

BARBADOS

Indictment No: 0023 of 2014

THE QUEEN V. ANDREW O'NEIL HUNTE

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SENTENCING JUDGMENT

Andrew O'Neil Hunte,

- [1] **Arraignment & Plea:** On Tuesday, February 18th, 2014 you were arraigned and pleaded “not guilty” to the murder of Malcolm Husbands, but “guilty” instead to manslaughter.
- [2] **The Outline of Facts:** Following your plea, the learned Director of Public Prosecutions, Mr. Charles Leacock, Q.C. outlined the facts and circumstances surrounding Malcolm Husband’s death.
- [3] The learned Director informed the Court that the deceased had shared a friendship with you and your girlfriend, Keisha Johnson, but that his death was seemingly brought about by jealousy on your part.
- [4] He told the Court that on the night of March 23rd, 2012 your girlfriend Keisha Johnson, the deceased Malcolm Husbands and another friend had attended a karaoke session in the Melrose, St. Thomas area. At around 4:30 a.m. on the morning of March 24th, 2012 as the deceased was taking your girlfriend home in his car, they made a stop at the Shell Redman’s Village Station.
- [5] At around that time also, you had been driving around looking for your girlfriend. You made a stop at the Redman Village gas station and whilst there you spotted Keisha Johnson sitting in the front seat of the deceased’s car. After waiting for a while, Keisha and Malcolm left the gas station in Malcolm’s car and you in yours.
- [6] Malcolm Husbands drove Keisha Johnson to his house in Welchman Hall, St. Thomas and went into his house. As Keisha was sitting outside in Malcolm’s car, you drove up and asked her to come home with you. Malcolm then came back outside with a drink for Keisha and they drove off together apparently headed in the direction of Keisha’s house.

- [7] You then drove to your rented apartment situated nearby, and subsequently observed Malcolm and Keisha as they both returned to Malcolm's house and went into the house where they remained for some time.
- [8] Whilst Malcolm and Keisha were inside the deceased's house, Keisha Johnson saw a shadow on the outside of the bedroom window. Shortly afterwards there was a crashing sound, and you entered the deceased man's home through the bedroom window.
- [9] On entering Malcolm Husbands' bedroom through the window, you found him lying in his bed covered with a sheet, while your girlfriend, Keisha Johnson was sitting in a nearby chair.
- [10] The Court was told that you and Malcolm Husbands then apparently had a "very civil conversation," during which you apologized for breaking the window and asked him not to report the matter to the police because you were going to pay the landlord for the damage to the window.
- [11] Following your conversation, Malcolm Husbands got up from the bed with the sheet wrapped around him to open the door for you and Keisha to leave. According to the learned Director, when you were in the living room, you stabbed Malcolm Husbands in the neck with a knife.
- [12] Malcolm Husbands then ran out of his house shouting, still wrapped in the sheet. The commotion caused several of his neighbours, including David Brathwaite, to come outside and to ask why you all were disturbing the neighbourhood so early in the morning and why you didn't behave yourselves.
- [13] Keisha Johnson also ran outside and on being asked what had happened, she told neighbours that you had stabbed Malcolm Husbands. The deceased's next door neighbour, David Brathwaite told police that Keisha Johnson had then confronted you and asked: "*Andrew, why you stabbed Malcolm? You stabbed Malcolm for a woman?*" to which you responded: "*Oh Lord, oh Lord, look what I gone and do.*"
- [14] Police Medical Officer, for the Northern Division, Dr. Jasmine Crump arrived on the scene and after examining the body, she pronounced Malcolm Husbands dead at 8:20 a.m. The body was escorted to the hospital morgue and on March 25th, 2012, Pathologist Dr. David Gaskin performed a post-mortem examination. He attributed the cause of death to haemorrhage and shock resulting from a stab wound to the neck and the severance of the jugular vein.

[15] Police investigations commenced and on March, 24th 2012 you were interviewed by the police. After being cautioned and informed of your rights you gave police a written statement.

