

IN THE COURT OF APPEAL FOR THE CAYMAN ISLANDS
CRIMINAL APPEAL NO. 6/84

BEFORE: The Hon. Mr. Justice Zacca, President
The Hon. Mr. Justice Kerr, J.A.
The Hon. Mr. Justice Ross, J.A.

NORMAN GRANT v. REGINA

Appellant appeared in person
Mr. A. Smellie for the Crown

25th June, 1984

ZACCA, P.:

Mr. Grant, we have considered your submissions both with regard to conviction and sentence. As I pointed out to you earlier, this Court is not trying this matter, the matter was tried before the Magistrate, and on appeal the decision and the conviction were upheld by the Learned Chief Justice. We have looked at the evidence and we are unable to say that the Magistrate came to any wrong conclusion based on the evidence and based on her findings of fact as she saw the witnesses and heard the witnesses and came to certain findings of fact which we are unable to disturb, so that we can do nothing about the conviction.

As far as the sentence is concerned this Court has on many occasions pointed out that when we sit here as the Court of Appeal of the Cayman Islands, we have to take into consideration the prevalence of this offence here and the seriousness with which the Legislature of the Cayman Islands

views this offence, and so when we sit here we have to consider sentence in the light of what happens in the Cayman Islands and not in Jamaica. Having regard to the view which has been taken by the Legislature and which has been up-held by the Judges in these Islands we are unable to interfere with the sentence, therefore, the appeal against conviction and sentence is dismissed, the conviction and sentences are affirmed. The sentence will commence on the date of conviction.