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Chambers

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

3rd January, 2025

DPP'S CHAMBERS OCTOBER-END OF YEAR 2024 PRESS REPORT

Demerara October Assizes

The Demerara October Criminal Assizes commenced on Tuesday 1st October, 2024, with a total of 183 cases listed to be heard. Justice Navindra Singh, Madam Justice Jo-Ann Barlow, Justice Sandil Kissoon, Justice Peter Hugh, Madam Justice Sherdel Isaacs-Marcus, and Madam Justice Damone Younge sat in the Assizes.

During this Assizes, the State disposed of 81 matters. 45 were presented in the High Court. Of these, 21 were for the offence of *Murder*, 3 for the offence of *Manslaughter*, 15 for *Attempt to Commit Murder* with alternative counts of *Felonious Wounding* and *Wounding with Intent* and 6 for *Sexual Offences*. 36 matters were nolle prosequi by the Director of Public Prosecutions (DPP).

There were 8 convictions, 19 guilty pleas, 7 formal verdicts of not guilty, 11 not guilty verdicts by jury, 3 Hung Juries and 1 Quashed Indictment. A total of 52 accused persons appeared in these trials.

State Counsel Mohamed Muntaz Ali, State Counsel Christopher Belfield and State Counsel Madana Rampersaud prosecuted 8 matters before Justice Navindra Singh. 4 of these for the offence of *Murder* and the 4 others for *Attempt to Commit Murder* with alternative counts of *Felonious Wounding* and *Wounding with Intent*.

In 2 of the Murder matters, both accused pleaded guilty to the lesser offence of Manslaughter and were respectively sentenced to 6 years and 8 years imprisonment.

In another one with 3 accused, the numbers 1 and 2 were found unanimously guilty by jury and each sentenced to life imprisonment with parole after 43 years. The number 3 accused was acquitted by the jury.

The one other case had 2 accused and both were found unanimously guilty by the jury; they were each sentenced to life imprisonment with parole after serving 40 years imprisonment.

In one of the 4 matters for the offence of Attempt to commit Murder and Wounding with Intent, the accused was found guilty by a majority jury verdict of 10 guilty to 2 not guilty. He was sentenced to life imprisonment with parole after 39 years and ordered flogging of 4 strokes.

Of the 3 others, one accused pleaded guilty and was sentenced to time spent on remand. Another one was acquitted by jury. In the one other, the trial judge up held a no case submission and directed the jury to return a formal verdict of not guilty.

State Counsel Mikel Puran, State Counsel Caress Henry and State Counsel Abiola Lowe completed 7 matters before Justice Peter Hugh. 4 of these were for the offence of *Murder*, 1 for *Manslaughter* and 2 for *Attempt to Commit Murder with alternatives of Felonious Wounding and Wounding with Intent*.

In one of the 4 Murder trials, the jury failed to reach a verdict and the accused was further remanded to await a new trial. In another 2, both accused pleaded guilty to the lesser offence of Manslaughter and were respectively sentenced to 10 years and 11 years imprisonment. They were ordered to undergo anger management programme while in prison. And in the other one matter, the trial judge up held a no case submission and directed the jury to return a formal verdict of not guilty.

In the one trial for the offence of Manslaughter, Trial Judge up held a no case submission and directed the jury to return a formal verdict of not guilty.

In the two separate matters for the offence of Attempt to Commit Murder with alternatives of Felonious Wounding and Wounding with Intent, both accused pleaded guilty. One pleaded guilty to Attempt to Commit Murder and was sentenced to 12 years imprisonment. The other pleaded guilty to the alternative count of Felonious Wounding; he was sentenced to 4 years imprisonment and was ordered to undergo anger management in prison.

State Counsel Delon Fraser and State Counsel Alvaro Ramotar prosecuted 9 matters before Justice Sandil kissoon. Of these, 4 were for *Murder*, 2 for the offence of *Manslaughter* and 3 for *Attempt to Commit Murder*.