[16] The relevant portions of the statement giving your account of what happened are as follows:

“Last night Keisha and her friends, Sherry and Malcolm went out to karaoke and I was home and I fell asleep...I awoke about 4:30 in the morning to discover that my girlfriend Keisha has not come home yet so I got into the car...and went for a drive to Redman’s St. Thomas...When I looked around I saw the car which Malcolm and Keisha were in. So I waited for a while and then I drove off on my way home and pass Keisha and Malcolm by his house. So I stopped and saw Malcolm enter his house and came out with a drink for Keisha. So I told her, come and go home with me. At that time, Malcolm drove off his car with Keisha, going in the direction of Keisha’s house, so I, Andrew, drove the car I was driving to the apartment I was renting and saw Malcolm and Keisha coming back to his place. So I asked myself what is going on at that time?...Keisha and Malcolm were in his house in the bedroom talking and I was out in the front of the house. So I saw the lights went off and I drew closer to the house to hear Malcolm saying: “You have to get me started.” And I wondered what was going on in there so I peeped in [the window] and saw Keisha and Malcolm in closeness. At that time, I peep in the bedroom window at the front, so my heart start to race. So I stick my head in the window followed by my body. As I entered Malcolm was lying in the bed laughing. So I said “what is going on with the two of you, Malcolm and Keisha?”

As I entered the glass of the window was broken and they said: “Like what?” And Malcolm started laughing again so I asked Keisha why were you doing this, I thought you and him were cousins?

At that time, Malcolm asked Keisha to give him the key to let me out at this time. So I asked Malcolm not to call the police, I would pay for the window...He too got up off his bed and when he did I saw Keisha’s panties in the bed. So I asked: “Why is your panties are there?” And she said “They are not mine.”

So I walked out the room to go with Malcolm to open the door, as I look back, I saw Keisha putting on the same panties and I said: “I thought they were not yours.” I lose my cool and asked Keisha why? Then I went to go out and Malcolm was in the doorway and I ask him for an excuse. As he turn, I get startled and raise my hand with the knife. I did not intend to use it but it was too late, before you know Malcolm get stick with the knife. When I came in the window the knife was in my hand. When I left my girl house the knife was in my hand. I took it up from my stuff that was packed...”

[17] **Basis on which the plea was accepted:** The learned Director of Public Prosecutions, explained the basis for his acceptance of the manslaughter plea as offered in the following terms:

“My lady, from the facts of this case, I have accepted manslaughter on the basis of the rather tenuous basis of provocation. We have seen what he has said here, it is clearly not

an accident. He came to the house armed with a knife...He obviously suspected there was some infidelity between the two parties...he would have felt that since she was his girlfriend... but at the end of the day, this unfortunate tragic incident arose out of jealousy it would seem, and his stabbing of this man in his own house is really unwarranted in the circumstances. But I am satisfied that provocation being one of these, an act or series of acts or words spoken that cause a reasonable man, and actually caused in the accused, ...a sudden and temporary loss of self control, rendering him for the moment [not master of his mind]... I am satisfied that that applies in this case to some extent and a jury properly directed could return, on these facts, a verdict of manslaughter based on provocation and it is for that reason I do so in these circumstances."

[18] The facts as outlined by the learned Director of Public Prosecutions, together with the basis of the manslaughter plea were accepted on your behalf by Defence Counsel, Mr. Simmons, Q.C. and have also been accepted by the Court for sentencing purposes.

[19] **Your Criminal Antecedents:** On February 18th, 2014 the learned Director advised the Court that you have no previous convictions and are otherwise not known to this Court.

[20] **Your Pre-Sentence Report:** As required by the *Penal System Reform Act, Cap. 139*, this Court ordered the preparation of a Pre-Sentence Report. The Report was prepared by Probation Officer, Ms. Roseann Knight and read into evidence on Thursday April, 10th 2014.

[21] The Court has considered the Report which provides useful insights into your family, educational and social background, as well as your employment history and your current attitude to the offence. The Report also contains short Victim Impact Statements from the deceased's, Mr. Kevin Costello and one of the deceased man's closest friends, Mr. Ricardo Whittaker.

[22] The Report revealed that you are father to three children: two daughters, aged 19 and 10 and a 5 year old son. Your elder daughter, Miss Rasheeda DaSilva, confirmed your presence in her life and deemed your emotional and financial support towards her as "*average*". She also expressed shock at your involvement in this matter.

[23] The mother of your younger daughter described you as an "*easy-going*" person who had not exhibited signs of violence during your relationship with her. She further stated that you have a "*satisfactory*" relationship with her daughter, but described the time you spend with that child and your financial support towards her as "*inadequate*."

[24] The Report also revealed that you were in an intimate relationship with Keisha Johnson for

approximately two years. You reportedly shared her home in Allen View, Welchman Hall, St. Thomas for one year before you left and rented an apartment in the nearby district of Welchman Hall.

