

CO-OPERATIVE REPUBLIC OF GUYANA

ANNUAL REPORT 2013

CHAMBERS OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Submitted pursuant

To Public Service Ministry Circular

No. PS: 141

Date: 2015-09-09.

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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. 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 stated in Article 187 of the *Constitution of the Co-operative Republic of Guyana*. They 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.

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, five Assistant DPPs, six Senior State Counsel and ten State Counsel as well as a support staff. The support staff consist 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, one Systems Development Coordinator, one Systems Support Officer, a Librarian, two Library Assistants, one Typist Clerk, three Legal Clerks, a Receptionist, two Office Assistants, one Handyman 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.

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 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 Attorneys 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 the complainants 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.

During the year 2013 approvals were given by the Ministry of Public Service to create and fill the following positions:

Memorandum Date	No.	Position	Category
11/04/2013	1	Assistant DPP	1: Administrative
11/04/2013	1	Office Assistant	1: Administrative
29/05/2013	1	Handyman	5: Semi Skilled Operatives and Unskilled
25/07/2013	1	Library Assistant	5: Semi Skilled Operatives and Unskilled
23/08/2013	1	Library Assistant	5: Semi Skilled Operatives and Unskilled
03/12/2013	1	Systems Development Coordinator	1: Administrative
03/12/2013	1	Systems Support Officer	3: Other Technical and Craft Skilled

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. Following discussions with senior members of the Guyana Police Force, there has been significant increase in the number of files for indictable matters that are being forwarded to these Chambers for legal advice. It is hoped that this trend improves since it will auger well for the proper preparation of crime files and ultimately better cases being presented in Court. 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 was against the weight of the evidence or contrary to law the DPP can write to the Magistrate requesting a copy of the depositions. The DPP will then determine 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.

Pursuant to the Justice Modernization Programme the DPP and Deputy DPP host a monthly meeting with Heads of the other agencies in the Criminal Justice System. The persons are the Commissioner of Police, Chief Magistrate, Director of Prisons, Registrar of the Supreme Court and the Chairman of the Police Complaints Authority. At this meeting all issues in the Criminal Justice System affecting the members are raised and addressed.

The DPP addresses issues with the Commissioner of Police through correspondence and the ECAP Heads Meeting 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.
2015-09-09.

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, five Assistant Directors, six Senior State Counsel and ten State Counsel. On December 31, 2013 there were the Director, the Deputy Director, one Assistant Director, two Senior State Counsel and four 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 and Mrs. Judith Gildharie-Mursalin who were appointed as Senior State Counsel by the Public Service Commission continued in this position.

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

One new Lawyer who was admitted to the Bar in October 2013, joined the Chambers as State Counsel. She is Ms. Mercedes Thompson who joined the Chambers with effect from 25th November, 2013.

During the year 2013, the following Legal Staff were transferred from these Chambers and appointed to the Magistracy:

1. Ms. Prithima Kissoon who was appointed as Senior State Counsel by the Public Service Commission was transferred as Deputy Solicitor General at the Chambers of the Attorney-General with effect from 11th February, 2013.
2. Ms. Konyo Sandiford who joined the Chambers as State Counsel resigned with effect from 17th May, 2013.
3. Ms. Rhondel Weever who joined the Chambers as State Counsel was appointed to the Magistracy with effect from 1st June, 2013.

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, one Systems Development Coordinator, one Systems Support Officer, a Librarian, two Library Assistants, one Typist Clerk, three Legal Clerks, a Receptionist, two Office Assistants, one Handyman and a Cleaner. On December 31, 2013 these positions were all filled except for the Data and Knowledge Management Officer, two Legal Clerks, the Systems Development Coordinator, the Accounts Clerk, the Typist Clerk, one Office Assistant and the Handyman.

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

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

Mrs. Joy Morris-Williams, Legal Assistant, continued in this position.

Ms. Lazeena Rahaman, Communications and Outreach Officer, continued in this position.

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

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

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

Ms. Donnette Bentham, Cleaner, continued in this position.

During the year 2013, the following Support Staff joined these Chambers:

1. Ms. Mary Gonsalves who joined these Chambers as Legal Clerk with effect from 8th March, 2013.
2. Mr. Michael Munroe joined these Chambers as Library Assistant with effect from 15th July, 2013.
3. Ms. Akina Baksh joined these Chambers as Legal Clerk with effect from 7th August, 2013.
4. Ms. Dianne Ramsaran was transferred from the Regional Democratic Council, Region Four, to act as Accountant at these Chambers with effect from 13th August, 2013.
5. Ms. Mondella Marks joined these Chambers as Legal Clerk with effect from 19th August, 2013.

6. Mr. Abbas Hamid and Ms. Candace Elias both joined these Chambers as Legal Assistants with effect from 9th October, 2013.

7. Ms. Nakeeta Ali joined these Chambers as Library Assistant with effect from 1st November, 2013.

8. Mr. Afshoon Gaffoor joined these Chambers as Systems Support Officer with effect from 3rd December, 2013.

During the year 2013, the following Support Staff resigned from these Chambers:

1. Ms. Lydia Bishop who joined these Chambers as Cleaner with effect from 6th May, 1996, tendered her resignation with effect from 4th January, 2013.

2. Ms. Mary Gonsalves who joined these Chambers as Legal Clerk with effect from 8th March, 2013, tendered her resignation with effect from 29th July, 2013.

3. Ms. Bibi Gopaul who joined these Chambers as Typist Clerk with effect from 5th August, 2010, tendered her resignation with effect from 5th August, 2013.

