

SAINT VINCENT AND THE GRENADINES

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GOVERNMENT NOTICES

No. 124

LEGISLATION

The following Document is published in today's issue of the Gazette and can be purchased at the Government Printing Office, Campden Park Industrial Estate:-

S.I. No. 1 of 2019:- Eastern Caribbean Supreme Court (Sentencing Guidelines) Rules, 2019.

17th September, 2019.

No. 125

HOUSE OF ASSEMBLY SAINT VINCENT AND THE GRENADINES

It is notified for general information that the meeting of the House of Assembly scheduled for Monday 16th September, 2019 at 10:00 a.m. has been rescheduled to Thursday 10th October, 2019 at 10:00 a.m.

A cordial invitation is extended to the General Public.

NICOLE HERBERT
Clerk of the House of Assembly.

17th September, 2019.

No. 126

POST OF SOLICITOR GENERAL - MINISTRY OF LEGAL AFFAIRS

Applications are invited from suitably qualified persons to a post of **SOLICITOR GENERAL** at the Ministry of Legal Affairs.

QUALIFICATIONS AND EXPERIENCE:

Applicants should possess the following:

- Professional qualification as a practicing Barrister, Solicitor or Attorney at Law in Private practice or Public Service with a minimum experience of seven (7) years.

DUTIES:

The duties of the officer appointed to the post will include the following:-

- Providing legal advice to Ministries and Departments of Government;
- Representing the Crown in Courts of Justice in Civil matters;
- Advising the Public Service Commission in legal matters;
- Performing other legal functions as may be assigned from time to time by the Attorney General.

SALARY:

Salary is payable in the scale \$90,216.00 x \$5,892.00 - \$119,676.00 per annum in Grade A2. Transport, Duty, Entertainment, Housing and Professional allowances will be paid in accordance with local regulations.

CLOSING DATE FOR APPLICATIONS:

Applications, accompanied by proof of qualifications and two (2) recent testimonials, should be sent to the Chief Personnel Officer, Service Commissions Department, 2nd Floor, Ministerial Building, Halifax Street, Kingstown, to reach her not later than **September 27th, 2019.**

17th September, 2019.

No. 127

**POST OF CROWN COUNSEL I-
MINISTRY OF LEGAL AFFAIRS**

Applications are invited from suitably qualified persons to fill a post of **CROWN COUNSEL I** at the Ministry of Legal Affairs.

**QUALIFICATIONS AND
EXPERIENCE:**

Applicants should possess the following:

- Bachelor of Laws Degree and a Legal Education Certificate or equivalent recognized qualification to practice law in St. Vincent and the Grenadines.

DUTIES:

The duties of the officer appointed to the post will include the following:-

- Giving legal advice to Departments of Government;
- Representing the Government of Saint Vincent and the Grenadines in civil proceedings;
- Preparing and drafting documents to be filed in civil matters;
- Conducting legal research;
- Preparing and vetting leases, deeds, contracts and agreements to which the Government is a party;
- Representing the Office of the Attorney General on various statutory boards.

SALARY:

Salary is payable in the scale \$57,816.00 x \$3,336.00 - \$74,496.00 per annum in Grade D.

CLOSING DATE FOR APPLICATIONS:

Applications, accompanied by Curriculum Vitae, Certified copies of qualifications and two (2) recent testimonials, should be sent to the Chief Personnel Officer, Service Commissions Department, 2nd Floor, Ministerial Building, Halifax Street, Kingstown, to reach her not later than **September 27th, 2019.**

17th September, 2019.

No. 128

**POST OF CROWN COUNSEL II-
MINISTRY OF LEGAL AFFAIRS**

Applications are invited from suitably qualified persons to fill a post of **CROWN COUNSEL II** at the Ministry of Legal Affairs.

**QUALIFICATIONS AND
EXPERIENCE:**

Applicants should possess the following:

- Bachelor of Laws Degree and a Legal Education Certificate or equivalent recognized qualification to practice law in St. Vincent and the Grenadines;
- 3-5 years' experience as a practicing lawyer.