[25] Ms. Johnson described you as a *“quiet person”* and stated that, whilst you initially shared a good relationship, you later became insecure and possessive, characteristics which gradually destroyed your bond with her, *“hence the need for [you] to relocate from the residence just prior to the occurrence...”*

[26] The smoking of marijuana was identified as one of your leisure activities, a practice which you commenced in your teenage years. You informed the Probation Officer that you smoke the substance because it induces calm and comforts you.

[27] The Report further revealed that there were no reports of your exhibiting disturbance in your psychological, emotional or cognitive functioning.

[28] As regards your education, you attended the Metropolitan High School but had to leave at age 15 as a result of non-payment of tuition fees.

[29] Your work experience has spanned several sectors including the hospitality, retail and construction industries. Most recently, you were employed as a general worker at Coconut Car Rentals Ltd. The manager of that establishment, Mr. Neil Farmer, spoke highly of your performance, your interaction with others and your trustworthiness. He also reported that he often left you to undertake maintenance duties at his residence.

[30] As to your attitude towards this offence, the Report reveals that you have expressed remorse for your actions and that your demeanour suggested a sense of penitence. You stated that you are aware that you should have walked away from the situation rather than enter the victim’s home and you are sorry that you did so. You also recognise the impact your actions would have had on the deceased’s family.

[31] The victim impact information revealed that the deceased was the father of three children. He was also an employee of the Ministry of Health and operated a shop from his home. The deceased’s brother, Kevin Costello, described his elder brother’s death as a *“serious loss”* which left him hurt and disappointed. He expressed his hope that you be punished with a maximum sentence. The deceased’s friend, Ricardo Whitaker, opined that the victim’s death was so *“senseless”* that he was only able to reconcile it by drawing on the teachings of the Christian faith. He also expressed the view that your

penalty should not be a lenient one.

[32] In its concluding remarks the Report noted that, as regards your relationship with Keisha Johnson, “...it is evident that issues, including those relating to fidelity had marred [your] relationship. Such issues seeming led to distrust and the attending emotional upheaval. Thus the apparent disturbed state of mind may have been the impetus for the offence which presently engages the court’s attention.”

[33] **Discussion:** It is now for the Court to determine the appropriate sentence to be imposed upon you in this matter having regard to its judicial obligations under *sections 35 to 41 of the Penal System Reform Act, Cap. 139*.

[34] *Reasons for imposing Custodial Sentences - Section 35(4)*: As required by *section 35(4)* of the *Penal System Reform Act* and after considering the outline of facts and the manner in which this offence was committed, together with the Pre-sentence Report, the Court has formed the opinion that *subsection (2)(a)* applies and that this offence is so serious that only a custodial sentence should be passed upon you in this case for the reasons which now follow.

[35] In determining the seriousness of the offence in this case, the Court adverted to the ***Suratan*** sentencing guidelines adopted by the Barbados Court of Appeal in the case of ***Ricardo Deverne Griffith v The Queen, Criminal Appeal No. 6 of 2007 (date of decision 19 June 2009)***.

[36] I have taken into account that this is a case in which the Crown has accepted a plea of not guilty of murder but guilty of manslaughter by reason of provocation. As the sentencing judge, I am accordingly obliged to make a number of assumptions in your favour by way of mitigating the seriousness of the offence.

[37] *Assumptions*: Applying the ***Suratan*** guidelines, the Court has firstly assumed that, the seriousness of this offence has been mitigated by the fact that at the time of the killing, you lost your self-control.

[38] The Court has, secondly, assumed that you were caused to lose your self-control by the following facts and circumstances disclosed on the record:

- i.) I have accepted that you and Keisha Johnson shared an intimate relationship for approximately 2 years, but that just prior to the incident the relationship had

become strained due to your insecurity and possessiveness which had destroyed your initially close bond. As a result of these issues, you had been requested to leave her home in Allen View, St. Thomas and had relocated to rented accommodation in the nearby district of Welchman Hall, St. Thomas, but that you were still involved;

