follows:

Murder	26
Rape	16
Carnally knowing	5
Rape of child	4
Buggery	1
Attempt murder	7
Alleged murder	3
Alleged double murder	1
Alleged suicide	1
Alleged rape	8
Alleged rape of a child	5
Sexual activity with a child family member	7
Alleged trafficking in person	1
Burglary	2
Assault	2
Indecent assault	1
Sexual assault	1
Alleged assault	2
Alleged sexual assault	3
Serious accident	8
Fatal accident	4
Damage accident	6
Causing death by dangerous driving	2
Minor accident	2
Dangerous driving	6
Incident involving persons	6
Incident involving vehicle	2
Narcotics found	1
Possession of narcotics	2
Possession of narcotics for the purpose of trafficking	2
Alleged possession of narcotics	1
Alleged trafficking in narcotics	1
Seizure	2
Cultivation of prohibited plant	2
Wounding	1
Felonious Wounding	2
Inflicting grievous bodily harm	2
Larceny	1

Alleged larceny	1
Simple larceny	12
Alleged simple larceny	4
Break and enter and larceny	1
Alleged break and enter and larceny	2
Robbery under arms	6
Alleged robbery under arms	1
Robbery with aggravation	1
Alleged possession of firearm and ammunition without licence	4
Unlawful possession of firearm and ammunition	1
Shooting incident	1
Alleged shooting incident	1
Discharging loaded firearm	3
Mishap resulting in death	2
Obtaining money by false pretense	1
Alleged Fraud	2
Alleged fraudulent conversation	1
Alleged forgery	2
Uttering a forged document	3
Dispute	6
Alleged homicide	5
Complaint	4
A case of circulation	1
Escape of convicted prisoner	1
Escape from lawful custody	1
Fraudulent conversation	1
Alleged Fraudulent conversation	1
Unlawful search and removal of person belongings	1
Alleged impounding	1
Alleged corrupt practice	1
Auction sale at Quartermasters compound	1
Detention	2
Alleged Mishap	1
Report of a missing person	1
Accusation	1
Fire	1
Setting fire to a building	1
Incident surrounding the death of	1

Number of files received in the month of August 2012:	230
Number of police files for legal advice	211
Number of committal files	15
Number of files for appeal	4

The offences for the files for August 2012 are as follows:

Murder	13
Rape	24
Rape of a child under 16 years	30
Carnal knowledge	1
Trafficking in Narcotics	2
Alleged trafficking of narcotics	1
Narcotic found	3
Possession of narcotic for the purpose of trafficking	3
Alleged trafficking in persons	1
Unlawful possession	1
Possession of firearm without license	2
Possession of ammunition without license	1
Discharging loaded firearm with intent	1
Alleged stolen firearm	1
Ammunition found	1
Robbery under arms	4
Alleged shooting incident	1
Fatal shooting	1
Incident surrounding loss of firearm	1
Alleged loss of firearm	1
Alleged fraud	2
Alleged embezzlement	2
Alleged forgery	4
Uttering a forged document	2
Uttering forged us currency	1
Alleged fraud	1
Corrupt transaction	1
Obtaining by false pretense	2
Alleged Obtaining upon a forged instrument	1
Complaint	11
Incident at the us embassy	1
Incident involving people	5
Incident resulting in death	1

Alleged incident resulting in death	1
Attempted Murder	6
Alleged Murder	1
Conspiracy to commit a felony	1
Attempt to commit a felony	1
Break & Enter & Larceny	6
Alleged Break & Enter & Larceny	1
Simple Larceny	7
Inflicting grievous bodily harm	2
Felonious wounding	2
Wounding	1
Alleged rape	6
Alleged rape of a child under 16 years	3
Sexual activity with a child	4
Sexual activity with a child family member	8
Alleged Sexual activity with a child family member	1
Sexual assault	2
Alleged sexual assault	4
Sexual activity	1
Assault	1
Alleged assault	3
Indecent assault	1
Alleged obtaining by false pretense	1
Serious accident	3
Fatal accident	7
Causing death by dangerous driving	5
Careless driving	1
Dismissal of case	3
Overstaying of persons in Guyana	1
Death of	4
Decomposed body	2
Alleged attempt to pervert the course of justice	1
Detention of motor vehicle	2
Seizure of motor vehicle	1
Alleged vandalism	1
Alleged negligent use of fire	1
Disputed property	2
Alleged perjury	1
Alleged injury to growing trees	1
Alleged river mishap	1

Letter

1

Accusation after the fact

1

Number of files received in the month of September 2012:	188
Number of police files for legal advice:	175
Number of committal files:	12
Number of files for fiat:	1

The offences for the files for the month of September 2012 are as follows:

Murder	9
Rape	15
Rape of a child	8
Carnally Knowing	2
Sexual activity with a child family member	6
Attempt rape	1
Alleged sexual assault	1
Alleged rape of a child	4
Fatal accident	6
Alleged shooting incident	7
Break and enter and larceny	3
Alleged rape	11
Robbery underarms	2
Alleged accidental discharge of loaded firearm	2
Alleged assault and threatening behavior	1
Indecent assault	1
Inflicting grievous bodily harm	2
Possession of narcotics for the purpose of trafficking	10
Fraud	2
Firearm and ammunition found	5
Narcotics found	1
Alleged carnally knowing	1
Attempt murder	5
Unlawful wounding	2
Circumstances surrounding an operation	1
Alleged disappearance	4
Damage accident	2
Seizure	1
Abusive caller	4
Complaint	5
Alleged break and enter and larceny	2
Alleged suicide	1
Simple larceny	4
Alleged attempt to prevent the course of justice	1
Fire	1
Alleged setting fire to a building	1
Alleged larceny	1
Larceny	1

Serious accident	1
Conduct	1
Trafficking in narcotics	1
Causing death by dangerous driving	5
Alleged simple larceny	3
Obtaining money by false pretense	1
Bigamy	1
Incest	1
Alleged murder	4
Incident involving persons	7
Forgery	3
Possession of firearm and ammunition without license	3
Alleged Fraud	4
Injuries to growing trees	1
Fatal shooting	1
Corrupt transaction	1
Alleged assault	1
Alleged larceny in dwelling house	1
Alleged damage to property	1
Alleged robbery	1
Trafficking in persons	2
Body found at foreshore	1
Conspiracy to commit a felony	2
Allegation	1
Alleged fatal shooting	1
Assault causing actual bodily harm	1
Sexual activity	1
Sexual assault	1

Number of files received in the month of October 2012:	183
Number of police files for legal advice	168
Number of committal files	13
Number of files for appeal	2

The offences for the files for October 2012 are as follows:

Murder	8
Rape of a child under 16 years	4
Alleged Murder	5
Attempted Murder	3
Threatening Behavior	1
Wounding	1
Felonious wounding	2
Alleged Unlawful wounding	1
Inflicting grievous bodily harm	2
Alleged Rape	10
Sexual Activity	4
Sexual activity with a child under 16	1
Alleged sexual activity with a child family member	2
Sexual Assault	1
Alleged sexual assault	2
Alleged Assault	1
Alleged gross indecency	1
Injured Animal	1
Possession of narcotics	1
Possession of narcotic for the purpose of trafficking	10
Trafficking in Narcotics	2
Narcotic found	4
Fatal shooting	1
Ammunition found	1
Firearm found	1
Trafficking in narcotics	1
River Mishap	1
Break & Enter & Larceny	6
Alleged Break & Enter & Larceny	2
Larceny	1
Larceny from dwelling house	1
Alleged larceny from dwelling house	1
Larceny by clerk or servant	1

Simple Larceny	1
Robbery	1
Robbery under arms	6
Robbery with violence	2
Simple larceny	3
Alleged simple larceny	2
Alleged Robbery	1
Back Track	1
Alleged Arson	1
Alleged fire of unknown origin	1
Alleged escape from lawful custody	1
Possession of firearm	1
Possession of ammunition without lawful authority	1
Attempt to commit a felony	1
Alleged Forgery	3
Possession of forged items	1
Uttering a forged document	2
Obtaining money by false pretense	1
Fraudulent Conversion	1
Alleged fraud	2
Alleged fraudulent conversion	1
Damage to property	1
Destruction of government property	2
Conspiracy to commit a felony	1
Incident involving Police	3
Incident involving people	3
Detention of Motor Vehicle	1
Seizure of motor cycle	1
Seizure of motor vehicle	1
Seizure of Cocaine	1
Seizure of items	1
Fatal Accident	9
Damage accident	3
Serious Accident	3
Minor Accident	1
Causing death by dangerous driving	6
Complaint	12
Production of wrong exhibit	1
Dismissal of case	5
Auction	1

Death of	1
Decomposed body	1
Alleged disputed property	2
Conduct of police	1
Corrupt transaction	1
Fire	1
Alleged Fire of unknown origin	1
Alleged threats	1

Number of files received in the month of November 2012:	162
Number of police files for legal advice:	147
Number of committal files:	9
Number of files for appeal:	2
Number of files for fiat:	4

The offences for the files for November 2012 are as follows:

Murder	13
Manslaughter	1
Rape	5
Rape of a child	7
Buggery	1
Carnally knowing	1
Burglary	1
Larceny from dwelling house	2
Causing death by dangerous driving	3
Robbery with aggravation	1
Incident involving persons	7
Attempt murder	1
Complaint	10
Alleged attempt to prevent the course of justice	3
Disputed property	3
Damage accident	2
Fatal accident	6
Alleged robbery with violence	1
Alleged shooting incident	1
Discharging loaded firearm	2
Alleged rape	3
Alleged assault and threats	1
Theft	1
Statement and report of firearm & ammunition & grenades	1
Alleged forgery	1
Incident involving persons	4
Narcotics found	2
Threatening behavior	1
Attempt murder	3
Alleged forgery	1
Alleged sexual activity with a child family member	1
Sexual assault	1
Dishonest conduct	1
Fraudulent conversation	1
Alleged sexual activity with a child	2
Noise nuisance	1
Unlawful wounding	3
Larceny	1