DUTIES:

The duties of the officer appointed to the post will include the following:-

- Representing the Government of Saint Vincent and the Grenadines in civil proceedings;
- Preparing and drafting documents to be filed in civil matters;
- Conducting legal research;
- Preparing and vetting leases, deeds, contracts and agreements to which the Government is a party;
- Advising the Government on civil matters generally;
- Representing the Office of the Attorney General on various statutory boards, tasks force and committees.

SALARY:

Salary is payable in the scale \$63,648.00 x \$4,068.00 - \$83,988.00 per annum in Grade C.

CLOSING DATE FOR APPLICATIONS:

Applications, accompanied by Curriculum Vitae, proof of qualifications and two (2) recent testimonials, should be sent to the Chief Personnel Officer, Service Commissions Department, 2nd Floor, Ministerial Building, Halifax Street, Kingstown, to reach her not later than **September 27th, 2019.**

17th September, 2019.

No. 129

SCHOLARSHIPS - COMMONWEALTH UK 2020

Applications are invited from suitably qualified persons under the Commonwealth Scholarship and Fellowship Programme in the United Kingdom for the 2020 academic year.

Awards are being offered for One (1) year taught Master's Level courses.

The Scholarships are being offered under six (6) themes:

1. Science and Technology for Development;
2. Strengthening health systems and capacity;
3. Promoting global prosperity;
4. Strengthening Global peace, security and governance;
5. Strengthening resilience and response to crisis;
6. Access, inclusion and opportunity.

Eligibility/Requirements:

To be eligible, Candidates must:

- Hold or expect to hold a first degree of at least upper second class honours or a second class degree;

- Be able to take up the award by September/October 2020;
- Have graduated within the last ten (10) years;
- Candidates should select one (1) but no more than three (3) universities of choice. A list of Universities can be viewed at the link below:

<http://cscuk.dfid.gov.uk/apply/uk-universities/part-funding/>

Successful candidates will be required to sign a bond with two (2) sureties, to return to serve within the state of Saint Vincent and the Grenadines upon completion of studies;

Further details on scholarship can be obtained from the Service Commissions Department and at the link below:

<http://cscuk.dfid.gov.uk/apply/applicants/>

HOW TO APPLY

Application forms available at the Service Commissions Department (and online at <http://psc.gov.vc/psc/images/stories/docs/application%20for%20training.pdf>) must be completed and submitted with supporting documents to the Chief Personnel Officer no later than **September 30th, 2019**.

17th September, 2019.

No. 130

SAINT VINCENT AND THE GRENADINES

**Her Excellency
MRS SUSAN DOUGAN, OBE
GOVERNOR-GENERAL**
of St. Vincent and the Grenadines

GOVERNOR-GENERAL

TO: SIR LOUIS STRAKER

WHEREAS by Instrument dated the 14th day of December, 2015, **HON. RALPH GONSALVES** was charged with the due administration of departments and subjects particularly enumerated herein according to the law and usages of the Constitution and subject to any variations which might thereafter be made to the said directions until the said directions as the same might be varied from time to time.

AND WHEREAS the said **RALPH GONSALVES** shall not be administering the departments or subjects with the administration of which he has been charged as aforesaid:

NOW THEREFORE by virtue of the power of authority vested in me by the Saint Vincent Constitution Order 1979, and acting in accordance with the advice of the Honourable Prime Minister, I hereby charge you Sir Louis Straker, Deputy Prime Minister and Minister of Foreign Affairs, Trade, Commerce and Regional Integration with the due administration of the departments or subjects

particularly enumerated hereunder according to the law and usages of the Constitution from September 5th, 2019 and until the resumption of duties by the HON. RALPH GONSALVES, Prime Minister, Minister of The Public Service, National Security, Legal Affairs and Grenadines Affairs.

