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Chambers

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P.O. Box 1031,
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2nd October, 2023

DPP'S CHAMBERS PRESS RELEASE – JUNE 2023 Criminal Assizes

Demerara June Assizes

The Demerara June Criminal Assizes commenced on Tuesday 6th June, 2023, with a total of 266 cases listed to be heard. Justice Navindra Singh, Madam Justice Priya Sewnarine-Beharry, Justice Sandil Kissoon, Madam Justice Jo-Ann Barlow and Madam Justice Simone Morris-Ramlall presided over this assizes.

During this assizes, the State disposed of thirty-six (36) matters: 28 were presented in the High Court. Of these, 16 were for the offence of *Murder*, 10 for Sexual Offences and 2 matters for the offence of *Attempt to Commit Murder*. The remaining 8 were nolle prosequi by the Director of Public Prosecution (DPP).

There were 6 convictions, 13 guilty pleas, 6 not guilty verdicts by jury, 5 formal verdicts of not guilty and 2 hung juries. There were thirty-three (33) accused in these matters.

Assistant Director of Public Prosecutions (ADPP) Tiffany Lyken, Senior State Counsel Nafeeza Baig and State Counsel Praneeta Seeraj prosecuted 5 matters in the Sexual Offences Court before Justice Navindra Singh.

In these 5 separate cases, 3 accused were found guilty by jury and while 2 of them were each sentenced to life imprisonment, the other one was sentenced to 2 years imprisonment.

In the 2 other matters, one accused was found not guilty by jury verdict, while in the other, trial judge up held a no case submission and directed the jury to return a formal verdict of not guilty.

State Counsel Caressa Henry, Latiffa Elliot, Abiola Lowe and Mikel Puran completed 5 matters for the offence of *Murder* before Madam Justice Priya Sewnarine-Beharry.

In 4 of these trials the accused all pleaded guilty to the lesser offence of *Manslaughter*. In one of these cases there were 2 accused who were indicted together and each of them was each sentenced to 15 years imprisonment. The accused in the other 3 matters were respectively sentenced to 12 years, 10 years and 6 years and 11 months imprisonment. The accused in the other one matter was acquitted by a jury verdict of not guilty.

State Counsel Caressa Henry, Marisa Edwards, Paneeta Persaud and Mikel Puran prosecuted 4 matters for the offence of *Murder* before Justice Navindra Singh.

In 3 of these matters the accused all pleaded guilty to the lesser offence of *Manslaughter* and were sentenced respectively to 7 years, 6 years, 6 years and 10 years imprisonment. There were two accused in one of these cases.

In the other one case, Justice Singh upheld a no case submission and directed the jury to return a formal verdict of not guilty.

State Counsel Cicelia Corbin, Simran Gajraj, Rbina Christmas and Madana Rampersaud prosecuted 2 matters for the offences of *Murder and Attempt to Commit Murder* before Justice Sandil Kissoon.

In the one *Murder* case the accused was found guilty by jury verdict and sentenced to life imprisonment with possibility of parole after serving 30 years. While the accused in the matter for the offence of *Attempt to Commit Murder and Wounding with Intent*, pleaded guilty and was sentenced to 16 years and 6 months imprisonment.

State Counsel Cicelia Corbin, Yonika Rowland, Madana Rampersaud, Praneeta Seeraj, Latifa Elliot, Rbina Christmas, Dellon Fraser and Caressa Henry completed 7 matters before Madam Justice Simone Morris-Ramlall.

Of these 7 matters, 6 were for the offence of *Murder* and one for *Attempt to Commit Murder* with the alternative of *Felonious wounding*.

In one of these *Murder* cases the accused pleaded guilty as charged and will be sentenced on Monday 9th October. In another 2, the accused pleaded guilty to the

lesser offence of *Manslaughter*, one was sentenced to 14 years imprisonment while the other will be sentenced on Thursday 5th October, 2023.

Of the other 3 Murder trials, there was one in which 3 accused were indicted together and Trial Judge up held no case submissions in favour of all and directed the jury to return formal verdicts of not guilty. In another one, the jury failed to reach a verdict and the accused was remanded back to prison to await a new trial. While the accused in the other one was acquitted by a jury verdict of not guilty.

In the one case for the offence of *Attempt to Commit Murder* with the alternative count of *Felonious Wounding*, the accused was found guilty of the alternative count and sentenced to 8 years imprisonment. He was ordered to undergo anger management while in prison.

State Counsel Lattifa Elliot, Simran Gajraj, Rbina Christmas and Delon Fraser presented 5 matters before Madam Justice Jo-Ann Barlow in the Sexual Offences Court.

In 4 of these trials the accused were acquitted by jury verdicts of not guilty. In the one other matter in which two accused were indicted together, one was found guilty and will be sentenced on Thursday 26th October; his co-accused was sent back to prison to await a new trial after the jury failed to reach a verdict.

Of the 8 matters nolle prosequi by the DPP, 6 were for *Sexual Offences* and 2 for *Attempted Murder*. The complainants in these matters submitted written statements that they did not wish to proceed with their matters.

Berbice Assizes

During this time, the Berbice June 2023 Criminal Assizes had continued with State Counsel Mohamed Ali who completed 12 matters, 10 of these before Madam Justice Simone Ramlall, who had first sat from the February Assizes and 2 before Justice Sandil Kissoon.

