

Our Ref:.....

Your Ref:.....



Chambers

*Director of Public Prosecutions,
P.O. Box 1031,
Georgetown,
Guyana*

2nd June, 2017

DPP's CHAMBERS:-Press Release for April 2017 Criminal Assizes

Gaol delivery was done by Justice Navindra Singh on Thursday 1st June, 2017 bringing to an end the Demerara April 2017 Criminal Assizes which commenced on Tuesday 4th April, 2017 with Justice Singh and Madam Justice Jo-Ann Barlow. A total of 152 cases were listed to be heard during the April Assizes.

Twenty-three (23) matters were disposed of during the Demerara April 2017 Criminal Assizes. Of these 23 matters, 17 were presented at the Assizes. Six (6) matters were nolle prosequi in writing by the Director of Public Prosecutions (DPP).

Of these 17 cases that were presented, there were nine (9) guilty pleas, four (4) guilty verdicts, one (1) formal verdict of not guilty, one (1) hung jury and two (2) not guilty verdicts by jury.

Justice Navindra Singh completed eleven (11) matters. Of these 11 matters, five of them were for five accused who were indicted together for the offences of Attempt to Commit Murder of a Policeman, Discharging Loaded Firearm with Intent, and Unlawful Possession of Ammunition, Murder with an alternative Attempted Murder, Setting Fire to the High Court Building and Murder.

In One of these five cases the accused were all indicted on two counts of Attempt to Commit Murder, two counts of Discharging Loaded Firearm with Intent, two counts of Wounding with Intent and one count for Unlawful Possession of Ammunition. The numbers 1, 2, 3 and 4 accused pleaded guilty to all seven counts as charged. The number one accused in the matter was sentenced to a total of 50 years imprisonment while the numbers 2, 3 and 4 accused were each sentenced to 53 years imprisonment. These sentences will run concurrently. The number five accused pleaded not guilty and will await his trial in Court.

In a second trial the five men were indicted on two charges, INDICTMENTS, ONE for the offence of Murder and another for the offence of Attempted Murder. The numbers 1, 2, 3 and 4 accused pleaded guilty to the lesser offence of Manslaughter in relation to the Indictment for the offence for Murder and also pleaded guilty to the offence of Attempted Murder in relation to the second Indictment. The number one accused was sentenced to a total of thirty-five (35) years imprisonment, 25 years for Manslaughter and 10 years for the offence of Attempted Murder. The numbers 2, 3 and 4 accused were each sentenced to a total of 34 years imprisonment, 19 years for the lesser offence of Manslaughter and 15 years for the offence of Attempted Murder. The sentences are to run concurrent. The number five accused pleaded not guilty and will await his trial in Court.

For the offence of Setting Fire to Public Buildings, that is the High Court building, the four accused all pleaded guilty. The number one accused was sentenced to 12 years imprisonment while the other three accused were each sentenced to 15 years imprisonment.

The number one accused who alone was indicted on two other charges for the offence of Murder, also pleaded guilty to the lesser offence of Manslaughter and was sentenced to 15 years on each indictment.

Six other cases for the offence of Murder were presented before Justice Singh.

In three of these six cases, the accused all pleaded guilty to the lesser offence of Manslaughter and were respectively sentenced to eight, fifteen and nine years imprisonment depending on the particular circumstances of each case.

In two other separate trials for the offence of Murder, one accused was sentenced to life imprisonment after the jury returned a majority verdict in proportion of 11 guilty to one not guilty for the lesser offence of Manslaughter. While in the other case, the jury returned a unanimous guilty verdict and the accused was sentenced to 65 years imprisonment.

In another one trial for the offence of Murder, the jury returned a majority verdict in proportion of 10 guilty to 2 not guilty. The accused in this matter will be sentenced on June 12, 2017.

Justice Jo-Ann Barlow completed six matters; one each for the offences of Carnal Knowledge of Girl under 15 years and Rape of A Child under 16 years, three (3) matters were for the offence of Murder and one case for the offence of Sexual Activity with A Child under 16 years.

In the one matter for the offence of Carnal knowledge of a Girl under 15 years, the accused was sentenced to 18 years imprisonment after the jury returned a unanimous guilty verdict.

The virtual complainant (VC) in the case for the offence of Rape of A child under 16 years, went into the witness box and testified that she did not wish to continue with her matter. Justice Barlow then directed the jury to return a formal verdict of not guilty.

In one of the three Murder cases, the accused pleaded guilty to the lesser offence of Manslaughter and was sentenced to 12 years imprisonment. In another one case the jury failed to reach a verdict. A retrial has to be done for this matter.