DEPARTMENT AND SUBJECTS

PRIME MINISTER, MINISTER OF THE PUBLIC SERVICE, NATIONAL SECURITY, LEGAL AFFAIRS AND GRENADINES AFFAIRS

- Co-ordination of Government Business

• Cabinet Secretariat

• Leadership of the House of Assembly

• Law Courts

• Registry

• Magistracy

• Alien's Landholding Licences

• Citizenship

• Residence and Work Permits

• Immigration

• Disaster Preparedness

• Grenadines Affairs

• Legal Affairs

• Public Service, including Public Sector Reform

• Airport Development

• Seaports Development

• Airport Administration

• Seaports Administration

• Merchant Shipping

• Maritime Administration

• Meteorological Services

• Police and National Security

• Civil Aviation

• Prisons

• Energy

• Electoral Matters

• Vincentian Diaspora, including Regional Integration and Diaspora Unit

Given under my hand and the Public Seal of Saint Vincent and the Grenadines at Government House this 4th day of September, 2019.

17th August, 2019.

No. 131

SAINT VINCENT AND
THE GRENADINES

Her Excellency

MRS SUSAN DOUGAN, OBE

GOVERNOR-GENERAL

of St. Vincent and the Grenadines

GOVERNOR-GENERAL

TO: HONOURABLE MONTGOMERY DANIEL

WHEREAS by Instrument dated the 14th day of December, 2015, HON. RALPH GONSALVES was charged with the due administration of departments and subjects particularly enumerated herein according to the law and usages of the Constitution and subject to any variations which might thereafter be made to the said directions until the said directions as the same might be varied from time to time.

AND WHEREAS the said **RALPH GONSALVES** shall not be administering the departments or subjects with the administration of which he has been charged as aforesaid:

NOW THEREFORE by virtue of the power of authority vested in me by the Saint Vincent Constitution Order 1979, and acting in accordance with the advice of the Honourable Prime Minister, I hereby charge you Sir Louis Straker, Deputy Prime Minister and Minister of Foreign Affairs, Trade, Commerce and Regional Integration with the due administration of the departments or subjects particularly enumerated hereunder according to the law and usages of the Constitution from September 11th, 2019 and until the resumption of duties by the HON. RALPH GONSALVES, Prime Minister, Minister of The Public Service, National Security, Legal Affairs and Grenadines Affairs.

DEPARTMENT AND SUBJECTS

PRIME MINISTER, MINISTER OF THE PUBLIC SERVICE, NATIONAL SECURITY, LEGAL AFFAIRS AND GRENADINES AFFAIRS

- | | |
|--|---|
| • Co-ordination of Government Business | • Airport Development |
| • Cabinet Secretariat | • Seaports Development |
| • Leadership of the House of Assembly | • Airport Administration |
| • Law Courts | • Seaports Administration |
| • Registry | • Merchant Shipping |
| • Magistracy | • Maritime Administration |
| • Alien's Landholding Licences | • Meteorological Services |
| • Citizenship | • Police and National Security |
| • Residence and Work Permits | • Civil Aviation |
| • Immigration | • Prisons |
| • Disaster Preparedness | • Energy |
| • Grenadines Affairs | • Electoral Matters |
| • Legal Affairs | |
| • Public Service, including Public Sector Reform | • Vincentian Diaspora, including Regional Integration and Diaspora Unit |

Given under my hand and the Public Seal of Saint Vincent and the Grenadines at Government House this 4th day of September, 2019.

17th August, 2019.

BY COMMAND

KATTIAN BARNWELL
Secretary to Cabinet
Prime Minister’s Office

Prime Minister’s Office
St. Vincent and the Grenadines.
17th September, 2019.

DEPARTMENTAL AND OTHER NOTICES

**EASTERN CARIBBEAN SUPREME COURT
(SENTENCING GUIDELINES) RULES 2019****PRACTICE DIRECTION 8A
NO. 1 OF 2019****GENERAL SENTENCING PRINCIPLES**

This Practice Direction is made pursuant to rule 7(1) of the Eastern Caribbean Supreme Court (Sentencing Guidelines) Rules 2019 and supplements rule 8(2).

INTRODUCTION

This Practice Direction highlights the importance of the court giving reasons when sentencing, the factors which the court should take into consideration and how these should be included as part of the sentencing remarks.

THE IMPORTANCE OF GIVING REASONS

All sentences must be clearly expressed and the reasoning given. Factors taken into consideration, whether as aggravating or mitigating, should be set out as part of the sentencing remarks. Any departure from the guidelines must be explained as part of the reasoning. In particular, the court must ensure that there is no element of double counting, meaning that a factor taken into account at one step should not then be taken into account again at a later step.