- ii.) I have accepted that at approximately 4:30 on March 24th, 2012 you awoke from your slumber and found that your girlfriend, Keisha Johnson had not yet returned home from a night out with friends;
- iii.) I have also accepted that (according to you), you went out looking for her and spotted her in Malcolm Husband's car at Shell Redman's Village;
- iv.) I have also accepted that (according to you) you later saw your girlfriend sitting outside Malcolm's house in Welchman Hall, St. Thomas and that you had stopped and asked her to come home with you, but that the deceased had come out of his house with a drink for her and the two of them had driven off together apparently headed in the direction of her house;
- v.) I have also accepted that after driving to your rented apartment in Welchman Hall, you subsequently saw your girlfriend and the deceased return and go into Malcolm's house where they remained for some time;
- vi.) I have further accepted that with your suspicions aroused, you continued to watch the house and observed that Keisha and the deceased had gone into the bedroom and were talking and that the lights in the house had gone off;
- vii.) You approached the house and (according to you) you overheard the deceased telling your girlfriend that she had *"to get him started"*;
- viii.) I have also accepted that with your curiosity now fully heightened (according to you) you peeped into the bedroom window at the front of the house only to see *"Keisha and Malcolm in closeness"*;
- ix.) I have also accepted that, with your heart racing, you pushed your head through the bedroom window and ended up headfirst inside the deceased's bedroom, breaking the window pane in the process;
- x.) I have also accepted that (according to you) on entering the bedroom, you found the deceased man lying in his bed, laughing at you, apparently making light of the situation;
- xi.) I have also accepted that upon asking them what was going on with them, the deceased had started laughing once again;

- xii.) I have further accepted that (according to you) you then asked your girlfriend why she was doing this and told her that you thought that she and Malcolm were cousins;
- xiii.) I have accepted that after you had offered to pay for the broken window, Malcolm had gotten out of bed to open the front door for you and that when he did so, you had seen a pair of Keisha's panties in the bed;
- xiv.) I have also accepted that after asking Keisha why her panties were on the bed and hearing her deny that they were hers, you started to leave the bedroom with Malcolm. However on looking back, you caught Keisha putting on the same panties that she had just told you were not hers;
- xv.) Finally, I have accepted that provoked by the foregoing facts and circumstances in which it had finally become clear to you that your girlfriend and the deceased were not cousins but were, more than likely, in an intimate relationship, you lost your cool and stabbed the deceased in his neck with the knife you were carrying, severing his jugular.

[39] Applying the **Suratan** guidelines, the Court has next assumed that your loss of self-control in the circumstances outlined was reasonable in all the circumstances, even bearing in mind that persons are expected to exercise reasonable self-control over their emotions and that as society advances it ought to expect higher measures of self-control.

[40] Finally, in keeping with **Suratan**, the Court has assumed that the circumstances surrounding the killing of the deceased were such as to make your loss of self-control sufficiently excusable to reduce the gravity of your actions from murder to manslaughter.

[41] While the Court is satisfied that the seriousness of the offence was mitigated by the fact that you were provoked and lost self-control and by the fact that your actions were spontaneous and were neither planned nor premeditated, the Court nevertheless found that the offence was aggravated by the following additional facts and circumstances relating to the *offence*, namely:

- i.) The fact that you left the residence of your girlfriend armed *in advance* with a knife which (according to you) you had taken up from your packed belongings;
- ii.) The further fact that, on your own admission, you entered the deceased man's residence through the window with the knife still in your hand. Although you have stated that you did not intend to use it, the fact that you were armed *in advance* with the knife and had unlawfully entered the deceased man's bedroom window with the knife still in your hand to confront your girlfriend and the deceased man (whose movements you had been stalking and watching from outside for some time)

suggests to the Court that you clearly intended that the knife which you were carrying would have featured prominently in any eventuality that you may have faced once inside the house;

- iii.) The fact that you had unlawfully entered the deceased man's home as a trespasser still carrying the knife;
- iv.) The fact that the knife, an intrinsically dangerous weapon, was used in the commission of the offence;
- v.) The fact that the deceased man had been unarmed at the time you unlawfully stabbed him in the neck, severing his jugular; and
- vi.) The fact that at the time he was stabbed, the deceased man had been doing nothing more than opening the door of his house to let you out.

[42] In summary, the Court is satisfied that was a grave case of manslaughter with numerous aggravating factors and in which the only mitigating factors of the *offence* were the fact that, faced with what would have appeared to be lies and deception on the part of both Keisha Johnson, your girlfriend and Malcolm Husbands, your friend, you were provoked and lost your self control and stabbed him in circumstances that were spontaneous and not planned or premeditated.

[43] The Court approached this matter by advertng firstly to *section 6 of the Offences Against the Persons Act, Cap. 144* which stipulates that the permitted maximum custodial sentence which may be imposed on any person convicted of manslaughter is imprisonment for life. However, as is clear from the manslaughter guidelines established by the Barbados Court of Appeal in ***Pierre Lorde (2006) 73 WIR 28***, the statutory penalty of imprisonment for life is to be reserved only for the most serious manslaughter offences.

