

PRESS RELEASE

April 2012 Criminal Assizes.

Goal Delivery was done on June 4, 2012 which brought to an end the Demerara April 2012 Criminal Assizes. This Assizes commenced on 3rd April, 2012. There were 234 cases listed to be heard by two judges and 5 of these cases were completed during the Assizes. 117 cases listed to be heard by Madam Justice Roxanne George and 117 cases listed to be heard by Mr. Justice Franklin Holder.

Three matters were completed by Mr. Justice Franklin Holder. Two were for the offence of Murder. In one of the Murder cases the accused pleaded not guilty to Murder and guilty to the lesser offence of Manslaughter and was sentenced to eight years imprisonment. In the other Murder case the trial judge upheld a no case submission and thereafter directed the Jury to return a formal verdict of not guilty. In the third matter the accused was indicted for two offences, Rape and Robbery Under Arms. In this case the jury returned a not guilty verdict against the accused. The victim positively identified the accused and an independent witness testified seeing the accused spring off from the victim during the course of the rape and two men who were in the car of this witness pursued the accused and caught him. Despite this strong and compelling evidence the jury returned a verdict of not guilty which is inconsistent with the evidence.

Two matters were completed by Madam Justice Roxanne George. These matters were both for the offence of Murder. In one of the matters there were three accused. Two of them pleaded not guilty of Murder and guilty to the lesser offence of Manslaughter and were each sentenced to thirty years imprisonment. A formal verdict of not guilty was returned by the Jury for the third accused. In the second case the trial judge upheld a no case submission and thereafter directed the Jury to return a formal verdict of not guilty. The trial judge upheld a no case submission because of the poor investigations done by the police in relation to identification of the accused. The police in taking the statement of the main witness who saw the alleged accused did not take from her a detailed description of the person who she saw. Also no identification parade was held. This is another case of poor investigations by the police in relation to the issue of identification.

Prior to the April Assizes there was the January Demerara 2012 Criminal Assizes which commenced on 10th January, 2012. Two judges sat for the January Assizes, Madam Justice Dawn Gregory and Mr. Justice Franklin Holder. Madam Justice Dawn Gregory had a list of 112 matters and Mr. Justice Franklin Holder had a list of 114 cases.

Six cases were completed during the January Assizes. Three matters were each done by Madam Justice Dawn Gregory and Mr. Justice Franklin Holder.

Of the three cases which were done by Madam Justice Dawn Gregory one of them was for the offence of Rape and Robbery Under Arms. In this matter the Jury returned a verdict of not guilty of both counts. The other two matters were for the offence of Murder. In one of them the Jury returning a unanimous verdict of guilty and the Accused was sentenced to death by hanging. In the other matter the accused pleaded not guilty of Murder and guilty of Manslaughter and was sentenced to twelve years imprisonment.

The three trials that were done by Mr. Justice Franklin Holder were for the offence of Murder. In one of the matters there were two accused persons. The Jury returned a formal verdict of not guilty for one of the accused and a retrial was ordered for the other one. In the second matter the accused pleaded not guilty of Murder and guilty to the lesser count of Manslaughter and was sentenced to ten years imprisonment. In the third matter a no-case submission was upheld and the jury on the direction of the trial judge returned a formal verdict of not guilty against the accused.

A total of eleven matters were presented for the Demerara Criminal Assizes from January to May 2012.

The Demerara June 2012 Criminal Assizes will commence on 5th June, 2012 and there are 234 cases listed to be heard for this Assizes. Madam Justice Roxanne George and Mr. Justice Franklin Holder will be sitting for the month of June during the June 2012 Criminal Assizes.

At the same time while the Demerara Criminal Assizes were in progress there was a criminal Assizes also being held in both Berbice and Essequibo.

The Berbice Criminal Assizes continued in January 2012 with Mr. Justice Brassington Reynolds sitting as the judge. During that month 2 cases were completed. One of the cases was for the offences of Murder and Assault Causing Actual Bodily Harm. In this matter the accused pleaded not guilty of Murder and guilty to the lesser offence of Manslaughter. As a result, the accused was sentenced to 9 years imprisonment. The second offence of Assault Causing Actual Bodily Harm the matter was Nolle Prosequi by the DPP because the victim who was the wife of the accused gave a statement stating that she did not wish to proceed with the prosecution. In the second case which was for the offence of Murder, the accused pleaded not guilty to Murder and guilty to the lesser offence of Manslaughter and was sentenced to 12 years imprisonment.

Goal Delivery was done on 31st January, 2012 which brought an end to the Berbice October 2011 Criminal Assizes and 29 cases were outstanding. These cases were included on the following list for the February 2012 Criminal Assizes.

The February Assizes was opened on the 7th February, 2012 and continues until the 18th June 2012. There were 42 cases listed to be heard by Mr. Justice Bovell-Drakes during this Session. Of these 42 cases, 5 matters have been completed so far.

For the period from January to May a total of seven cases were completed for the Berbice Criminal Assizes. In 3 of the cases the accused pleaded not guilty of Murder and guilty of Manslaughter. In a fourth case the accused pleaded guilty to the offence of Abduction. In the other 3 cases there were trials and in one of those cases there was a hung verdict for the offence and a retrial was ordered. In the other two cases there was a not guilty verdict for the offence of Carnal knowledge and a guilty verdict for the offence of Murder.

Forty three cases are listed for hearing for the Berbice June 2012 Criminal Assizes which will commence on 19th June, 2012.

The Essequibo October 2011 Criminal Assizes continued in January 2012 with Madam Justice Roxanne George sitting as the judge. Madam Justice Roxanne George completed 3 cases as of 20th February 2012. The 3 cases were for the offences of Buggery, Manslaughter and Murder. In the case for the offence of Buggery the Jury returned a unanimous verdict of guilty and the accused was

sentenced to 18 years imprisonment. In the second matter which was for the offence of Manslaughter a no-case submission was upheld by the trial judge and the Jury was directed by the trial judge to return a formal verdict of not guilty. In the third matter which was for the offence of Murder the Judge quashed the committal since it was bad and made an Order for a new Preliminary Inquiry to be done.

The February Criminal Assizes was opened on the 21st February 2012 and concluded on 14th May, 2012. There were 18 cases listed to be heard by the judge and one matter was completed which was for the offence of Murder. In this case the Jury returned a verdict of not guilty.

At present the Essequibo May 2012 Criminal Assizes is in progress. This Assizes was opened on the 15th May 2012. There were 18 cases listed to be heard by Mr. Justice Winston Patterson during this Assizes. So far one matter was completed for the offence of Murder. In this matter the accused pleaded not guilty to Murder and guilty to the lesser count of Manslaughter and was sentenced to twenty years imprisonment.

For the period from January to May there were five cases completed for the Essequibo Criminal Assizes. In one case there was a guilty verdict and in two cases there were not guilty verdicts. In one case the indictment was quashed and in yet another the accused pleaded guilty to the lesser offence of Manslaughter.