In 3 of the 4 Murder cases, the accused all pleaded guilty. One pleaded guilty to Murder and was sentenced to life imprisonment with parole after 25 years. The other 2 pleaded guilty to the lesser offence of Manslaughter; one of them was sentenced to life imprisonment and will become eligible for parole after serving 20 years. The other was sentenced to 6 years imprisonment after time served on remand was deducted.

In the one other case, the accused was found unanimously guilty by jury and sentenced to life imprisonment with parole after 30 years.

In one of the 2 Manslaughter cases, the jury returned hung. In the other, the trial judge upheld a no case submission and directed the jury to return a formal verdict of not guilty.

In one of the 3 cases for the offence of Attempt to Commit Murder in which 2 accused were indicted together, the matter was empaneled; however, Trial Judge quashed the indictment and further ordered that the matter was permanently stayed on constitutional grounds.

In one of the other two, the accused pleaded guilty and was sentenced to 11 years and 6 months. In the other matter there were two accused for whom the jury returned not guilty verdicts.

State Counsel Rbina Christmas, State Counsel Praneeta Seeraj and State Counsel Mikel Puran presented 11 matters before Madam Justice Jo-Ann Barlow. 7 for the offence of *Murder* and 4 for the offence of *Attempt to Commit Murder with the alternative counts of Wounding with Intent and Unlawful Wounding*.

In 4 of the Murder trials, the accused all pleaded guilty to the lesser offence of Manslaughter. Two of them were respectively sentenced to 10 years each and another to 14 years. One other is awaiting his sentence.

Another 2 accused were acquitted by jury verdicts. One other Murder accused was found guilty by jury verdict on the lesser offence of Manslaughter and is awaiting sentence.

In one of the 4 matters for *Attempt to Commit Murder*, the accused was acquitted by a jury verdict.

Two others pleaded guilty to the alternative count *Wounding with Intent*; one was sentenced to 3 years and 9 months imprisonment. The other is awaiting sentence.

The one other accused was found guilty by jury on the alternative count of *Wounding with Intent* and sentenced to 6 years and 6 months.

Senior State Counsel Taneisha Saygon and State Counsel Padma Dubraj completed 5 matters in the Sexual Offences Court before Madam Justice Sherdel Isaacs-Marcus.

In 3 of these, the juries returned not guilty verdicts for the accused persons. In the other 2 matters, 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 one separate matter for the offence of *Murder*, the accused who had pleaded guilty to the offence during the June 2024 Assizes, was sentenced in November to 19 years imprisonment by Justice Sherdel Isaacs-Marcus. The sentence in June was deferred pending a psychological report.

State Counsel Caressa Henry, State Counsel Abiola Lowe and Yonika Rowland completed 3 matters before Madam Justice Damone Younge. One for the offence of *Murder* and 2 for *Attempt to Commit Murder*.

In the one *Murder*, the accused who was a juvenile at the time of the offence, pleaded guilty and was sentenced in accordance with the Juvenile Justice Act and has been placed on probation for 3 years.

In one of the 2 matters for *Attempt to Commit Murder* with the alternative count of *Discharging A Loaded Firearm with Intent*, the jury returned hung. While the accused in the other matter was acquitted by the jury.

Of the 36 cases nolle prosequi by the DPP, 2 for the offence of *Murder*, 10 for *Attempt to Commit Murder*, 21 *Sexual Offences*, 2 for *Manslaughter* and 1 for the offence of *Robbery Under Arms*. In some of these, either the complainants or the accused had died, main witnesses could not be located or the complainants in written statements had indicated they did not wish to proceed with their matters.

Berbice October Assizes

The Berbice October Assizes commenced on Tuesday 15th October, 2024. State Counsel Cicelia Corbin prosecuted 7 matters before Madam Justice Zamila Ally-Seepaul. Of these, 4 were for the offence of *Murder* and one each for the offences of *Manslaughter*, *Attempted Murder* and *Rape of A Child under 16 Years*.