Of the 10 matters prosecuted before Justice Ramlall, 5 were for the offence of *Murder* and the other 5 were for the offences of *Attempt to Commit Murder*, *Inflicting Grievous Bodily Harm*, *Manslaughter*, and *Sexual Offence*.

In one of the 5 Murder cases, there were three accused indicted together and while one of them pleaded guilty as charged and was sentenced to life imprisonment with possibility of parole after serving 25 years, the trial judge up held no case submissions for his two co-accused and directed the jury to return formal verdicts of not guilty.

In 3 others, the accused pleaded guilty to the lesser offence of *Manslaughter* and were respectively sentenced to 4 years, 20 years and 12 years imprisonment. In the other one matter the accused pleaded guilty to *Murder*, but trial judge aborted the trial and ordered a psychiatric evaluation for him.

Of the 5 other matters, one was for a Sexual Offence case; the accused pleaded guilty as charged with 4 counts, *Rape, Robbery under Arms, Common Assault and Burglary* and was sentenced respectively to 20 years, 12 years, 6 years and 10 years imprisonment. His sentences will run concurrently.

In another 3 matters, 2 for the offence of *Attempt to Commit Murder* and one for *Inflicting Grievous Bodily Harm*, the complainants testified they did not wish to proceed with the evidence and trial judge directed the juries to return formal verdicts of not guilty.

In the one matter for the offence of *Manslaughter* the accused was acquitted by a jury verdict of not guilty.

The 2 cases presented before Justice Kissoon were for the offence of *Murder*, one accused was found guilty by jury verdict and is awaiting sentence. The other matter remains in progress.

The Berbice June Criminal Assizes will continue until October 16, 2023.

Essequibo Assizes

Meanwhile, the Essequibo May 2023 Criminal Assizes had continued with State Counsel Taneisha Saygon completing 11 matters. Of these, 7 were completed before Justice Jo-Ann Barlow, 4 for the offences of *Murder* and 3 *Sexual Offences*.

The 4 accused in the *Murder* matters pleaded guilty; one of them pleaded guilty as charged and was sentenced to life imprisonment. While the other 3 pleaded guilty to the lesser offence of *Manslaughter* and were respectively sentenced to 2 years and 11 months, 16 years and 6 months and 10 years imprisonment.

In one of the 3 Sexual Offences matters, the accused was found guilty by the jury and sentenced to life imprisonment with possibility of parole after 17 years. In the other 2 matters both accused were acquitted by jury verdicts.

Four matters were presented for the offences of *Rape of a Child under 16 years, Manslaughter, Attempt to Commit Murder with an alternative count of Felonious Wounding* before Madam Justice Priya Sewnarine-Beharry who sat from July.

Of these 4 matters, one was for the offence of *Rape of A Child under 16 years*. The accused who was indicted on 4 counts was acquitted by the jury on all four counts.

There were 2 cases for the offence of *Manslaughter*; in one the accused pleaded guilty and was sentenced to 6 years imprisonment. **The other matter is in progress.**

In the one matter for the offence of *Attempt to Commit Murder with an alternative Felonious Wounding*, the accused was found guilty by a majority jury verdict of 11 guilty to one not guilty. His sentence is deferred to November.

The Essequibo May Assizes continues until October 23, 2023.

The Demerara October 2023 Criminal Assizes will open on Tuesday 3rd October, 2023 with 277 cases listed for trial. Madam Justice Jo-Ann Barlow, Madam Justice Simone Morris-Ramlall and Justice Navindra Singh are rostered to sit.

The Berbice October Criminal Assizes with 104 cases listed to be heard will commence on Tuesday 17th October, 2023. The Essequibo Criminal Assizes will commence on Tuesday 24th October, 2023.

Court of Appeal

We appeared in 7 appeals in the Court of Appeal for the offences of *Murder, Manslaughter, Sexual Offences and Wounding with Intent*. The State was represented by Assistant Director of Public Prosecutions (ADPP) Dionne McCammon, ADPP Natasha Backer, ADPP Abbigail Gibbs and Senior State Counsel Lisa Cave.

In the one matter for bail pending appeal, the application was denied. Another 5 appellants withdrew their applications to appeal against their convictions and sentences, while one other appellant was allowed his application to appeal and had his sentence and conviction quashed. He will await a re-trial.

During this time, we appeared in 9 hearings at the Demerara Full Court for the offences of Possession of Narcotics for the Purpose of Trafficking, Receiving Stolen Property, Simple Larceny, Assault Causing Actual Bodily Harm, Robbery under Arms and Failure to Comply with a Production Order of the Anti-Money Laundering and Counter Terrorism Legislation.

Three appellants withdrew their applications to appeal, another 3 appellants were allowed their applications, 2 applications were denied while one application was granted for extension of time to file Notice of Appeal.

Caribbean Court of Justice (CCJ)

We appeared in two matters at the CCJ for the offences of *Murder* and *Rape of A Child under 16 years*.

In the one Murder appeal, the Court refused and dismissed the two appellant's applications for special leave to appeal the Court of Appeal conviction and life sentences with tariffs in place of the death penalty.

The appellant in the matter for the Offence of *Rape of A Child under 16 years* who was sentenced to two life sentences by the trial judge and affirmed by the Court of Appeal, had his appeal dismissed.