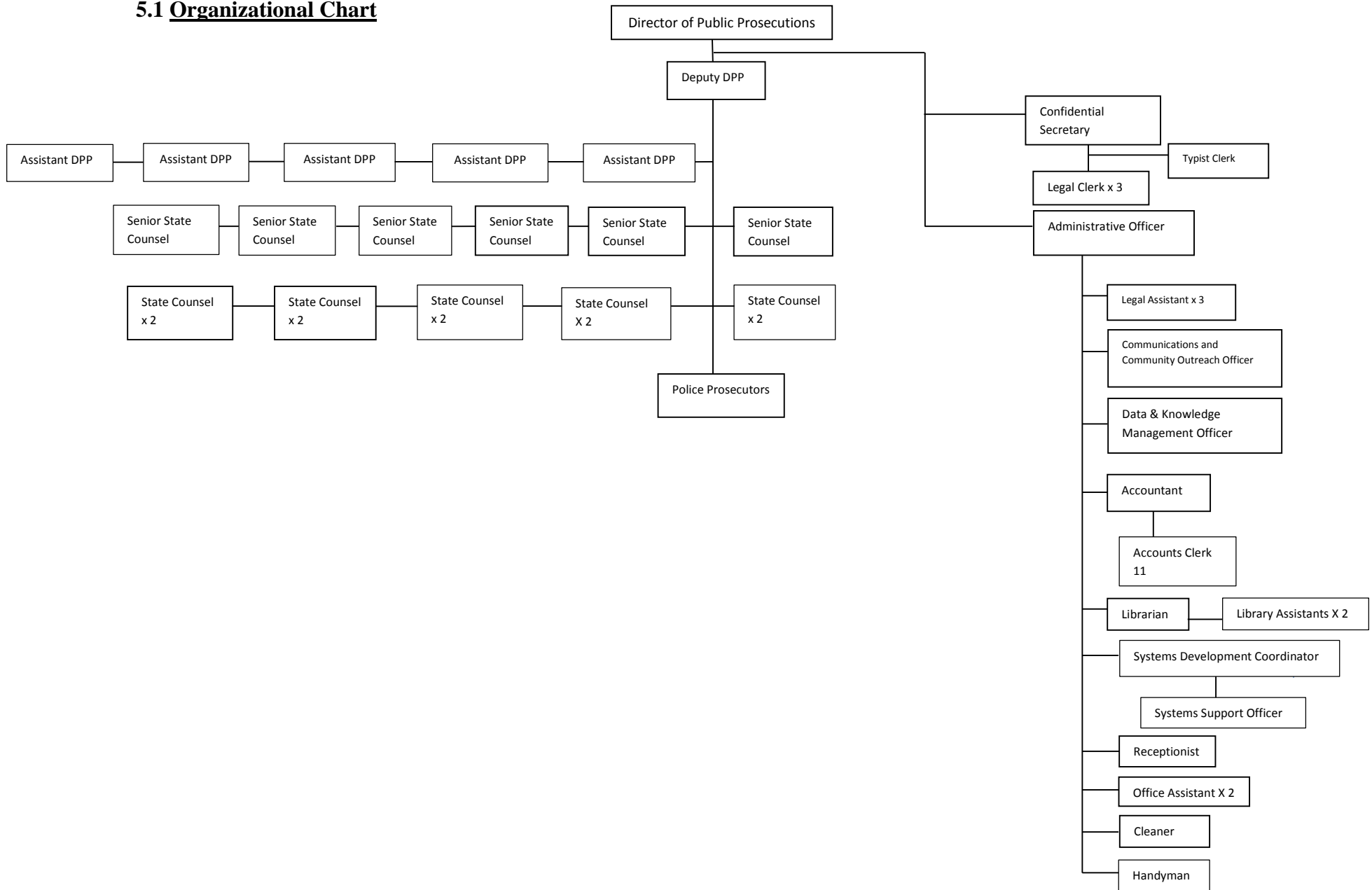
4. Ms. Rochelle Gill who joined these Chambers to act as Accountant with effect from 3rd April, 2006, was transferred to the Public Service Commission with effect from 19th August, 2013.

5. Ms. Vanessa Kissoon joined these Chambers as Accounts Clerk with effect from 13th November, 2008. Her employment contract ended with effect from 13th November, 2013.

6. Ms. Akina Baksh who joined these Chambers as Legal Clerk with effect from 7th August, 2013, resigned with effect from 13th November, 2013.

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 2013.

Demerara 2013 Criminal Assizes

Demerara January 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

6 – Murder

Two guilty pleas to the lesser offence of Manslaughter and the accused were sentenced. There were four not guilty verdicts; two formal verdicts of not guilty and two unanimous verdicts of not guilty.

1 – Manslaughter

Jury returned a verdict of not guilty.

Judge No. 2

9 – Murder

Two guilty pleas to the lesser offence of Manslaughter and the accused were sentenced. There was a matter where the jury returned a unanimous verdict of guilty and the accused was sentenced. There was one formal verdict of not guilty. One matter involved two accused persons; the jury returned a formal verdict of not guilty and a unanimous verdict of not guilty. In one matter there were two accused persons; the jury returned a unanimous guilty verdict for the number 1 accused and a unanimous not guilty verdict for the number two accused. One matter involved six persons; three of them pleaded guilty to the lesser offence of Manslaughter and were sentenced. In one matter the jury returned a hung jury and a retrial ordered. In another matter the accused was unfit to plead; however when becomes fit to plead he stand trial.

Judge No. 3

5 – Murder

Two unanimous verdicts of not guilty. One matter involved two accused persons; the jury returned a formal verdict of not guilty and a unanimous verdict of not guilty. In one matter the trial judge upheld a no case submission based on insufficient evidence. In one matter the accused was unfit to plead; however when becomes fit to plead he stand trial.

Matters Nolle Prosequi by the DPP.

There were eight matters that were nolle prosequi by the DPP by way of letter. Two of these matters were for the offence of Murder, one matter for Rape and five for the offence of Rape of child under 16 years.

Demerara April 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

6 – Murder

There were three verdicts of not guilty; one improportionate verdict of not guilty to 1 of guilty for Manslaughter and two unanimous verdicts of not guilty. The Jury returned one unanimous verdict of guilty and the accused was sentenced. A retrial was ordered for one matter. There was one matter involving three accused persons and the jury returned a formal verdict of not guilty for the three persons.

1-Rape

The Jury returned one unanimous verdict of not guilty.

1-Incest

The Jury returned one formal verdict of not guilty.

Judge No. 2

4 – Murder

There were two guilty pleas to the lesser offence of Manslaughter and the accused were sentenced. The Jury returned one unanimous verdict of not guilty. There was one matter where the accused was formally discharged by the jury.

Judge No. 3

1 – Murder

The Jury returned one formal verdict of not guilty.

Demerara June 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

11 – Murder

There were three guilty verdict for the lesser offence of Manslaughter and the accused was sentenced. The Jury returned one unanimous verdict of guilty and the accused was sentenced. There were four not guilty verdicts; one not guilty verdict, two unanimous verdicts of not guilty and one formal verdict of not guilty. One matter involved three accused persons and the jury returned unanimous verdicts of not guilty for two accused persons. Two retrials were ordered.

Judge No. 2

2 – Murder

The Jury returned one formal verdict of not guilty. In the other matter a retrial was ordered.

Judge No. 3

2 – Murder

There was one unanimous verdict of guilty for the lesser offence of Manslaughter and the accused was sentenced. The Jury returned one unanimous verdict of not guilty.

Judge No. 4

5 – Murder

There was one guilty plea to the lesser offence of Manslaughter and the accused was sentenced. The Jury returned two unanimous verdicts of not guilty. The Jury returned two hung jury verdicts.

Demerara October 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

5 – Murder

There was one formal guilty plea to lesser offence of Manslaughter and the accused was sentenced. There were two unanimous verdicts of guilty and the accused were sentenced. One matter involved four accused persons; there was one not guilty verdict for the No. one accused and a retrial ordered for the other three accused persons. One retrial was ordered by the Trial Judge.

1 – Manslaughter

There was one formal verdict of not guilty.

Judge No. 2

7 – Murder

There were two unanimous verdicts of guilty and the accused was sentenced. Also three guilty pleas to the lesser offence of Manslaughter and the accused were sentenced. One matter was quashed. The Jury returned one unanimous verdict of not guilty.

Judge No. 3

4 – Murder

There were two formal verdicts of not guilty and two unanimous verdicts of not guilty.

Matters Nolle Prosequi by the DPP.

There was one matter that was nolle prosequi by the DPP in open Court for the offence of Manslaughter.

6.2 Indictments disposed of at the High Court of Berbice for 2013.

Berbice October 2012 Criminal Assizes continued

No. of Judges and Types of crime Outcome

Judge No. 1

3 – Murder

There were two unanimous verdicts of guilty and the accused were sentenced. Also one guilty plea to lesser offence of Manslaughter and the accused was sentenced.

2 – Attempt to commit Murder and wounding with intent.

There was one unanimous verdict of guilty and the accused was sentenced. The Jury returned one formal verdict of not guilty.

Matters Nolle Prosequi by the DPP.