[44] I am accordingly satisfied that as the sentencing judge in this matter, I am obliged to, as far as possible, position this case within the appropriate ***Pierre Lorde*** guideline while at the same time complying with the procedures set out in the *Penal System Reform Act*.

[45] In his mitigation on your behalf, Defence Counsel, Mr. Keith Simmons, Q.C. identified what he said were two serious aggravating circumstances of the offence, namely: (i) your unlawful entry into the deceased man's house; and (ii) the use of a knife.

[46] Turning to the mitigating factors, Mr. Simmons submitted that the seriousness of the offence itself had been mitigated by the fact that you were provoked by your having caught Malcolm and your girlfriend together inside the bedroom and suggested that you had "flipped" when you saw the panty.

- [47] He further suggested that the seriousness of the offence was also mitigated by the fact that there was only one stab wound pointing out that you had not stabbed Malcolm multiple times.
- [48] Mr. Simmons, Q.C. drew the Court's attention to the fact that you have no previous convictions and to the fact that you had fully co-operated with the police in their investigations and had given police a self-penned written statement detailing your involvement in Malcolm Husbands' death.
- [49] Mr. Simmons also asked the Court to take into account the fact of your early guilty plea and the fact that you have shown remorse for your actions at every stage.
- [50] Finally, he urged the Court to consider your favourable Pre-Sentence Report and the evidence of the two character witnesses called to give evidence on your behalf, namely: (i) Mr. Neil Farmer, your employer; and (ii) Mr. Keith Walke, your friend and mechanic.
- [51] Turning to the manslaughter guidelines in ***Pierre Lorde***, Mr. Simmons argued that due to your early guilty plea, your range of sentence should be 10 to 14 years. However, he urged the Court to find, applying paragraph 36 of ***Pierre Lorde***, that this case contains "special and exceptional" circumstances falling outside the guidelines.
- [52] In this regard, Counsel argued that this was not a case where you had seen the deceased and your girlfriend together *in flagrante delicto* and concluded you would use the knife. Rather, he said, you had "flipped" when you saw your girlfriend's panty in the deceased's bed, coupled with the fact that Malcolm had gotten out of bed to open the front door, naked and wrapped only in a sheet.
- [53] In his reply, the learned Director of Public Prosecutions submitted that the facts of this case were "*exceptionally lawless and wanton.*" He submitted that in his view, the aggravating factors of this offence were: (i) the burglary and home invasion by you of the deceased man's home; (ii) the fact that you were armed in advance with a knife; and (iii) the fact that after sitting in the deceased man's bedroom and calmly discussing payment for the broken window, on your way out you proceeded to violently stab the deceased in his neck resulting in the deceased's almost instantaneous death.
- [54] He referred the Court to ***Oliver St. Clair Archer v The Queen, Barbados Criminal Appeal No. 26 of 2005 (date of decision 8 July 2011)*** which also involved a stabbing death in a similar domestic context in which the appellant had been sentenced to 25 years imprisonment.
- [55] The learned Director submitted that the offence fell at the top of the scale and urged the Court to

impose a sentence within the range 20 to 25 years and no less than 20 years.

[56] Having considered the respective submissions of both Counsel and having also weighed the aggravating and mitigating factors of the offence which I earlier identified, the Court was satisfied that the “special and exceptional” facts of the present case disclose that while death may not have been caused by a firearm and that fatal blow to the deceased’s neck had been inflicted by a knife unlawfully wielded by you, this was nonetheless a wanton and senseless killing of an unarmed man, who was also your friend.

[57] The offence occurred within the context of what would seem to be “a love triangle” in which you were unable to control your raging emotions of jealousy, rejection and betrayal and where the only mitigating factors which reduced the seriousness of the offence itself were the fact that you were provoked and lost your self-control and your actions were spontaneous.

[58] The Court considered that notwithstanding the fact that you were provoked and lost your self-control, your sudden and unlawful knife attack on an unarmed man whose house you had entered as a trespasser and who was simply opening the door to let you out of his house, placed this offence firmly on the borderline of murder and at the top of the manslaughter scale.

[59] After considering the manslaughter guidelines in ***Pierre Lorde*** and the respective submissions of Counsel, the Court was satisfied that given the special and exceptional facts of this case which I have earlier outlined, the parameters and the suggested range of sentences currently provided for in the four Guidelines, are woefully inadequate to enable the Court to do justice in this case.