While the accused in the other one case was acquitted after the jury returned with a unanimous verdict of not guilty for the offence of Murder and a majority verdict in proportion of 11 to one not guilty of the lesser offence of Manslaughter.

In the matter for the offence of Sexual Activity with A Child under 16 years with two alternative counts of Rape of A child under 16 years, the accused was acquitted on all three counts by the jury.

Six matters were nolle prosequi by the DPP; one for the offence of Murder, one for Rape of A Child under 16 years, one for the offence of Carnally knowing Girl under 15 years, two for the offence of Manslaughter and one matter for Carnal Knowledge of girl under 12 years.

The accused in the one matter for the offence of Murder had three trials in the High Court and in all three cases the juries failed to reach a verdict.

In the one matter for the offence of Rape of A Child under 16 years, the VC in a written statement indicated that she did not wish to proceed with the evidence.

The other four matters were nolle prosequi because despite public notices being published in the media for the VCs to meet with the DPP, there were no responses to these public notices.

At the same time the Berbice February 2017 Criminal Assizes which commenced on Tuesday 7th February, 2017 was in progress with Justice James Bovell-Drakes who first sat from January and closed the October 2016 Assizes and then opened the February Assizes. Ninety-two cases have been listed to be heard during this Assizes. Of these ninety-two cases, nine of them received attention during the four months, February to May.

Ten matters have been completed by Justice Bovell-Drakes. Of these ten matters, three were for the offence of Murder, four for Rape of a Child under 16 years, one for the offence of abduction and two for the offence of Attempt to Commit Murder with alternative counts of Wounding with Intent and Causing Grievous Bodily Harm with Intent.

In one of the three cases for the offence of Murder, the accused was sentenced to death after the jury returned a unanimous guilty verdict. In another case, the accused pleaded guilty to the lesser offence of Manslaughter and was sentenced to 12 years imprisonment. While in the other one case the accused was acquitted by the jury.

In six separate cases, four for the offence of Rape of A Child under 16 years, one for the offence of Abduction and another one for Attempt to Commit Murder, the VCs went into the witness box and informed the Court that they did not wish to proceed with their matters. Justice Bovell-Drakes then directed the juries to return formal verdicts of not guilty for the accused persons.

In one other matter for the offence of attempt to Commit Murder with the alternative count of Causing Grievous Bodily Harm with Intent, the jury returned a guilty verdict for the alternative count and the accused was sentenced to twenty years imprisonment.

During this time, the Essequibo May 2017 Criminal Assizes had commenced on Tuesday 6th May, 2017 before Justice Brassington Reynolds who sat from April and then opened the May 2017 Criminal Assizes.

Two matters have been presented before Justice Reynolds, one for the offence of Rape of A Child under 16 years and other for the offence of Murder.

The accused in the matter for the offence of Rape of A Child under 16 years was acquitted after the VC gave a sworn statement that she no longer wanted to give evidence in the matter and trial judge directed the jury to return a formal verdict of not guilty.

The accused in the Murder trial was acquitted after the jury returned a unanimous verdict of not guilty. This Assizes continues.

Meanwhile, the Demerara June 2017 Criminal Assizes will commence on Tuesday 6th June, 2017 with 167 cases listed to be heard. Madam Justice Jo-Ann Barlow and Justice Navindra Singh will be presiding during the month of June then there will be a new assignment for Judges who will be presiding for the remainder of the Assizes.

The Berbice June Criminal Assizes will start on Tuesday 20th June, 2017. Ninety four cases are listed to be heard. Justice Bovell-Drakes will open this new Assizes.

The Essequibo May Assizes commenced on Tuesday 16th May, 2017 before Justice Brassington Reynolds with thirty-seven cases listed to be heard in this Session which is in progress.

During the month of May 2017, the Court of Appeal sat for one matter for the offence of Assault. The Court granted leave to the Appellant to withdraw his Application for an Extension of Time to file a Notice of Appeal against his sentence and conviction.

Meanwhile, we appeared before the Caribbean Court of Justice (CCJ) during May, 2017 in the matter of Vishnu Bridgelall v. The State for the offence of Possession of Narcotics for the purpose of Trafficking. In its decision, the CCJ confirmed the convictions by the Magistrates' Court and the Guyana Court of Appeal, but adjusted the sentences by the magistrate from consecutive to concurrent. The CCJ also declared that Bridgelall's constitutional right to a fair hearing within a reasonable time has been breached and therefore stayed the enforcement of the remainder of his prison sentence. However, The Court ruled that the prisoner must pay his fines of G\$254,400,000.00.