In 2 of the *Murder* matters, both accused pleaded guilty; one pleaded to the offence of *Murder* and was sentenced to 21 years imprisonment. While the other pleaded guilty to the lesser offence of *Manslaughter* and was sentenced to 10 years.

In one other, the accused who had 2 indictments for *Murder* and *Attempt to Commit Murder*, pleaded guilty to both. For the offence of *Murder*, he was sentenced to 21 years; for the other, he was sentenced to 7 years and 4 months. These sentences will run consecutively.

And in the other one, the accused who also had 2 indictments, for *Murder* and 2 counts each for the offences of *Robbery under Arms* and *Assault with Intent to Rob*, pleaded guilty to all counts. For the offence of *Murder*, he was sentenced to 15 years; and on the other counts, he was sentenced to 5 years imprisonment on each count. His sentences will run concurrently.

In the one matter for the offence of *Manslaughter*, the trial judge upheld a no case submission and directed the jury to return a formal verdict of not guilty.

While in the case for the offence of *Attempted Murder*, the accused was acquitted by a jury.

And in the one matter for Rape of A Child under 16 Years, the complainant testified she did not wish to offer any evidence in the matter and trial judge directed the jury to return a formal verdict of not guilty.

This Assizes continues until February when the February 2025 Criminal Assizes will commence on Tuesday 4th February, 2025.

Essequibo October Assizes

The Essequibo October Criminal Assizes commenced on Tuesday 22nd October, 2024. State Counsel Latifa Elliot prosecuted 11 matters. 2 of these before Madam Justice Damone Younge for the offence of *Murder*. Another 9 matters were completed before Justice Peter Hugh; of these 7 were for *Sexual Offences* and one each for the offences of *Murder* and *Manslaughter*.

In the 2 separate Murder trials before Justice Younge, both accused pleaded guilty to the lesser offence of Manslaughter and were respectively sentenced to 18 years and 14 years imprisonment.

In one of the 7 Sexual Offence matters, the accused was found guilty and sentenced to 12 years imprisonment.

In 2 others, the complainants testified they did not wish to proceed with their matters and Justice Hugh directed the juries to return formal verdicts of not guilty. In the other 4 matters, the accused were all acquitted by jury verdicts.

The accused in the one Murder trial pleaded guilty as charged and was sentenced to 17 years imprisonment.

While the accused in the matter for the offence of Manslaughter pleaded guilty and was sentenced to 7 years imprisonment.

This Assizes continues until February 2025 when the February 2025 Criminal Assizes commences on Tuesday 18th February, 2025.

YEAR IN REVIEW 2024

During 2024, Three Hundred and thirty-two (332) cases were disposed of. 218 of these cases received attention in the High Courts in Demerara, Berbice and Essequibo. 114 matters were Nolle Prosequi by the DPP.

Of these 218 cases, 134 were presented at the Demerara Assizes, 43 at the Berbice Assizes and 41 at the Essequibo Assizes.

There were 72 cases for the offence of *Murder*, 18 cases for the offence of *Manslaughter*, 78 cases for *Sexual Offences*, 46 cases for the offence of *Attempt to Commit Murder*, 3 cases for the offence of *Abduction* and 1 case for the offence of *Accessory After the Fact of Murder*.

There were 39 convictions, 81 Formal verdicts of not guilty, 59 not guilty verdicts by jury, 64 guilty pleas, 6 hung juries, 1 Quashed Indictment, 2 Aborted Trials. 149 accused persons had their trials in the High Courts.

In 2024, the DPP's Office received 228 Committal Documents, 137 of these for the County of Demerara, 42 for the County of Berbice and 49 for the County of Essequibo.

Of these 228 depositions, 137 have been indicted, charges for 8 were discontinued because there were not sufficient evidence for the DPP to prefer an indictment, 79 are receiving attention, 3 were remitted to the Magistrates' Courts for additional evidence to be taken for matters which we had previously received and one was a discharged matter.

The DPP's Office proffered legal advice in 3,905 police files received from the Guyana Police Force.

