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Departmental and Other Notices

THE EASTERN CARIBBEAN SUPREME COURT

IN THE HIGH COURT OF JUSTICE
COMMONWEALTH OF DOMINICA
(CRIMINAL)
DOM HCR2012/013

Between

The State

and

Webster Edmond

[2013: February 14th]
[March 15th]

Appearances:

Mr. Gene Pestaina Director of Public Prosecution with
Mr. Clement Joseph and Ms. Arthlyn Nesty State Counsel
for the State.

Mr. Peter Alleyne for the Defendant

SENTENCING REMARKS

[1] STEPHENSON J: Non-consensual sex is a traumatic and humiliating experience and, although the particular circumstances in which the rape takes place may affect the sentence imposed.

[2] On the 21st September 2012 the defendant Webster Edmond was indicted for the following offences:

Count 1: Kidnapping contrary to section 65 (a) of the Offences against the Persons Act.¹

Count 2: Abduction contrary to the provision of section 22(1) (b) of the Sexual Offences Act²

Count 3: Indecent Assault contrary to the provisions of section 13 (1) (b) of the Sexual Offences Act

Count 4: Unlawful Sexual Intercourse contrary to the provisions of section 8(1) (a) & (b) of the Sexual Offences Act³

Count 5: Possession of Ammunition with intent to endanger life contrary to section 12(1) of Firearms Act⁴

Count 6: Possession of a firearm with intent to endanger life contrary to section 12(1) of Firearms Act⁵

[3] The defendant was arraigned on the 25th of September 2012 and pleaded not guilty. His trial date was set for the 6th November 2012 which trial date was adjourned to the 3rd December 2012 on which day the matter was traversed to the January 2013 Assizes. The assizes commenced on the 15th January 2013 and the matter was fixed for trial on the 4th February 2013.

¹ Chapter 10:31 of the Dominica Revised Laws of 1990¹

² No 1 of 1998 of the law of the Commonwealth of Dominica

³ Op cit

⁴ Chapter 15:31 of the revised laws of Dominica 1990

⁵ Op cit