LIST OF RELEVANT FACTORS

Below is a non-exhaustive list of relevant factors to which the court must have regard.

1. Credit for an early guilty plea¹

An early guilty plea is in the public interest and should attract credit of one-third. It is the duty of defence counsel to tell an offender about this. In addition an offender should be told it by the court on first appearance. A late plea of guilty will usually attract significantly less credit. Reasons must be given if the court decides to give no or reduced credit.

2. Sentence indication

The court may give a formal indication of sentence prior to plea if sought by the defence. The relevant procedure is described in ECSC Practice Direction No. 2 of 2015². The court should only give this indication if it is appropriate in all the circumstances and the usual principles of sentencing must be applied.

3. Totality

3.1 The principle of totality requires a court, when sentencing for more than one offence, to pass a sentence that reflects the total criminality but which is just and proportionate so that the sentence does not exceed what is necessary to reflect the overall offending behaviour. This principle applies regardless of whether the offences form a single episode of criminality or two or more separate acts of criminality.

¹ See the Practice Direction No. 1 of 2015 at <https://www.eccourts.org/wp-content/uploads/2012/09/Early-Guilty-Plea-Scheme-PD-No.-1-of-2015.pdf>.

² See the Practice Direction No. 2 of 2015 at <https://www.eccourts.org/wp-content/uploads/2012/09/Sentence-Indications-re-issue-PD-No.-2-of-2015.pdf>.

3.2 A sentencing court must, however, take care when applying the totality principle. Public confidence in the administration of justice requires the Court to explain clearly why it has taken a particular approach to multiple sentences.

3.3 The court's first task is to consider the appropriate sentence for each individual offence applying the relevant guideline. Secondly, it must decide whether the sentences should be made to run concurrently or consecutively. Finally, the court will then assess the overall sentence for justness and proportionality, adjusting the sentence accordingly.

4. *Multiple Offending in One Count or Charge*

Sentences should be increased, even into a more serious category, to reflect the number of instances of offending when it is just to do so. The principle of totality should be considered.

5. *Concurrent and Consecutive sentences*

5.1 In cases where an offender is convicted for more than one offence tried at the same time: (i) where more than one offence is committed in the course of the same transaction or arises out of the same incident or facts, the general rule is that the sentences are to run concurrently with each other (e.g. assaulting a number of persons during a fight); and (ii) where the offences are of a similar nature and were committed over a short period of time against the same victim, sentences should normally be made to run concurrently (e.g. theft by an employee from an employer).

5.2 Where the offender is already serving a sentence for another offence, the court may pass a sentence of imprisonment for the subsequent offence to commence at the expiration of the previous sentence of imprisonment.

5.3 Where the offences were committed on separate occasions, or were committed while the offender was on bail for other offences for which he was eventually convicted, or in cases involving the use of a firearm, consecutive sentences are in principle appropriate.

5.4 Even in cases where consecutive sentences may be ordered, when sentencing for a series of similar offences the court should usually pass a substantial sentence for the most serious offence, with shorter concurrent sentences for the less serious ones.

5.5 A court shall have regard to the totality principle when passing consecutive sentences.

6. *Time served on remand*

All offenders are entitled to credit for the time they have spent in custody on remand for the offence. The court shall state the precise number of days to be credited. The prison authorities, prosecution and defence practitioners must ensure that the court is furnished with accurate information relating to the time spent in custody on remand.³

7. *Pre-sentence reports*

Whether any report is ordered and if any recommendation is followed remains a matter for the discretion of the court. Reasons should be given when a recommendation is or is not followed. If possible, the report must consider the impact of the offence on any victim.

³

See *Gomes v The State* [2015] UKPC 8, at paragraph 12; *Shonovia Thomas v The Queen* BVIHCRAP2010/0006; and *Romeo Da Costa Hall v The Queen* [2011] CCJ 6 (AJ).

