

PRESS RELEASE

June 2013 Criminal Assizes:

The Demerara June 2013 Criminal Assizes ends on Monday 30th September, 2013. Gaol delivery will be done before the Assizes end as is required according to law. This Assizes commenced with Justice Navindra Singh, Justice Brassington Reynolds and Justice James Bovell-Drakes sitting during the month of June. Madam Justice Dawn Gregory, Justice Franklyn Holder and Justice James Bovell-Drakes continued during the months of July to September; however, both Justices Holder and Gregory were on leave for part of this time as this is the holiday period for the High Court.

A total of 217 cases were listed to be heard during this Assizes which commenced on Tuesday June 4, 2013. Twenty one cases were presented during the Demerara June 2013 Assizes in the High Court of Demerara. Justice Navindra Singh disposed of eleven (11) of these cases for the offence of Murder in which there were 2 hung jury verdicts. There has to be a retrial in these two cases.

In one case the jury returned a guilty verdict for the offence of murder and the accused was sentenced to 78 years imprisonment. There were 5 not guilty verdicts for the offence of murder. In these 5 cases where there were verdicts of Not Guilty there were four unanimous verdicts. One of these cases was the Lusignaan Massacre and the State has filed an appeal in this case because there was strong and compelling evidence for a conviction. In the other case the main witness died and the trial judge directed the jury to return a formal verdict of not guilty.

In the other 3 cases two accused pleaded guilty to the lesser offence of manslaughter and were sentenced to 20 years and 27 years respectively. In the other case the jury returned a verdict of guilty to the lesser offence of manslaughter and the accused was sentenced to 30 years imprisonment.

Before proceeding on leave Madam Justice Dawn Gregory completed two (2) cases for the offence of Murder. In one of these cases there was a guilty verdict and in the other there was a not guilty verdict.

Justice Brassington Reynolds commenced two (2) Murder trials during the month of June when he sat; one trial was completed in which a no case submission was upheld while the other Murder trial was aborted after a Reporter from the Kaieteur Newspaper reported the details of a voir dire (a trial within a trial) and statements made by the State Counsel that were not true.

During this period six cases for the offence of Murder were presented before Justice James Bovell-Drakes. In the first Murder trial there was a hung jury and a retrial was ordered. In another Murder trial, the accused was sentenced to 19 years imprisonment after the jury returned a unanimous verdict of guilty of the lesser offence of Manslaughter. In the other two matters the jury returned a unanimous verdict of not guilty. There are presently two cases still in progress before Justice James Bovell-Drakes.

Meanwhile during this period Justice Franklin Holder first sat at the Essequibo Criminal Assizes which commenced on Tuesday 21st May, 2013 and then Justice William Ramlall continued from July 2013. Of the twenty (20) cases that were listed to be heard for the May Assizes four matters were completed, three matters for the offence of Murder and one matter for the offence of Attempt to Commit Murder.

In one of the cases for the offence of Murder the accused were found guilty and sentenced to death. The accused in this case were members of the Guyana Defence Force Coast Guard who robbed the deceased murdered him and dumped his body overboard. They were sentenced to be hung. In one of the other two murder cases the accused pleaded guilty to the lesser offence of manslaughter and was sentenced to five years imprisonment, and in the other the jury returned a unanimous verdict of not guilty. In the case for the offence of Attempt to Commit Murder the victim informed the trial judge that he did not wish to proceed with the prosecution. He was compensated by the accused and the trial judge directed the jury to return a formal verdict of not guilty.

At the same time Madam Justice Dawn Gregory commenced sitting in the Berbice Assizes and Justice Navindra Singh continued sitting when the June Assizes commenced on Tuesday 18th June, 2013. Of the thirty-three (33) matters that were listed to be heard during this session, five were disposed of. One of these cases was for the offences of Rape, Indecent Assault and Abduction. The Trial Judge directed the jury to return a formal verdict of not guilty after the mother of the virtual complainant informed the Court that the VC has since migrated and does not wish to proceed with the matter. There also two matters for Carnal Knowledge and another two for the offence of Murder. In one of the two Carnal Knowledge cases the accused was also indicted for Buggery and he was acquitted after the jury returned a unanimous verdict of not guilty on both counts. In the other case the Director of Public Prosecutions Nolle Prosequi it because the VC indicated in a written statement that she no longer wished to proceed with the matter.

Justice Navindra Singh completed two cases for the offence of murder. In the first trial the jury did not agree on a unanimous verdict and a retrial has been ordered by the trial judge. In the other case there was a unanimous verdict of not guilty.

The next criminal Assizes in Demerara will commence on Tuesday 1st October, 2013 and 228 cases are listed to be heard while in Berbice the June Assizes continue until Tuesday 15th October, 2013 when the October Assizes will commence. The Essequibo May assizes continue until the October Assizes commence on Tuesday 22nd October, 2013.

During this same time we appeared in 8 matters in the Court of Appeal. One of these cases was an appeal from a guilty verdict from a Court Martial of the Guyana Defence Force. The applicant withdrew his application. There was one application for leave to file notice of appeal out of time and it was granted. There was an appeal against a conviction by a magistrate for the offence of robbery under arms and the appeal was dismissed. There was an appeal against a guilty verdict for the offence of Causing Death by dangerous driving and this appeal was granted but the court found that there was sufficient evidence to establish the offence of Dangerous Driving. There was another appeal against a conviction for the offence Causing Death by dangerous driving but the appellant withdrew the appeal. There were two appeals by the State. In one matter where the State appealed against an Order made by a single judge in chambers in the Court of Appeal to prevent a magistrate from carrying out the directions of the DPP for a PI to be reopened the appeal was allowed. And in the other the State made an application to amend an appeal from a verdict of acquittal from a high court murder trial and this application was granted. Then there was an application to leave jurisdiction which was heard and granted.