There were six matters that were nolle prosequi by the DPP by way of letter. Two of these matters were for the offence of Carnal Knowledge of girl under fifteen years. One matter for Murder, one for Sexual Activity with a child family member, one for Rape and one for Attempt to commit Murder and Wounding with intent.

Berbice 2013 Criminal Assizes

Berbice February 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

1 – Murder	There was one unanimous verdict of not guilty.
1 – Manslaughter	There was one unanimous verdict of guilty and the accused was sentenced.
1 - Carnal Knowledge of girl under fifteen years	One retrial was ordered by the Trial Judge.

Matters Nolle Prosequi by the DPP.

There were three matters that were nolle prosequi by the DPP by way of letter. Two of these matters were for the offence of Carnal Knowledge of girl under fifteen years and the other matter was for the offence of Carnal Knowledge.

Berbice June 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

1 – Rape

There was one formal verdict of not guilty.

1 – Carnal Knowledge
and Buggery

There was one unanimous verdict of not guilty in relation to both counts.

Judge No. 2

2 – Murder

In one matter there was a not guilty verdict. In the other matter there were two accused persons and a retrial was ordered for both accused persons.

Matters Nolle Prosequi by the DPP.

There was one matter that was nolle prosequi by the DPP by way of letter for the offence of Carnal Knowledge of girl under fifteen years.

Berbice October 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

7 – Murder

There were five guilty pleas to the lesser offence of Manslaughter and the accused were sentenced. Also one unanimous verdict of guilty and the accused was sentenced. One trial was aborted because the two defence counsel asked Court to be recused from continuing for defence.

6.3 Indictments disposed of at the High Court of Essequibo for 2013.

Essequibo October 2012 Criminal Assizes continued

No. of Judges and Types of crime Outcome

Judge No. 1

3 – Murder

There was one guilty plea to the lesser offence of Manslaughter and the accused was sentenced. The Jury returned two formal not guilty verdicts.

1 – Attempt Murder and wounding with intent

There was one not guilty verdict for Attempt Murder and one guilty verdict for Wounding with intent and the accused was sentenced.

Matters Nolle Prosequi by the DPP.

There was one matter that was nolle prosequi by the DPP by way of letter for the offence of Rape.

Essequibo 2013 Criminal Assizes

Essequibo May 2013 Criminal Assizes

No. of Judges and Types of crime Outcome

Judge No. 1

1 – Murder

There was one matter involving three accused persons and the Jury returned a unanimous verdict of guilty for all three accused persons and they were sentenced.

Judge No. 2

2 – Murder

There was one guilty plea to the lesser offence of Manslaughter and the accused was sentenced. The Jury returned one unanimous verdict of not guilty.

1 – Attempt to commit Murder
and Wounding with intent

The Jury returned one formal verdict of not guilty for each count since the victim informed the Court that he did not wish to proceed with the matter as he was compensated for his medical expenses by the accused.

Judge No. 3

1 – Carnal Knowledge of girl under
fifteen years and Robbery
under arms

The Jury returned one proportionate not guilty verdict for Carnal Knowledge of girl under fifteen years and one unanimous verdict of not guilty for Robbery under arms.

1 - Carnal Knowledge of girl under
fifteen years

There was one unanimous verdict of guilty and the accused was sentenced.

Tabulated below are quantities for listed cases, Judges, matters disposed as per Assizes, Nolle Prosequi and total number of matters disposed in Demerara, Berbice and Essequibo. Figures captured relates to the period January to December 2013.

Demerara 2013 Criminal Assizes

Assizes	January 8/1/2013 – 1/4/2013	April 2/4/2013 – 3/6/2013	June 4/6/2013 – 30/09/2013	October 1/10/2013 – 31/12/2013
Number of cases listed	241	226	217	229
Number of Judges	3	3	4	3
Number of matters disposed at the Assizes	21	13	20	17
Number of Nolle Prosequi done by DPP	8	0	0	1
Total number of matters disposed	29	13	20	18

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.

Berbice 2013 Criminal Assizes

Assizes	2012 October Criminal Assizes continued	February	June	October
		5/2/2013 – 17/6/2013	18/6/2013 – 14/10/2013	15/10/2013 – 31/12/2013
Number of cases listed	50	45	34	40
Number of Judges	1	1	2	1
Number of matters disposed at the Assizes	5	3	4	7
Number of Nolle Prosequi done by DPP	6	3	1	0
Total number of matters disposed	11	6	5	7

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.

Essequibo 2013 Criminal Assizes

Assizes	2012 October Criminal Assizes continued	May 21/5/2013 – 21/10/2013
Number of cases listed	22	20
Number of Judges	1	3
Number of matters disposed at the Assizes	4	6
Number of Nolle Prosequi done by DPP	1	0
Total number of matters disposed	5	6

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 2013.

A total of one hundred and twenty (120) indictments were completed during 2013. Eighty (80) were completed for Demerara, twenty nine (29) were completed for Berbice and eleven (11) were completed for Essequibo.

At the end of December 2013 there were one hundred and seventy (170) indictments listed to be heard. There were one hundred and forty nine (149) indictments for Demerara, eleven (11) indictments for Berbice and ten (10) for Essequibo.

8.0 Depositions received for Demerara, Berbice and Essequibo in 2013.

8.1 Depositions that were received for the County of Demerara in 2013.

In the year 2013 there were eighty four (84) depositions received for the County of Demerara. The committals for eighteen (18) 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 sixty six (66) of these depositions.

Twenty nine of the indictments were presented and tried in the High Court. Twenty three indictments were for the offence of Murder, four for the offence of Rape and two for the offence of Rape of a child under 16 years.

Of the twenty three matters for the offence of Murder, there were three not guilty pleas to Murder and guilty to Manslaughter. In three matters the Jury returned unanimous verdicts of guilty. There was one verdict for not guilty to Murder and guilty to Manslaughter. The Jury returned one guilty verdict; four not guilty verdicts; one unanimous not guilty verdict; and three formal not guilty verdicts. One matter involved two accused and they were found guilty. Another matter involved four accused and they were found not guilty. Another matter involved two accused and the Jury returned a unanimous verdict of not guilty. In one matter involving three accused the Judge ruled on preliminary points and found that the matter was improper before the High Court and ordered de novo to be done. There were three retrials ordered.

Of the four matters for the offence of Rape, the Jury returned two formal not guilty verdicts; and one unanimous not guilty verdict. There was one matter involving two accused and they were found not guilty.

Of the two matters for the offence of Rape of a child under 16 years, there was one guilty plea and in the other matter the Jury returned a formal not guilty verdict.

The remaining thirty seven (37) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2013. These indictments will now be listed to be heard in 2014.

8.2 Depositions that were received for the County of Berbice in 2013.

In the year 2013 there were forty five (45) depositions which were received for the County of Berbice. The committals for seven (7) 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 eight (38) of these depositions.

Eighteen of the indictments were presented and tried in the High Court. Thirteen of these indictments were for the offence of Murder, one for the offence of Incest, one for the offence of Sexual Activity with a child family member, one for the offence of Carnal Knowledge of girl under 15 years, one for the offence of Carnal Knowledge and one for Rape. There were two committals that were quashed. One of these committals was for the offence of Murder and the other was for the offence of Rape.

Of the twelve Murder matters, the accused pleaded guilty to the lesser offence of Manslaughter for six of them. The jury returned two unanimous guilty verdicts; and one formal not guilty verdict. One matter involved two accused and they were found guilty. In another matter involving two accused, the Jury returned a formal verdict of not guilty. There was one retrial ordered.