[60] The Court is confident that the Guidelines, with their obvious bias towards deaths caused by a firearm, could not have anticipated such a deliberate and wanton stabbing death as has been disclosed by the special and exceptional facts of this case which cannot, in the view of this Court, fall any lower than at the top end of the manslaughter scale.

[61] In the circumstances, employing the flexibility provided within paragraph [36] of ***Pierre Lorde*** and having regard also to the special and exceptional facts of this case and doing the best that it can do within the framework of the existing ***Pierre Lorde*** Guidelines (which, as this Court has previously stated, may be in need of urgent revision) the Court in the unfettered exercise of its sentencing discretion, established 25 years as the appropriate starting point for determining the length of your sentence.

[62] Length of the Custodial Sentence - Section 36: Having considered the gravity of the offence and having just established the appropriate starting point for determining your sentence, the Court was mindful of the general judicial guidelines set forth in *section 41(2)* of the Act, which require, *inter alia*, that the gravity of the punishment must be commensurate with the gravity of the offence.

[63] The Court next turned to *section 36* of the Penal System Reform Act and considered the issue of proportionality with a view to determining what length of sentence would be appropriate to do justice in this case.

[64] Focusing next on you as the offender, the Court considered the following mitigating factors which in the view of the Court, have further reduced the seriousness of the offence and suggest a level of personal mitigation of you as the offender. These were:

- i.) Your early guilty plea which obviated the need for a trial. I have accordingly applied a discount of 3 years from the starting point;
- ii.) The fact that you have no previous convictions and that this is your first offence;
- iii.) The remorse which you have expressed for your actions as evidenced by your statements immediately following the incident and during the police investigations, your comments to the Probation officer who prepared the Pre-Sentence Report and your public expression of remorse in the course of these proceedings;
- iv.) The Court has also taken into account your positive Pre-Sentence Report and the evidence of the character witnesses who provided evidence on your behalf; and
- v.) Finally, the plea in mitigation made on your behalf by Defence Counsel, Mr. Simmons, Q.C.

[65] **Time spent on Remand**: According to Bentley Boucher, Prison Officer I, you were admitted to prison on March 27th, 2012 and as at April 17th, 2014 you have spent a total of 752 days [i.e. 2 yrs 22 days] on remand awaiting the trial and final disposition of this matter.

[66] To this period, the Court has added the additional 22 days that have elapsed between March 27th, 2014 up until today.

[67] In keeping with the decision of the Caribbean Court of Justice in **Romeo Hall**, you will be given full credit for the now 774 days [i.e. 2 years 44 days] that you have to date spent on remand awaiting your trial and the final disposition of this matter.

[68] **Order of the Court: Andrew O'Neil Hunte**, you are hereby sentenced to a term of imprisonment

of **20 years** for this offence to commence with immediate effect.

[69] In keeping with the decision of the Caribbean Court of Justice in **Romeo Hall**, there will be deducted, the full period of 774 days [i.e. 2 years 44 days] which you have to date spent on remand while awaiting the trial and final disposition of this matter. In the result, you will be required to serve the remaining **17 years 321 days** in custody for this offence.

[70] Although the facts do not reveal that illegal drugs played any part in this offence, your Pre-Sentence Report clearly revealed that smoking marijuana is one of your leisure time activities - a habit that you say induced calm and comforts you.

[71] In view of this during your period of incarceration, and with the aim of your rehabilitation, you will undergo such counseling and programmes as may be recommended by the Prison authorities, to assist you in addressing your substance abuse issues. You are strongly urged to make participate fully in these programmes and make full use of the opportunity that they offer in dealing with your problems.

[72] Although the Probation officer reported that she had uncovered no reports of your exhibiting psychological, emotional or cognitive functioning, your girlfriend Keisha Johnson, complained that prior to the incident you had started to display problems with insecurity and possessiveness, so much so that you had been asked to leave her home in Allen View, St. Thomas which you had once shared.

[73] In view of this, during your incarceration, and also with the aim of your rehabilitation, you are ordered to undergo a psychological assessment and to participate in such interventions, counseling and programs as may be recommended by the Prison Psychologist, Mr. Sean Pilgrim to assist you in understanding your challenges with insecurity and possessiveness and controlling your anger and managing your interpersonal relationships. You are strongly urged to participate fully in these programmes and make full use of the opportunity that they offer in dealing with your problems.

[74] The Superintendent of Prisons is requested to make the necessary arrangements to ensure that this order is carried into effect.

[75] This is the order of the Court.

Maureen Crane-Scott
Judge of the High Court

2014-05-09