The Demerara January 2025 Criminal Assizes will open on Tuesday 14th January. There are 134 cases listed to be heard. Justice Navindra Singh, Madam Justice Jo-Ann Barlow, Madam Justice Priya Sewnarine-Beharry, Madam Justice Zamila Ally-Seepaul and Madam Justice Damone Younge have been rostered to sit during this Assizes.

Justice Peter Hugh will continue the Essequibo October 2024 Assizes in January until February when the February Criminal Assizes will commence on Tuesday 18th February 2025. And Madam Justice Zamila Ally-Seepaul will continue in January 2025 in the Berbice Assizes.

Court of Appeal

During 2024, we appeared in 44 Appeals in the Court of Appeal. In these matters the State was represented by the Director of Public Prosecutions (DPP) Mrs. Shalimar Ali-Hack, SC, Assistant DPP (ADPP) Ms. Dionne McCammon, ADPP Mrs. Diana O'Brien, ADPP Mrs. Teshana Lake, ADPP Mrs. Mercedes Glasford, ADPP Natasha Backer, ADPP Ms. Lisa Cave, ADPP Ms. Tiffini Lyken and ADPP Abigail Gibbs.

Of these 44 appeals, 11 were for the offence of *Murder*, 12 for *Sexual Offences*, 6 for the offence of *Manslaughter*, 3 for *Causing Death by Dangerous Driving*, **2 each** for the offences of *Trafficking in Person (TIP)*, *Possession of Narcotics for the Purpose of Trafficking*, *Attempted Murder and Simple Larceny*, and **one each** for the offences of *Assault Causing Actual Bodily Harm*, *Robbery Under Arms*, *Receiving Stolen Property and Possession of Firearm without License*.

Of these 44 appeals, **14** Applications were for bail pending appeals against conviction and sentence; 7 of these Applications were withdrawn, 4 were granted and 3 others were denied.

Another **3** Applications were granted for Extension of Time to File and Serve Notices of Appeal.

17 Appellants sought leave to appeal against their convictions and sentences, 16 applications were granted while one is pending.

5 other appellants were allowed their Applications to appeal against conviction and sentences. Two of these were allowed in part; in one case, the COA refused his appeal against the conviction and upheld the 2 life sentences imposed, but reduced his eligibility for parole from 35 years to 20 years. In the other appeal with two appellants, the Court upheld their conviction but reduced the sentences from 55 years to 32 years and from 62 years to 37 years imprisonments. They become eligible for parole after each would have served 15 years.

Another **5** appellants were refused their applications against conviction and sentences.

In 2024, **10** matters were heard in the Demerara Full Court. Five of these were for the offence of *Possession of Narcotics for the Purpose of Trafficking* and one each for the offences of *Conspiracy to Defraud*, *Unlawful Wounding*, *Fraud*, *Felonious Wounding*, and *Possession of Firearm without License*.

Two of these applications were allowed in part where the convictions were upheld but their sentences varied.

Another 3 applications for bail were granted while 3 others were denied. 2 Applications were withdrawn.

The Berbice Full Court heard 2 Applications for bail pending appeal against conviction and sentence for a *Cybercrime* Matter and *Possession of Narcotics*.

The Court granted bail in one application and denied the other.

Caribbean Court of Justice

In April 2024, we appeared at the CCJ in one matter for the offence of *Murder*. The appellant in this matter was found guilty and sentenced by the High Court to 81years imprisonment with eligibility for parole after 45 years. He appealed his sentence at the Guyana Court of Appeal on the grounds that the sentence was excessive. The COA allowed his appeal and reduced the sentence from 81 years to 50 years imprisonment with no specified time for eligibility for parole. He appealed this sentence at the CCJ. The CCJ allowed the Appeal and ordered that consistent with the penalty imposed on the appellant's co-accused, he should serve a life sentence with no eligibility for parole for a period of 20 years.

The appellant was found guilty together with two others by a jury for the Murder of a 72-year-old woman in June 2011. His co-accused were each sentenced with the same penalty ordered by the CCJ in their appeals.