For the Incest matter, the jury returned a formal verdict of not guilty. For the matter of Sexual Activity with a child family member, the Jury returned a formal verdict of not guilty. For the Carnal Knowledge of girl under 15 years matter, the Jury returned a unanimous verdict of guilty. For the Carnal Knowledge matter, an arrest warrant was issued for the accused who did not attend Court.

The remaining twenty (20) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2013. These indictments will now be listed to be heard in 2014.

8.3 Depositions that were received for the County of Essequibo in 2013.

In the year 2013 there were seventeen (17) 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 fourteen (14) depositions.

Five of the indictments were presented and tried in the High Court. Two of these indictments were for the offence of Murder, one for the offence of Attempt to commit Murder, one for the offence of Buggery and the other for the offence of Rape of a child under 16 years of age.

In one of the Murder matters the Jury returned a formal verdict of not guilty. In the other matter the Jury returned a unanimous verdict of not guilty.

For the matter of Attempt to commit Murder the Jury returned a formal verdict of not guilty. For the Buggery matter, the Jury returned a unanimous verdict of guilty. For the matter of Rape of a child under 16 years of age, the Jury returned a unanimous verdict of not guilty.

The remaining nine (9) indictments remained on the list awaiting trial along with the other indictments awaiting trial prior to 2013. These indictments will now be listed to be heard in 2014.

9.0 Matters heard by the Court of Appeal in 2013.

Fifteen matters engaged the attention of the Court of Appeal in 2013.

Four of these matters arose out decisions from the High Court, **ten** were in relation to decisions from the Magistrates Court and one was from a Court Martial.

1. The matters that arose from decisions of the High Court were as follows:

- One appeal against a conviction for Murder that was filed by the convicted person. The conviction for Murder was set aside and a conviction of manslaughter was substituted.
- One Application for an amendment to an appeal in a Murder matter that was filed by the Director of Public Prosecutions. The Application for the amendment was allowed. Counsel for the respondent also sought bail for the Respondent but this was refused.
- One Application for bail pending appeal in an Attempt to Commit Murder. This Application was refused.
- An Appeal against a decision of the High Court to where the High Court had dismissed an Application to quash the Director of Public Prosecution's directions to reopen Committal Proceedings. This Appeal was dismissed.

2. The lone matter that arose from a decision of a Court Martial was for the offence of

Disobeying Standing Orders. This Appeal was withdrawn.

3. The matters that arose from the Magistrates' Court were as follows:

APPEALS

- **Four** Appeals from decisions of the Magistrates. Three were for the offence of Causing Death By Dangerous Driving and One for the Offence of Break and Enter and Larceny.
- **One** of the Causing Death By Dangerous Driving appeals was withdrawn.
- Another was allowed and in the third matter the court set aside the conviction of Causing Death By Dangerous Driving and substituted a conviction of Dangerous driving.

APPLICATIONS FOR LEAVE

There were **five** Applications for leave to comply with the statutory requirements outside of the statutory timeframe and **one** application for Permission to leave the Jurisdiction while there was an existing matter.

These were for the offences of:

- Robbery under Arms (2)
- Break and Enter and Larceny
- Larceny by Clerk or servant
- Wounding with Intent
- Possession of Narcotics for the Purpose of Trafficking

Four of these Applications for leave were granted, one was withdrawn and one was refused.

The Application for permission to leave the jurisdiction was granted.

10.0 Matters heard by the Full Court in 2013.

Sixteen matters engaged the attention of the Full court in 2013. Thirteen of these matters were Appeals against decisions of Magistrates while three were Applications for leave to comply with statutory requirements out of time.

The Appeals were from matters involving

- Trafficking in Narcotics (2)
- Possession of Narcotics for the Purpose of Trafficking (5)
- Aiding and Abetting the Trafficking of Narcotics
- Careless Driving Sexual Assault
- Assault Causing actual Bodily Harm
- Wandering
- Possession of Narcotics(2)

The appeals for **Sexual Assault**, **Wandering** and **Assaulting Causing Actual Bodily Harm** were allowed

The Appeal for **Aiding and Abetting the Trafficking in Narcotics** resulted in the sentence being reduced

The Appeals for **Careless Driving** and **Assault**, were dismissed

The appeals for **Possession of Narcotics for the Purpose of Trafficking** (2) were dismissed while the sentence for a third was varied in another

One appeal for **Trafficking in Narcotics** was abandoned while the other had the conviction affirmed but the sentence was varied.

The matter for **Possession of Narcotics** was withdrawn while the other had the sentence varied.

The Applications were as follows:

- Applications for Extension of Time in **Possession of Narcotics for the Purpose of Trafficking (2)** and one for **Wandering**. The applications in the Narcotics matters were granted while the one for Wandering was refused.

11.0 Police Files that came in the year 2013 for Legal Advice.

For the year 2013 there were two thousand five hundred and twenty four (2,524) files which were received at these Chambers of the Director of Public Prosecutions for legal advice. Of these files, two thousand, four hundred and seventy six (2,476) of them came from the Guyana Police Force, thirty seven (37) files came from the Guyana Energy Agency and eleven (11) files came from the Customs Anti Narcotics Unit.

Of the two thousand, four hundred and seventy six (2,476) that came from the Guyana Police Force, there were two hundred and eighteen (218) files for the offences of Murder and Manslaughter and two hundred and four (204) 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 2013.

The two thousand, four hundred and seventy six (2,476) files which came into the Chambers in the year 2013 for legal advice were spread over the year as follows:

January	180
February	220
March	240
April	286
May	163
June	197
July	236
August	227
September	192
October	172
November	188
December	175

2,476

Number of files received in the month of January 2013: 180
Number of police files for legal advice: 174
Number of committal files: 6

The offences for the files for January 2013 are as follows:

Murder	18
Rape	6
Rape of a child under 16	7
Rape of a child	1
Carnally Knowing	1
Attempt Murder	6
Alleged Murder	8
Alleged Rape	5
Stolen firearm	1
Possession of narcotics for the purpose of trafficking	6
Alleged larceny	3
Incident involving persons	5
Narcotics found	3
Simple Larceny	2
Alleged carnal knowledge	1
Robbery	1
Break & Enter & Larceny	5
Sexual Assault	2
Inflicting grievous bodily harm	1
Incident	10
Fatal Accident	8
Allegation	5
Conspiracy to commit a felony	1
Robbery under arms	6
Armed Robbery	2
Demanding money with menace	2
Trafficking in persons	2
Uttering a forged document	1
Alleged sexual assault	1
Disputed	3
Larceny	2
Complaint	11
Fraudulent Conversion	2
Causing death by dangerous driving	3
Alleged drowning	1
Fatal Accident	8
Serious Accident	1
Minor Accident	4
Damage Accident	1
Dismissal Case	1

Alleged Assault	1
Hit & Run Accident	1
Sexual Activity	4
Alleged Narcotics found	1
Discharge of a loaded firearm	1
Alleged Assault	2
Rank Photograph stealing fuel	1
Alleged felonious wounding	1
Alleged robberies	1
Escape from lawful custody	2
Possession of firearm without licence	1
Alleged damage to property	1
River Mishap	1
Report of perjury	1
Unnatural Death	1
Committing Act of Gross Indecency	1
Unlawful possession of firearm	1
Suspected G\$ Counterfeit	1

