

4<sup>th</sup> April, 2022

**DPP'S CHAMBERS PRESS RELEASE – JANUARY 2022 CRIMINAL ASSIZES:**

Goal delivery was done by Madam Justice Simone Morris-Ramlall on Monday 4<sup>th</sup> April, 2022 bringing to an end the Demerara January 2022 Criminal Assizes. During this Assizes, Justice Priya Sewnarine-Beharry, Justice Simone Morris-Ramlall and Justice Brassington Reynolds sat.

The Assizes commenced on Tuesday 11<sup>th</sup> January, 2022, with a total of 367 cases listed to be heard. Of the 367 cases listed, 40 were disposed of. Of these 40 matters, the Director of Public Prosecutions (DPP) presented thirty (30) in the High Court Demerara while ten (10) matters were nolle prosequi in writing by the DPP.

Of these 30 matters presented, 9 were for the offence of *Murder*, 16 were for *Sexual Offences*, 4 for the offence of *Attempt to Commit Murder* and one for the offence of *Manslaughter*.

There were a total of 33 accused in relation to these matters. There were 7 convictions, 9 guilty pleas, 11 formal verdicts of not guilty, 3 not guilty verdicts by jury and 2 hung juries.

Of these 30 cases presented in the High Court, State Counsel Mohamed Muntaz Ali, Nafeeza Baig and Latiffia Elliot completed 16 cases in the Sexual Offences Court before Madam Justice Priya Sewnarine-Beharry. In 3 of these cases, the accused were found guilty by jury verdicts. One of them was sentenced to a total of 75 years imprisonment for 3 counts of *Sexual Activity with A Child Family Member*. The other two accused are awaiting sentencing. In one other case the accused pleaded guilty to the offence of *Rape of A Child under 16 years* and he too is awaiting sentence. Another 3 accused were acquitted by jury verdicts of not guilty. While 2 others were further remanded after their respective juries failed reach a verdict. In 7 of

these cases the complainants declined to offer any further evidence and trial judge directed the juries to return formal verdicts of not guilty.

Senior State Counsel Lisa Cave together with State Counsel Caressa Henry and Cecelia Corbin prosecuted 10 matters before Madam Justice Simone Morris-Ramlall. Of these 10 matters, 7 were for the offence of *Murder* and 3 for *Attempt to Commit Murder*.

In one of these Murder matters, Trial Judge upheld a no case submission and directed the jury to return a formal verdict of not guilty. In another one, the accused was indicted on two counts, Murder and Wounding with Intent; he pleaded guilty as charged and was sentenced to life imprisonment for the offence of Murder and 12 years on the 2<sup>nd</sup> count. His sentences are to run concurrently and he becomes eligible for parole after serving 20 years.

In one other with two accused who were indicted together, the number one accused was found guilty by the jury for the lesser offence of Manslaughter and sentenced to 17 years imprisonment. Trial judge up held a no case submission for the co-accused.

And in the 4 other matters, the accused all pleaded guilty to the lesser offence of *Manslaughter*. While 3 of them were respectively sentenced to 12 years, 2 years and four months and 9 years imprisonment, the one other is awaiting sentence.

Of the 3 matters for the offence *Attempt to Commit Murder*, two of these accused pleaded guilty; one was sentenced to 14 years imprisonment, the other is awaiting his sentence. The one other accused was found guilty by a jury verdict and is awaiting his sentence.

Senior State Counsel Seeta Bishundial together with State Counsel Taneish Saygon and Simran Gajraj completed 4 cases before Justice Brassington Reynolds. Of these 4 matters, 3 were for the offence of *Murder* and one for the offence of *Attempt to Commit Murder*.

In two of the Murder trials, Trial Judge up held no case submissions and directed the juries to return formal verdicts of not guilty. In the one other case in which two

accused were indicted together, the jury found both accused unanimously guilty. They are awaiting sentencing.

The accused for the offence of *Attempt to commit Murder* pleaded guilty and is also awaiting sentence.

Ten matters for Sexual Offences were Nolle Prosequi by the DPP because the complainants submitted written statements that they did not wish to proceed with their matters.

### **Berbice Assizes**

During this time, the Berbice October 2021 Criminal Assizes had continued with Senior State Counsel Abigail Gibbs who presented 3 matters for the offence of *Murder* before Justice Sandil Kissoon who first sat from October, closed the October Session and opened the February 2022 Criminal Assizes.

In one of these matters, there were four accused indicted together and each was charged with three counts of Murder. While one of them pleaded guilty as charged and sentenced to life imprisonment, two co-accused pleaded guilty to the lesser offence of *Manslaughter* and were each sentenced to life imprisonment without parole on all three counts. The one other accused who went to trial when he pleaded not guilty was found unanimously guilty by a jury verdict and sentenced to death.

In a separate matter, the accused who pleaded guilty to the offence of *Murder* was also sentenced to life imprisonment and becomes eligible for parole after serving 30 years.

One matter remains in progress in which five accused are on trial for the offence of *Murder in the Furtherance of A Robbery*.

The Berbice February Criminal Assizes will continue until June 20, 2022.

### **ESSEQUIBO ASSIZES:**

Meanwhile, the Essequibo October 2021 Criminal Assizes had continued with Senior State Counsel Tiffini Lyken who completed five matters before Madam

Justice Jo-Ann Barlow who sat from January, closed the October Assizes and then opened the February Criminal Assizes.

Of these five matters, two were for Sexual offences and one each the offences of *Attempt to Commit, Murder and Manslaughter*.

In the two separate *sexual offences* matters, the juries returned unanimous verdicts of not guilty for the accused persons.

In the matter for the offence of *Attempt to Commit Murder* with an alternate count of *Wounding with Intent*, the virtual complainant told the Court he did not wish to proceed with the matter and Trial Judge directed the jury to return a formal verdict of not guilty.

Justice Barlow also directed the jury to return a formal verdict of not guilty for the accused in the Murder trial after she ruled there was insufficient evidence.

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

The Essequibo Assizes remains in progress until May 16, 2022.

### **Court of Appeal.**

We appeared in 2 appeals in the Court of Appeal. In these matters, the State was represented by ADPP, Mrs. Teshana Lake and ADPP Mrs. Mercedes Glasford for the offences of *Obtaining Money by False Pretense and Murder*.

In the matter for the offence of Murder, the 4 appellants who were convicted together, each had their convictions affirmed but their sentences reduced from 81 years to 50 years. In the matter for *Obtaining Money by False Pretense*, the appellant who was convicted on 2 charges was granted bail in the sum of \$500,000 on each and must report every Monday to the Criminal Investigations Department where he was also ordered to lodge his passport.

During the months January, February and March, we appeared in 6 matters at the Demerara Full Court for one Murder case and five Narcotics Offences.

In these six appeals, three appellants had their conviction and sentences set aside. Two appeals were dismissed and one other was allowed in part when the Court affirmed the conviction but reduced the sentence.

The Demerara April 2022 Criminal Assizes commenced on Tuesday 5<sup>th</sup> April, with 354 cases listed to be heard. Justice Sandil Kisson together with Madam Justice Jo-Ann Barlow and Madam Justice Priya Sewnarine-Beharry are rostered to sit during this session.

### **Caribbean Court of Justice (CCJ)**

During this time, we appeared in 3 matters at the CCJ. In one appeal for the offence of *Rape and Indecent Assault*, the appellant who had appealed against his sentence had his sentence reduced. Another one appellant for the offence of Murder was allowed his appeal. The other one matter for the offence of Murder involving 2 appellants remains in progress.