



Dominica Official Gazette

Published by Authority

VOL. CXL

ROSEAU, THURSDAY NOVEMBER 2, 2017

No. 45

Departmental and Other Notices

The Eastern Caribbean Supreme Court
In The Commonwealth Of Dominica
In The High Court Of Justice

Case No. DOMHCR2016/0047

Between:-

The State

and

Antony Mingo

Appearances:

Ms. Sherma Dalrymple for the State
Mr. Wayne Nordé for the defendant

2017: January 10th
: March 17th

JUDGMENT ON SENTENCING

- [1] CHARLES-CLARKE, J: The offender was indicted on two counts of arson. The first count for unlawfully and maliciously setting fire to the dwelling house of Tony Mingo, on 10th January 2016 at Concord, in the parish of St. Andrew, contrary to Section 6 of the Malicious Damage Act¹ of the Dominica Revised

Laws 1990; and on the second count on the same date and time aforesaid for unlawfully and maliciously setting fire to the dwelling house of Alison James. The offender was arraigned on 10th January, 2017 and pleaded guilty to both counts of arson.

- [2] At the sentence hearing the offender was unrepresented and Counsel Mr. Wayne Nordé graciously accepted the court's invitation to appear *amicus curiae* and made a plea in mitigation on behalf of the offender. He referred to the Social Enquiry Report prepared by Delia Giddings-Stedman.
- [3] The Social Enquiry Report was based on interviews conducted with the offender, some family members, community members and one of the victims.
- [4] The general assessment of the Social Welfare Officer revealed that the offender was born from a marital union and sometimes experienced some hardship growing up. He does not share a close relationship with his brother, Tony Mingo one of the virtual complainants. The general view of his family is that he is psychotic. This view is also shared by members of the community. The common view is that he should receive a custodial sentence.
- [5] The Social Welfare Officer noted the seriousness of the offence committed by the offender and the effect on the life of the virtual complainant. Tony Mingo indicated that the offender's action had compromised

¹ Chapter 10:32