Number of files received in the month of February 2013:220
Number of police files for legal advice: 217
Number of committal files: 3

The offences for the files for February 2013 are as follows:

Murder	23
Rape	2
Rape – under 16	2
Possession of Narcotics	10
Narcotics found	3
Alleged Murder	3
Attempt Murder	5
Incident	7
Complaint	14
Causing death by dangerous driving	14
Alleged Shooting	1
Fatal Accident	9
Serious Accident	4
Damage Accident	2
Robbery under arms	12
Break & Enter & Larceny	5
Alleged Fraud	5
Larceny from Dwelling House	1
Simple Larceny	4
Larceny	4
Alleged Rape	13
Sexual Assault	5
Sexual Activity	5
Unregistered Motor Vehicle	1
Attempt to commit a felony	2
Unnatural Death	2
Non Compliance of Court order	1
Misappropriation of funds	1
Statement	1
Alleged Wounding	1
Alleged obtaining money by false pretence	2
Damage to property	1
Inflicting Grievous Bodily Harm	1
Seizure of Motor Cycle	1
Dispute of motor car	1
Discipline matter	1
Alleged Possession of illegal fuel	1
Indecent exposure	1
Alleged Piracy	1
Report touching the death of persons	2

Incest	2
Counterfeit Notes	1
Discovery of Cocaine	1
Forgery IAST UG	1
Fraudulent Conversion	1
Escape from lawful custody	2
Corrupt Activities	1
Setting fire to a building	2
Possession of forged currency	1
Felonious wounding	2
Alleged incident	2
Damage to property	1
Report of Misappropriation	1
Fire arm found	1
Alleged Vandalism	1
Alleged damage to motor car	1
Statements - Kenroy Bailey	1
Alleged firearm and ammunition found	3
Assault peace officer	1
Discharge of Firearm	1
Alleged murder /suicide	1
Report made	1
Alleged corrupt Activities	1
Operations of sports hall	1
Alleged narcotic found	2
Re- Arrest	1
Allegation	1
Transaction	1
Receiving Stolen property	1
Trafficking in narcotics	2
Burglary	1
Alleged robbery	1
Discharge of loaded firearm	1
Drugs found at leopold st,	1
Assault & Threatening Behaviour	1
Unnatural Death	2

Number of files received in the month of March 2013:	240
Number of police files for legal advice:	237
Number of committal files:	3

The offences for the files for March 2013 are as follows:

Murder	18
Rape	7
Rape of a child under 16 years	20
Rape of Child	4
Carnal Knowledge	4
Alleged rape of a child	2
Alleged Rape	7
Alleged Murder	8
Attempt Murder	4
Sexual Activity with a child family member	5
Alleged Robbery under arms	4
Robbery under arms	37
Robbery with Violence	3
Robbery with Aggravation	1
Fatal Accident	6
Serious Accident	5
Minor Accident	1
Damage Accident	3
Causing Death By Dangerous Driving	10
Possession of Narcotics	6
Firearm and Ammunition found	5
Narcotic Found	9
Possession of Firearm and Ammunition w/o Licence	5
Complaint	14
Unnatural Death	2
Uttering Forged Currency	2
Alleged Fraud	3
Alleged Shooting incident	1
Embezzlement of Firearm	1
Incident involving persons	4
Alleged Discharge of a loaded firearm	3
Investigation of a motor car	1

Investigation into death	2
Simple Larceny	4
Alleged Simple Larceny	4
Larceny by clerk or servant	3
Alleged Larceny by clerk or servant	2
Break & Enter & Larceny	4
Alleged Assault	3
Alleged injury to fence	1
Unlawful wounding	1
Fraudulent Conversion	2
Alleged Drowning	1
Alleged Dispute	1
Drug Seizure	1
Forgery	3
Alleged Suicide	3

Number of files received in the month of April 2013:	286
Number of police files for legal advice:	265
Number of committal files:	21

The offences for the files for April 2013 are as follows:

Murder	25
Manslaughter	2
Rape	11
Rape of Child under 16 years	23
Rape of a child	1
Carnal knowledge	5
Buggery	1
Robbery under arm	23
Alleged Robbery under arms	5
Robbery with violence	3
Robbery with Aggravation	2
Alleged Rape	18
Sexual activity with a child family member	5
Attempt Murder	5
Alleged Murder	3
Alleged Shooting Incident	6
Possession of Narcotic for the purpose of Trafficking	5
Obtaining Money by False Pretence	2
Damage Accident	6
Serious Accident	5
Minor Accident	3
Fatal Accident	10
Causing Death By Dangerous Driving	7
Complaint	11
Alleged Larceny by Clerk /Servant	1
Break & Enter Larceny	11
Simple Larceny	7
Alleged Sexual Assault	5
Larceny in Dwelling House	2
Alleged Larceny in Dwelling House	2
Alleged Cannabis found 2.6 grams	2
Alleged River Mishap	1

Unlawful Possession of Ammunition	2
Cessna 421 Aircraft #Kc-cik found	1
Alleged Injuries	1
Alleged Fraudulent Conversion	2
Accessory after the fact	1
Negligent use of fire	1
Forgery of Official document	2
Conspiracy to commit a felony	1
Dismissal of cases	1
Inflicting grievous bodily harm	2
Neglect of Duty	1
Abusive language	3
Dispute of Vehicle	1
Larceny from a dwelling house	1
Setting fire to a building	2
Alleged injuries to trees	1
Damage to property	1
Demanding Money with Menace	1
Incident	10
Alleged incident	2
Alleged forged power of attorney	1
Threatening Language	3
False Declaration	1
Uttering Forged Document	2
Alleged Assault	1
Burglary	1
Alleged Damage to Property	1
Exposure of Genitals	1
Report of Transaction	1
Indecent Act	1
Alleged Unlawful wounding	1
Death of Omar Ali	1
Ammunition and firearm found	2
Neglect of allowing persons to escape	1
Threatening Behaviour	2
Unnatural Death	1
Indecent assault	1
Discharging a loaded firearm	2

Uttering forged currency	1
Embezzlement by clerk or servant	1
Trafficking in person	1
Intercourse with an animal	1
Noise Nuisance	1
Grenade found	1
Allegation	1

Number of files received in the month of May 2013:	163
Number of police files for legal advice:	154
Number of committal files:	9

The offences for the files for May 2013 are as follows:

Murder	16
Rape of a child under 16 years	4
Carnal Knowledge	2
Buggery	2
Attempted Murder	8
Alleged Murder	8
Alleged Rape	7
Fatal Accident	7
Serious Accident	4
Damage	3
Minor Accident	3
Possession of Narcotic	2
Alleged Simple Larceny	2
Larceny	2
Simple Larceny	3
Allegation made	1
Alleged threatening behaviour	1
Narcotic found	3
Narcotic & Firearm Found	1
Demanding money by menace	1
Shooting incident	2
Alleged Shooting Incident	2
Alleged embezzlement	1
Incident	7
Alleged incident	2
Causing Death by Dangerous Driving	3
Robbery under arms	6
Alleged Robbery under arms	2
Sexual Activity with a child family member	2
Abduction	1
Fraudulent Conversion	2
Outstanding Criminal Matters	1