Alleged trafficking in person	2
Unlawful possession of ammunition	1
Simple larceny	5
Break and enter and larceny	1
Inflicting grievous bodily harm	1
Serious accident	2
Dispute	1
Incident resulting the death	1
Unnatural death	1
Alleged murder	5
River mishap	1
Possession of narcotics for the purpose of trafficking	3
Alleged simple larceny	2
Uttering a forged document	2
Minor accident	3
Obtaining money upon a forged instrument	1
Obtaining money by false pretense	1
Allegations	2
Receiving stolen property	1
Detention	1
Missing persons	1
Fatal Shooting	1
Break and enter and larceny	2
Discharge of case	1
Stealing fuel	1
Alleged assault	1
Theft	1
A report and statement surrounding the death of	2
Felonious wounding	1
Demanding with menace	1
Threatening language	1
Robbery under arms	2
Injury to living things	1
Setting fire to building	1
Trafficking in narcotics	2
Attempt to commit a felony	1
Investigations	1
Conduct	1
Aircraft found	1
Attempt suicide	1
Alleged perjury	1

Number of files received in the month of December 2012:	128
Number of police files for legal advice	125
Number of committal files	2
Number of files for appeal	1

The offences for the files for December 2012 are as follows:

Murder	8
Manslaughter	1
Rape	1
Alleged Murder	1
Alleged Robbery	2
Robbery under arms	3
Alleged Robbery under arms	1
Alleged arms and ammunition found	1
Possession of firearm without license	1
Possession of ammunition without license	1
Fatal shooting	1
Alleged sexual assault	1
Alleged Rape	2
Alleged Rape of a child under 16	4
Sexual activity with a child	2
Sexual activity with a child family member	1
Alleged disputed Property	1
Alleged Break & Enter & Larceny	1
Alleged Larceny	1
Alleged Simple Larceny	2
Simple Larceny	7
Larceny of House	2
Larceny by Clerk	1
Burglary	1
Possession of Firearm	1
Investigation Request	1
Incident	1
Incident involving people	4
Alleged incident involving people	1
Death of	2
Unlawful Wounding	1
Alleged Threatening behavior	2
Assault	1

Causing Death by Dangerous Driving	6
Fatal accident	5
Serious Accident	3
Damage accident	1
Minor accident	3
Possession of narcotics	6
Possession of narcotics for the purpose of trafficking	3
Trafficking in narcotics	1
Alleged Trafficking in Narcotics	2
Narcotic Found	8
Seizure of narcotics	2
Buggery	2
Alleged fraud	1
Alleged forgery	2
Alleged possession of counterfeit notes	1
Uttering forged instrument	1
Alleged Embezzlement	1
Irregularities at Bartica Police Station	1
Back track and illegal drugs	1
Application for machine readable passport	1
Alleged sale of bulldozer	1
Destruction of Government Property	1
Complaint	8
Conduct of police	1
Alleged permitting a prisoner to escape	1
Alleged obstructing prosecution	1
Seizure of motor vehicle	1
Alleged suicide	1
Abduction	1

12.0 Appearance in Bail Applications and Inquests for 2012.

Bail Applications

The total amount of bail applications which came into the Director of Public Prosecutions Chambers from 1st January to 31st December, 2012 amounted to five hundred and sixty-six (566). Of this, the total amount of applications that were granted by the Honorable Chief Justice Ian Chang amounted to four hundred and seventy-five (475). The total amount of applications that was refused, dismissed and withdrawn amounted to ninety-one (91).

Type of applications	Total amount of bail applications granted
Unlawful possession/possession of narcotics for the purpose of trafficking	211
Robbery Under Arms	44
Unlawful possession of firearm/ammunition	31
Sexual Offences	18
Miscellaneous	171
Total	475

Type of applications	Total amount of bail applications
Refused	40
Withdrawn	33
Dismissed	18
Total	91

Inquests

There were thirteen (13) inquests which were concluded and sent to the Chambers of the Director of Public Prosecutions for the period of 1st January to 31st December 2012. These were categorized as to the result of the inquisition into the various deaths. There are those of no criminal responsibility, unknown, insufficient/evidence and undetermined.

Category	Result at Inquest
No criminal responsibility	2
Unknown	3
Insufficient/No evidence	6
Undetermined	2
Total	13

13.0 Miscellaneous

Number of Appeals filed for the year 2012

The Director of Public Prosecutions filed twenty nine (29) appeals from charges that were heard in the Magistrate's Court by the Magistrates for the year 2012. None of these appeals was heard during the year.

Number of Appeals filed by the State for the year 2012

During the Demerara January 2012 Criminal Session there was one appeal filed by the State. The decision for this matter was made by Madam Justice Roxanne George.

Number of Committals Nolle Prosequi and Discontinued for the year 2012.

Sixteen committals were Nolle Prosequi and twenty five committals were discontinued by the Director of Public Prosecutions for the year 2012.

14.0 Finance

The Budget proposals for the year 2012 were prepared in accordance with the estimated financial needs of the Chambers. They mainly provided for wages and salaries, travelling, telephone, rent, office equipment and other services purchased.

The following items were purchased from under Capital Account:

1. Three (3) stand fans
2. One (1) executive desk
3. One (1) Nissan Pathfinder vehicle