8. *Prevalence*

If there is a high incidence of a particular offence then the court is entitled to take this into account. If it affects the sentence, then reasons must be given. Prevalence can be established by taking judicial notice of local circumstance if appropriate, or by receiving evidence from local police, prosecutors, probation officers, or other appropriate persons.

9. *Good character*

As a general principle of sentencing good character is a mitigating factor affecting the offender and should result in a reduction of sentence. However, there may be circumstances where the combination of aggravating factors makes the offence so abhorrent that the good character of a defendant may be insufficient to merit a reduction in sentence.

10. *Bad character*

In most cases, bad character, if relevant, is an aggravating factor affecting the offender and may result in an increase in sentence.

11. *Voluntary intoxication*

Voluntary intoxication, whether by drink or drugs, is not a mitigating factor save in exceptional circumstances, and in many cases may be aggravating.

12. *Abuse of trust*

Abuse of trust is an aggravating factor, particularly in sexual offences and offences of dishonesty.

13. *Dangerousness*

In cases involving serious physical and/or sexual violence the court may find the offender to be 'dangerous'. The reasons for such a finding must be expressed in the sentencing remarks.

- a. Dangerousness is established by a finding that the defendant presents a significant ongoing risk of serious harm to any member of the public by the commission of future similar offences. "Serious harm" means death or serious personal injury, whether physical or psychological.
- b. The finding can only be made on the extreme facts of the current offence alone or on the combination of the current offence with previous serious offending.
- c. The court must seek a report on the issue but is not necessarily bound to follow any recommendation. Reasons for not following such a recommendation must be given as part of the sentence.
- d. If the offender is found to be 'dangerous' the court may impose a longer than commensurate sentence. If so, the court should specify the original sentence and additional term imposed to reflect the finding of dangerousness.
- e. Dangerousness should be considered at step 4 as part of the process of considering the principle of totality.

14. *Assistance to the prosecuting authorities*

If an offender has provided accurate and hitherto unknown information to the prosecuting authorities, enabling serious criminal activity to be stopped and criminals to be apprehended, then in accordance with the case of *Ong v Regina* 2012⁴ there may be a further reduction in sentence. Such information must be confirmed in evidence in camera by a senior police officer.

See *Ong v Regina* 2012 NZLR 258 at paragraph 13.

10th

**EASTERN CARIBBEAN SUPREME COURT
(SENTENCING GUIDELINES) RULES 2019**

**PRACTICE DIRECTION 8B
NO. 2 OF 2019**

THE STEPS TO CONSTRUCTING A SENTENCE

This Practice Direction is made pursuant to rule 7(1) of the Eastern Caribbean Supreme Court (Sentencing Guidelines) Rules 2019 and supplements rule 8(3).

INTRODUCTION

This Practice Direction highlights the steps which it is expected that every court must follow, with each step being identified to the offender in public before the sentence is passed.

STEP 1

Consider the seriousness of the offence. Find the starting point by consulting the guideline and the grid at stage 3 of step 1. Then adjust the figure within the range for the aggravating and mitigating factors of the offence.

STEP 2

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

STEP 3

Adjust the figure on assessing discount for any plea of guilty, if applicable.

STEP 4

Adjust the figure on assessing the totality if sentencing for more than one offence.

STEP 5

Give credit for time served on remand.

STEP 6

Finally, consider ancillary orders, confiscation, compensation, etc.

PASSING THE SENTENCE

Having followed the steps, the court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

EFFECTIVE DATE

This Practice Direction will come into effect on the 1st day of October, 2019.

Made this 10th day of September, 2019.



Dame Janice M. Pereira, DBE

Chief Justice

**EASTERN CARIBBEAN SUPREME COURT
(SENTENCING GUIDELINES) RULES 2019**

**PRACTICE DIRECTION 8C
NO. 3 OF 2019**

WHEN TO IMPOSE A SUSPENDED SENTENCE

This Practice Direction is made pursuant to rule 7(1) of the Eastern Caribbean Supreme Court (Sentencing Guidelines) Rules 2019 and supplements rule 8(4).

INTRODUCTION

This practice direction highlights the factors to which the court must have regard when imposing a suspended sentence.

IMPOSING A SUSPENDED SENTENCE

- 1 In certain circumstances, a sentence of imprisonment may be suspended.