Dispute	1
Discharging a loaded firearm	2
Inflicting grievous bodily harm	2
Sexual Assault	1
Possession of forged currency	1
Complaint	4
Dismissed case Police vs.	3
Disputed Puppy	3
News Paper clipping	1
Felonious Wounding	2
Possession of firearm without licence	1
Receiving Stolen Property	1
Attempt to commit a felony	2
Alleged possession of ammunition without licence	1
Alleged death of Shakquille Wright	1
River Mishap	1
Uttering a forged document	2
Alleged false birth certificate	1
Firearms, ammunition and grenades found at Lethem	1
Sexual Assault	1
Break & Enter & Larceny	2
Alleged fraud	1
Alleged forgery of last wills	1
Public Servant taking gratification other than remuneration	1
Leaving motor vehicle in dangerous position	1
Malicious Damage	1
Burglary	1
Threatening Language, disorderly behaviour	1
Obtaining money by false pretence	1
Seizure of a silver grey Toyota Premio #PMM 8310	1
Two improvised firearms found	1
Alleged death of prisoner, Omesh Thakurdin	1
Conspiracy to commit a felony	1
Sting operation	1
Interim Report	1
Conduct of Constable	1
Alleged escape from lawful custody	1
Alleged trafficking in persons	1

Transaction between persons

1

Number of files received in the month of June 2013:	197
Number of police files for legal advice:	187
Number of committal files:	3
Number of files for appeal:	6
Number of files for fiat	1

The offences for the files for June 2013 are as follows:

Murder	16
Manslaughter	1
Rape	2
Rape of a child under 16 years	6
Alleged Murder	2
Attempted Murder	2
Death of	4
Alleged Trafficking in narcotics	3
Possession of narcotics	3
Possession of narcotics for the purpose Of trafficking	9
Alleged Narcotic found	2
Narcotic found	10
Alleged Fraud	9
Fraudulent Misappropriation	1
Fraudulent Conversion	3
Alleged fraudulent conversion	1
Obtaining by false pretence	2
False declaration	1
Uttering forged document	1
Disputed Motor Car	1
Disputed property	1
Summons	1
Alleged throwing corrosive fluid	1
Embezzlement by Clerk/Servant	1
Alleged Trafficking in Persons	2
Trafficking in persons	1
Alleged loss of rifle	1
Alleged Firearm & ammunition found	1
Ammunition & narcotic found	1
Ammunition found	1

Possession of firearm & ammunition without license	3
Shooting incident	2
Seizure of firearm	1
Seizure of motor car	1
Incident involving persons	7
Alleged assault	1
Inflicting Grievous Bodily Harm	3
Felonious Wounding	1
Alleged Abduction	1
Alleged Missing Person	1
Alleged Break & Enter & Larceny	1
Break & enter & larceny	4
Simple Larceny	3
Alleged simple larceny	1
Larceny from the person	1
Alleged Larceny in dwelling house	2
Burglary	2
Robbery with Violence	2
Robbery under Arms	11
Alleged Robbery under Arms	3
Causing Death by Dangerous Driving	7
Fatal Accident	8
Damage Accident	2
Minor Accident	2
Alleged Rape	8
Sexual Activity with a child family member	2
Sexual activity with a child under 16 years	1
Alleged Sexual activity with a child under 16 years	1
Alleged sexual assault	1
Complaint	12
Dismissal of case	1
Damage to property	2
Conspiracy to commit a felony	1
Attempt to commit a felony	1
Alleged attempt to commit a felony	2
River Mishap	2
Negligently allowing prisoner to escape	1
Cessna aircraft found	1

Number of files received in the month of July 2013:	236
Number of police files for legal advice:	204
Number of committal files:	27
Number of files for appeal:	3
Number of files for fiat	2

The offences for the files for July 2013 are as follows:

Murder	24
Rape	1
Rape of a child under 16 years	9
Carnally knowing girl under 16 years	1
Alleged Murder	2
Attempt to commit Murder	2
Death of	7
Alleged Rape	10
Alleged Rape of a child under 16 years	4
Alleged Sexual Activity with a child under 16 years	1
Sexual activity with a child under 16 years	2
Sexual Activity with a child family member	2
Sexual activity	1
Alleged Sexual Activity with a child family member	1
Sexual Assault	1
Alleged sexual assault	3
Inflicting Grievous Bodily Harm	2
Assault causing actual bodily harm	1
Felonious Wounding	1
Damage Accident	2
Causing Death by Dangerous Driving	5
Fatal Accident	17
Minor Accident	2
Serious Accident	4
Alleged false declaration	1
Alleged Forgery	2
Forgery	1
Uttering forged documents	1
Uttering forged instrument	1
Alleged Fraud	1

Alleged Fraudulent conversion	1
Alleged corrupt transaction	1
Embezzlement	1
Embezzlement by clerk/servant	1
Alleged Obtaining by false pretence	1
Obtaining by false pretence	1
Seizure of Motor Vehicle	4
Detention of motor vehicle	3
Alleged Break & enter & larceny	1
Break & enter & larceny	5
Alleged Simple Larceny	3
Simple Larceny	4
Larceny by clerk/servant	1
Larceny in a dwelling house	2
Burglary	1
Robbery	1
Robbery under Arms	11
Robbery with aggravation	1
Firearm & ammunition found	2
Ammunition found	1
Possession of firearm without license	1
Police Brutality	1
Aiding prisoner to escape	1
Incident involving persons	7
Incident involving Motor Vehicle	4
Dismissal of case	3
Discharging loaded firearm with intent	3
Shooting incident	1
Possession of narcotics	2
Possession of narcotic for the purpose of trafficking	7
Trafficking in narcotics	1
Alleged trafficking in narcotics	2
Narcotic Found	3
Alleged narcotic found	4
Seizure of narcotic	2
Smoking cannabis	1
Trafficking in persons	2
Alleged trafficking in persons	3

Complaint	10
Dismissal of case	1
Damage to property	2
Malicious Damage to Property	2
Disputed property	3
Alleged disputed property	1
Alleged Fire of unknown origin	1
Guyanese National prevented from traveling	1
Investigation	4
Corrupt practices	1
Misplaced Motorola handset	1
Neglect of duty	1
Conspiracy to commit a felony	1
Dishonoured cheque	1

Number of files received for the month of August 2013:	227
Number of police files for legal advice:	213
Number of committal Files:	10
Number of files for appeal:	3
Number of files for fiat	1

The offences for the files for August 2013 are as follows:

Murder	22
Rape	9
Rape of a child under 16 years	13
Alleged Murder	2
Attempted Murder	7
Death of	4
Alleged Rape	11
Alleged Rape of a child under 16 years	1
Sexual Activity with a child under 16 years	1
Sexual Activity with a child family member	4
Alleged Sexual Assault	3
Alleged Assault	1
Inflicting Grievous Bodily Harm	3
Incident involving persons	11
Felonious Wounding	1
Unlawful wounding	2
Robbery	1
Robbery under Arms	7
Robbery with violence	1
Burglary	1
Alleged burglary	1
Break & Enter & Larceny	10
Simple Larceny	9
Alleged Simple Larceny	5
Alleged larceny	1
Larceny of cattle	1
Alleged larceny of horse	1
Alleged receiving stolen articles	1
Receiving stolen articles	1
Possession of firearm without license	3