A suspended sentence remains a prison sentence and should not be passed unless a term of imprisonment is warranted. It should not be considered another form of non-custodial penalty like probation or community service.

Subject to local legislation making it permissible, it should be considered rare to suspend a sentence of more than two years' imprisonment, and rare to suspend for more than two years.

- 4 The court may consider the following non-exhaustive list of factors in exercising its discretion whether to suspend a sentence:
- a. Can appropriate punishment only be achieved by immediate custody?
 - b. Does the offender present a risk or danger to the public or to the victim?
 - c. Has there been a history of poor compliance with court orders?
 - d. Is there a realistic prospect of rehabilitation?
 - e. If sentencing a person under 21, is there a realistic prospect that incarceration will so affect an offender as to turn that person more towards criminality and less toward rehabilitation?
 - f. Is there strong personal mitigation?
 - g. What will be the impact of an immediate custodial sentence on dependent relatives, employees, and the community?
- 5 When suspending imprisonment, the offender must be clearly told of the consequences of further offending during the period of suspension. In certain jurisdictions, this may mean the automatic imposition of the term suspended. If imposed, the court must consider whether the term is concurrent or consecutive, in whole or in part, to the sentence for the later offending. The principle of totality should always be considered.

EFFECTIVE DATE

This Practice Direction will come into effect on the 1st day of October, 2019.

Made this 10th day of September, 2019.



Dame Janice M. Pereira, DBE

Chief Justice

**EASTERN CARIBBEAN SUPREME COURT
(SENTENCING GUIDELINES) RULES 2019**

**PRACTICE DIRECTION 8D
NO. 4 OF 2019**

SENTENCING PRINCIPLES CONCERNING PERSONS BELOW 18

This Practice Direction is made pursuant to rule 7(1) of the Eastern Caribbean Supreme Court (Sentencing Guidelines) Rules 2019 and supplements rule 8(5).

INTRODUCTION

This practice direction highlights the consideration the court must have when sentencing persons below the age of 18 and how these must be applied in determining sentence.

FACTORS TO BE CONSIDERED BY THE COURT

1. When sentencing children or young persons as at the date of the offence a court must have regard to:
 - the principal aim, to prevent offending by children and young persons;
 - the aim of rehabilitation; and
 - the welfare of the child or young person.
2. In cases involving an offender who was a child at the date of offence, the court should reduce the sentence to at most half of the appropriate term for an adult to reflect their youth and immaturity.

3. In cases involving young persons under 18 at the date of the offence, the court should reduce the sentence to at most two-thirds of the term appropriate for an adult offender to reflect their age and immaturity.
4. A custodial sentence should always be a measure of last resort for children and young persons and a custodial sentence may only be imposed when the offence is so serious that no other sanction is appropriate.
5. It is important to avoid “criminalising” children and young persons unnecessarily. The primary purpose of sentencing children or young persons is to encourage them to take responsibility for their own actions and promote re-integration into society rather than to punish.
6. Whilst the seriousness of the offence will be important, the approach to sentencing should focus more on the individual offender, rather than the offence. For a child or young person the court should focus on rehabilitation where possible. A court should also consider the effects the sentence is likely to have on the child or young person (both positive and negative) as well as any underlying factors contributing to the offending behaviour.
7. Any restriction on liberty must be commensurate with the seriousness of the offence. In considering the seriousness of any offence, the court must consider the child or young person’s culpability in committing the offence and any harm which the offence caused, was intended to cause, or might foreseeably have caused.
8. It is also important to bear in mind any factors that may diminish the culpability of a child or young person. The court should consider the extent to which any child or young person has been acting impulsively and whether their conduct

has been affected by inexperience, emotional volatility or negative influences. They may not fully appreciate the effect their actions can have on other people and may not be capable of fully understanding the distress and pain they cause to the victims of their crimes. Children and young persons are also likely to be susceptible to peer pressure and other external influences, and changes taking place during adolescence can lead to experimentation resulting in criminal behaviour. When considering a child or young person's age, their emotional and developmental age is of at least equal importance to their chronological age (if not greater).