Unlawful Possession of ammunition without license	1
Alleged possession of firearm & ammunition without License	1
Possession of firearm & ammunition without license	1
Alleged discharging loaded firearm	3
Discharging loaded firearm with intent	1
Alleged shooting incident	1
Causing Death by Dangerous Driving	5
Fatal Accident	6
Serious Accident	3
Damage Accident	3
Minor Accident	2
Alleged Trafficking in persons	2
Alleged Trafficking in narcotics	1
Trafficking in narcotics	2
Possession of narcotics for the purpose of trafficking	9
Narcotic Found	3
Alleged cultivation of prohibited plant	1
Obtaining upon a forged instrument	3
Alleged Obtaining by false pretence	1
Obtaining by false pretence	1
Uttering forged document	2
False declaration	2
Fraudulent conversion	1
Alleged Fraud	1
Alleged fraudulent conversion	2
Alleged Forgery	1
Alleged False declaration	1
Conspiracy to commit a felony	1
Attempt to commit a felony	1
Complaint	12
Detention of Motor Vehicle	1
Seizure of Motor Vehicle	1
Gasoline found	1
Fire of unknown origin	2
Disputed property	1
Alleged disputed property	1
Police Brutality	1

Dismissed case
Seizure of Passport

6
1

Number of files received in the month of September 2013:	192
Number of police files for legal advice:	174
Number of committal files:	11
Number of files for appeal:	7
Number of files for fiat	

The offences for the files for September 2013 are as follows:

Murder	7
Rape	3
Rape of a child under 16 years	13
Alleged Murder	2
Attempted Murder	1
Death of	4
Suicide	1
Alleged Rape	6
Alleged Rape of a child under 16 years	1
Alleged Sexual Activity with a child under 16 years	1
Sexual Activity with a child family member	1
Sexual activity with a child by abusing a position of trust	2
Sexual activity with a child	1
Sexual Activity	1
Sexual Misconduct by students	1
Alleged sexual assault	1
Sexual Assault	2
Alleged Assault	3
Unlawful wounding	3
Indecent Assault	2
Felonious wounding	1
Discharging a loaded firearm	1
Discharging loaded firearm with intent	2
Firearm & ammunition found	1
Possession of firearm without license	3
Robbery	1
Robbery under Arms	5
Robbery with aggravation	1
Break & enter & larceny	13
Alleged Break & Enter & Larceny	1

Simple Larceny	6
Alleged Simple Larceny	4
Larceny from the person	1
Alleged Larceny by clerk/servant	2
Alleged larceny in dwelling house	1
Burglary	1
Causing Death by dangerous driving	3
Fatal Accident	7
Damage Accident	5
Minor Accident	2
Dangerous driving	2
Careless driving	1
Alleged Trafficking in Persons	3
Seizure of cocaine	1
Possession of narcotic	3
Possession of narcotics for the purpose of trafficking	9
Alleged Trafficking of a narcotic	3
Trafficking in narcotics	1
Narcotics found	2
Alleged cultivation of prohibited plant	1
Complaint	14
Alleged Disputed property	1
Alleged false pretence	1
Alleged Obtaining by False Pretence	1
Obtaining by false pretence	1
Fraudulent conversion	1
Fraud	2
Alleged fraud	4
Alleged Forgery	1
Alleged false declaration	1
Incident involving Persons	7
Escape from lawful custody	1
Threatening behaviour	1
Investigation	1
Alleged Perjury	1
Dismissal of case	3
Neglect of duty	1
Report	2

Lost Radio set	1
Motorcycle found	1
Alleged setting fire to dwelling house	1
Fire	1
Attempt to commit a felony	1

Number of files received in the month of October 2013:	172
Number of police files for legal advice:	140
Number of committal files:	26
Number of files for appeal:	2
Number of files for fiat	4

The offences for the files for October 2013 are as follows:

Murder	8
Rape	6
Rape of a child under 16 years	13
Rape of a child family member	1
Alleged Murder	6
Attempt to commit Murder	2
Death Of	1
Alleged Rape	5
Alleged Rape of a child under 16 years	1
Alleged Rape of a child family member	1
Sexual Activity with a child under 16 years	2
Sexual Activity with a child family member	1
Exposure of the genitals	1
Alleged Sexual Assault	2
Alleged Assault	2
Indecent Assault	1
Assault causing actual bodily harm	1
Felonious Wounding	1
Unlawful wounding	1
Causing Death by Dangerous Driving	3
Fatal Accident	10
Serious Accident	3
Damage Accident	3
Minor Accident	3
Alleged Attempted Robbery	1
Robbery	1
Robbery under Arms	4
Alleged Robbery under Arms	1
Robbery with aggravation	1
Possession of firearm & Ammunition without license	4

Firearm found	1
Break & Enter & Larceny	6
Alleged simple larceny	4
Simple Larceny	4
Alleged Larceny by clerk/ servant	1
Larceny by clerk/servant	1
Alleged larceny from the person	1
Larceny from the dwelling house	1
Larceny of things fixed to building	1
Alleged Burglary	1
Alleged Trafficking in person	2
Trafficking in narcotics	2
Alleged trafficking in narcotics	1
Possession of narcotics	2
Possession of narcotics for the purpose of trafficking	12
Alleged Possession of narcotics for the purpose of Trafficking	1
Alleged Narcotics found	1
Complaint	6
Dismissal of case	2
Alleged obtaining by false pretence	2
Obtaining by false pretence	2
Obtaining upon a forged instrument	1
Uttering a forged currency note	1
Alleged Forgery	4
Alleged Fraud	1
Immigration Fraud	1
Alleged false declaration	1
Attempt to obstruct the course of justice	1
Alleged gross misconduct	1
Bomb call	1
Alleged Injury to cattle	1
Articles found	1
Injury to fence	1
Shooting Incident	3
Alleged incident	1
Incident involving persons	1
Incident involving Motor Vehicles	1

Investigation	1
Bigamy	1
Alleged damage to property	2
Injury to cattle	1
Conduct of police	1
Abduction	1

Number of files received in the month of November 2013:	188
Number of police files for legal advice:	163
Number of committal files:	24
Number of files for fiat	1

The offences for the files for November 2013 are as follows:

Murder	15
Rape	6
Rape of a child under 16 years	7
Rape of a child family member	1
Carnal Knowledge	1
Buggery	1
Alleged Murder	4
Alleged Murder/ Suicide	1
Attempted Murder	7
Death of	3
Alleged suicide	4
Alleged drowning	1
Alleged Rape	5
Alleged rape of a child under 16 years	2
Sexual Activity with a child	1
Alleged Sexual Assault	2
Assault causing actual bodily harm	2
Inflicting grievous bodily harm	1
Unlawful wounding	2
Causing Death by Dangerous Driving	4
Fatal Accident	9
Serious Accident	2
Damage Accident	5
Minor Accident	2
Robbery under Arms	2
Alleged Attempted Robbery	1
Possession of firearm & ammunition without license	1
Alleged possession of firearm & ammunition without license	1
Firearm & Ammunition found	1
Alleged Ammunition found	1

Alleged Firearm Found	1
Discharging loaded firearm with intent	1
Fatal Shooting	1
Shooting incident	2
Alleged Shooting incident	1
Break & Enter & Larceny	2
Alleged Break & Enter & Larceny	1
Simple Larceny	3
Alleged Simple Larceny	3
Larceny by clerk/servant	1
Larceny by Public Officer	1
Possession of narcotics	2
Possession of narcotics for the purpose of trafficking	2
Alleged trafficking in narcotics	1
Trafficking in narcotics	3
Narcotic found	2
Alleged narcotic found	1
Seizure of cocaine	1
Cultivation of a prohibited plant	1
Alleged Irregularities	1
Corrupt practices	1
Attempt to commit a felony	3
Trespass with intent to commit a sexual offence	1
Receiving stolen property	1
False entry in crime book	1
Alleged Forgery	2
Alleged Fraud	7
Alleged Fraudulent Conversion	1
Alleged embezzlement by clerk/servant	1
Alleged obtaining by false pretence	3
Alleged Perjury	1
Investigation	2
Request for investigation	1
Damage to property	1
Disputed property	4
Alleged disputed property	1
Alleged vandalism	1
Injury to cattle	1

Alleged Trafficking in persons	1
Incident involving persons	7
Conduct of police	1
Complaint	10
Incident involving motor vehicles	1
Dismissal of case	5
Suffering rabid dog to be at large	1
Obstruction	1
Alleged setting fire to building	1
Estate of	1

Number of files received in the month of December 2013:	175
Number of police files for legal advice:	155
Number of committal files:	20

The offences for the files for December 2013 are as follows:

Murder	22
Manslaughter	1
Rape	1
Rape of a child under 16 years	7
Alleged Murder	6
Attempted Murder	3
Alleged Rape	5
Alleged Rape of a child under 16 years	2
Sexual Activity	2
Sexual activity with a child family member	1
Sexual Assault	1
Alleged Sexual Assault	5
Alleged Assault	1
Felonious Wounding	1
Unlawful wounding	1
Causing Death by Dangerous Driving	3
Fatal Accident	6
Serious Accident	3
Damage Accident	1
Minor Accident	2
Careless Driving	1
Robbery under Arms	4
Robbery with aggravation	1
Break & Enter & Larceny	3
Simple Larceny	3
Alleged Simple Larceny	4
Alleged larceny by clerk/servant	2
Larceny by Public Officer	2
Larceny of cattle	1
Entering a dwelling house with intent to commit a felony	1
Possession of firearm & ammunition without license	2
Fatal Shooting	1

Discharging loaded firearm with intent	2
Alleged discharging loaded firearm with intent	1
Firearm found	1
Alleged uttering forged document	1
Forgery	1
Alleged Forgery	1
Alleged Fraud	3
Alleged Fraudulent Conversion	2
Obtaining money by false pretence	1
Alleged obtaining money by false pretence	1
Alleged Perjury	1
Corrupt transaction	1
Demanding money with menace	1
Receiving stolen property	1
Possession of narcotics for the purpose of trafficking	6
Alleged possession of narcotics P. of trafficking	1
Trafficking in narcotics	2
Alleged Trafficking in narcotics	1
Narcotic Found	2
Alleged Trafficking in Persons	3
Neglect of Duty	1
Complaint	18
Dismissal of case	3
Discharged case	2
Incident involving persons	5
Incident involving motor vehicles	2
Detention of Motor cycle	1
Request for investigation	1
Investigation	2
Bomb call	1
Possession of counterfeit	1
Setting on ferocious dog	1
Threatening behaviour	1
Alleged threatening behaviour	1
Alleged Fire of unknown origin	1
Trespass with intent to commit a felony	1
Seizure of Motor Vehicle	1

12.0 Appearance in Bail Applications and Inquests for 2013.

Bail Applications

The total amount of bail applications which came into the Director of Public Prosecutions Chambers from 1st January to 31st December, 2013 amounted to six hundred and sixty eight (668). Of this, the total amount of applications that were granted amounted to five hundred and fifty (550). The total amount of applications that were refused, dismissed and withdrawn amounted to one hundred and eighteen (118).

Months	Granted	Refused	Dismissed	Withdrawn	Total
January	24	11	1	1	37
February	44	11	0	2	57
March	41	5	1	3	50
April	46	5	0	1	52
May	30	5	4	1	40
June	50	5	2	2	59
July	46	8	1	5	60
August	55	9	1	2	67
September	47	4	0	4	55
October	57	5	0	3	65
November	56	8	1	0	65
December	54	6	1	0	61

Types of Bail Applications granted

Types of Bail Applications	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Unlawful possession and possession of narcotics for the purpose of trafficking	10	23	22	15	13	22	19	18	19	24	14	18
Robbery Under Arms	1	2	4	7	2	6	5	5	5	5	14	10
Unlawful possession of firearm and ammunition	1	2	0	1	3	5	8	3	4	5	1	2
Sexual Offences	1	1	1	2	2	2	1	0	0	1	2	1
Miscellaneous	11	16	14	21	10	15	13	29	19	22	25	23

Inquests

There were sixteen (16) inquests which were concluded and sent to the Chambers of the Director of Public Prosecutions for the period of 1st January to 31st December 2013. These were categorized as to the result of the inquisition into the various deaths. The categories are no criminal responsibility, unknown, insufficient/evidence and criminally responsible.

Category	Result at Inquest
No criminal responsibility	6
Unknown	7
Insufficient/No evidence	2
Criminally responsible	1
Total	16

Habeas Corpus

Ten writs of habeas corpus applications were made between 1st January and 31st December, 2013. Seven were granted one withdrawn and two discharged.

Category	Amount
Granted	7
Withdrawn	1
Discharged	2
Total	10

Permission to leave the Jurisdiction

Four applications for permission to leave the jurisdiction were made between 1st January and 31st December 2013. Three were granted and one was dismissed.

Category	Amount not granted
Granted	3
Refused	0
Dismissed	1
Total	4

13.0 Miscellaneous

Number of Appeals filed for the year 2013

The Director of Public Prosecutions filed fifty (50) appeals from charges that were heard in the Magistrate's Court by the Magistrates for the year 2013. None of these appeals was heard during the year.

Number of Appeals filed by the State for the year 2013

There were eight appeals filed by the State during the year 2013. One decision was made by Madam Justice Roxanne George during the Demerara June 2013 Criminal Session. One decision was made by Madam Justice Diana Insanally during the Demerara October 2013 Criminal Session. One decision was made by Justice Brentnold Reynolds during the Demerara June 2013 Criminal Session. Three decisions were made by Justice James Bovell-Drakes during the Demerara January, June and October 2013 Criminal Sessions.

There were two decisions made by Justice Franklyn Holder during the Essequibo January 2013 Criminal Session.

Number of Committals Nolle Prosequi and Discontinued for the year 2013.

Twenty committals were Nolle Prosequi and thirty six committals were discontinued by the Director of Public Prosecutions for the year 2013.

Number of Applications for Extension of time for the year 2013.

For the year 2013 there was one application for the extension of time. It was prepared by Counsel from the Chambers of the Director of Public Prosecutions and Counsel from these Chambers appeared before the Chief Justice in the hearing of the application.

14.0 Finance

The Budget proposals for the year 2013 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. One (1) power washer
2. One (1) coffee table
3. Two (2) surveillance cameras
4. Six (6) Air conditioning units
5. One (1) carpet
6. One (1) kitchen kit
7. Nine (9) book shelves
8. Four (4) printers
9. One (1) vacuum
10. One (1) suite
11. One (1) power supply
12. Three (3) card file drawers
13. One (1) computer stand
14. Six (6) ordinary chairs
15. Ten (10) window image blinds
16. Two (2) television sets
17. Three (3) fans
18. Two (2) television wall brackets
19. Two (2) shelving units
20. Two (2) desks