9. For these reasons, children and young persons are likely to benefit from being given an opportunity to address their behaviour and may be receptive to changing their conduct. They should, if possible, be given the opportunity to learn from their mistakes without undue penalisation or stigma, especially as a court sanction might have a significant effect on the educational or employment prospects of the child or young person.
10. Offending by a child or young person is often a phase which passes fairly rapidly and so the sentence should not result in the alienation of the child or young person from society if that can be avoided.
11. The impact of punishment is likely to be felt more heavily by a child or young person in comparison to an adult as any sentence will seem longer due to their young age. In addition, incarceration may interfere with a child or young person's education and this should be considered by a court at sentencing.
12. In having regard to the welfare of the child or young person, a court should ensure that it is alert to:
 - any mental health problems or learning difficulties/disabilities;

- any experiences of brain injury or traumatic life experience (including exposure to drug and alcohol abuse) and the developmental impact this may have had;
- any speech and language difficulties and the effect this may have on the ability of the child or young person (or any accompanying adult) to communicate with the court, to understand the sanction imposed or to fulfil the obligations resulting from that sanction;
- the vulnerability of children and young persons to self-harm, particularly within a custodial environment; and
- the effect on children and young persons of experiences of loss, neglect and abuse.

13. Factors regularly present in the background of children and young persons that come before the court include deprived homes, poor parental employment records, low educational attainment, early experience of offending by other family members, experience of abuse and/or neglect, negative influences from peer associates and the misuse of drugs and/or alcohol. The court should always seek to ensure that it has access to information about how best to identify and respond to these factors and, where necessary, that a proper assessment has taken place in order to enable the most appropriate sentence to be imposed.

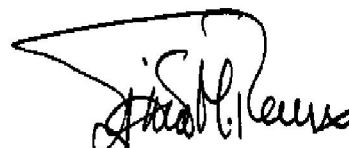
14. The court should consider the reasons why, on some occasions, a child or young person may conduct themselves inappropriately in court (e.g. due to nervousness, a lack of understanding of the system, a belief that they will be discriminated against, peer pressure to behave in a certain way because of others present, a lack of maturity, etc) and take this into account.

15. When considering a child or young person who may be particularly vulnerable, a sentencing judge should consider which available disposal is best able to support the child or young person and which disposals could potentially exacerbate any underlying issues. This is particularly important when considering custodial sentences as there are concerns about the effect on vulnerable children and young persons of being in closed conditions, with significant risks of self-harm, including suicide.
16. These principles do not undermine the fact that the sentence should reflect the seriousness of the offence. Further guidance on assessing the seriousness of an offence can be found in the specific offence guideline.

EFFECTIVE DATE

This Practice Direction will come into effect on the 1st day of October, 2019.

Made this 10th day of September, 2019.



Dame Janice M. Pereira, DBE

Chief Justice

UNDER THE LIQUOR LICENCE ORDINANCE NO. 11 OF 1948

It is hereby notified for general information that the quarterly Liquor Licence Sessions will be held in the undermentioned Parishes for the purpose of hearing applications for the applicants in their respective Parishes for the granting of certificates in accordance with the provision of the Liquor Licence Ordinance No. 11 of 1948 at the time and places stated hereunder:

PARISH	PLACE TO BE HELD	TIME	DATE OF HEARING
Northern Grenadines	Bequia	9:00 a.m.	20th September, 2019
Southern Grenadines	Union Island	9:00 a.m.	16th October, 2019
St. David & St. Patrick	Layou	9:00 a.m.	18th September, 2019
St. George & St. Andrew	Kingstown	9:00 a.m.	26th September, 2019
Charlotte	Georgetown	9:00 a.m.	23rd September, 2019

C. SHALLOW,
for Chief Magistrate.

LIQUOR LICENCE FOR QUARTER ENDING SEPTEMBER 2019

PARISH	NAME	ADDRESS	OCCUPATION	LOCATION	CLASS	REMARKS
St. Andrew & St. George	Alicia Mack	Penniston	Self Employed	Penniston	3	New Application
	Chanel John	Belair	Business Woman	Belair	3	New Application
	Annick Stapleton	Murrays Village	Bartender	Murrays Village	2	New Application
	Margaret Hamilton	Queens Drive	Business Woman	Campden Park	3	New Application
	Miya Fraser	Argyle	Entrepreneur	Mt. Pleasant	6&8	New Application
	Sally Cato	Calder Ridge	Secretary	Ratho Mill	3	New Application
	Minta Ashika Lewis	Clare Valley	Janitor	Clare Valley	3	New Application
	Jilneal Hamilton	Walvaroo	Shopkeeper	Walvaroo	2	New Application
	Lynford lewis	Ashburton	Farmer	Ashburton	3	New Application
	Carlos Samuel	Middle Street	Business Woman	Middle Street	2	Transfer of Name
	Jeannette Roberts Mapp	Cane Garden	Bar Manager	Arnos Vale	3	New Application
	Cheryl P. Thomas	Penniston	Business Woman	Lower Middle Street	2	New Application
	Dishurn Williams	Stubbs	Customs Guard	Stubbs	3	New Application
	Jereon Keron Harry	Gibson Corner	Shop Keeper	Temporary Market	2	New Application

PARISH	NAME	ADDRESS	OCCUPATION	LOCATION	CLASS	REMARKS
	Petty Unwin	Brighton	Self Emplied	Brighton	3	New Application
	Systole Tash	Brighton	Business Woman	Prospect	3	New Application
	Napata Louis	Clare Valley	Shop Keeper	Plan	3	New Application
	Denise & James Ballantyne	Welcome	Sales Rep.	Belair	3	New Application
	Fabian Lewis	Vermont	Farmer	Francois	3	New Application
	Heather Wyllie	Campden Park	Domestic	Campden Park	3	New Application
	Alojay Apartment	Campden Park	Business Woman	Campden park	6&8	Change of Class
	Kent Minors	Golden Vale	Business Man	Dauphine	1&8	New Application
	Chad Minors	Golden Vale	Business Man	Fountain	1&8	New Application
	Kenly Gibson	Dorsetshire Hill	Mechanic	Dorsetshire Hill	3	New Application
Charlotte	Kevin Joseph	Park Hill	Technician	Park Hill	3	New Application
	Egena McMillan	South Rivers	Farmer	South Rivers	3	New Application
	Roseta Elizabeth Samuel	Villa	—	Mespo	3	New Application
	Michelle Jasmin Woods	Richland Park	Clerk	Richland Park	3	Change of Class
	Clorene Roberts	Sandy Bay	Self Employed	Sion Hill Sandy Bay	3	New Application
	Hezekiah Jackson	Mt. Grenan	Self Employed	Mt. Grenan	3	New Application
	Shellisa Davis	Richland Park	Sales Representative	Richland Park	3	New Application
Southern Grenadines	Nekeisha Charles	Barrouallie	Business Woman	Keartons Hill	3	New Application
	Marie Adams	Clifton	Business Woman	Clifton	5	Change of Name
	Chericia Morgan	Clifton	—	Clifton	4	New Application
	Shuntel Rock	Mayreau	Bartender	Mayreau	4	New Application
	Samuel Alex Keizer	Ashton	Business Man	Ashton	4	New Application
	Caroline Ashton	Clifton	Business Woman	Hugh Mulzac Square	4	New Application

PARISH	NAME	ADDRESS	OCCUPATION	LOCATION	CLASS	REMARKS
Northern Grenadines	Cynthia Mills	Clifton	Airline Clerk	Vegetable Market	4	New Application
	Olivia Lewis	Clifton	Caterer	Clifton	4	Change of Class
	Silmo Alexander	Clifton	Business Man	Clifton	4	Change of Name
	Monisha Young	Port Elizabeth	Bartender	Port Elizabeth	6&8	New Application
	Keneisha Skinner	Union Vale	Entrepreneur	Union Vale	4	New Application
	Daffodil Harris	Hamilton	Self Employed	Hamilton	4	New Application
	Linda Hector	Hamilton	Cook	Hamilton	4	New Application
	Shermon Ragguette	Paget Farm	Shop Keeper	Paget Farm	4	Renewal

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