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IN THE SEYCHELLES COURT OF APPEAL

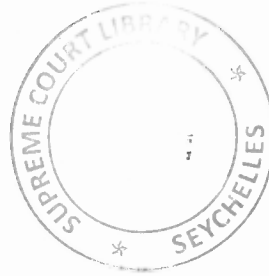
G. MARENGO

APPELLANT

V

THE REPUBLIC

RESPONDENT



Criminal Appeal No. 6 of 1991

Mr. C. Lucas for Appellant

Mr. T. Fernando for the respondent

JUDGMENT OF THE COURT

Mr. Fernando raised a preliminary objection to the appeal. He submitted that there are no grounds of law raised in the memorandum filed. As this is a second appeal only issues of law can be raised. He referred us to Sec.313 as amended in 1975 of the Code of Criminal Procedure Cap. 45 of the Laws.

Mr. Lucas conceded that all but one of his grounds of appeal are concerned with issues of fact. He however submitted that ground 2 concerning the evidence of a child witness could be purely a question of law. We have read ground 2, and find that the complaint is that the Chief Justice had rejected the evidence of a child witness as being unreliable. We can see no question of law involved in that finding.

In the circumstances since no question of law has been raised, the appeal is incompetent and is hereby dismissed.

*A. Mustafa*  
..... A. Mustafa  
President

*H. Goburdhun*  
..... H. Goburdhun  
Justice of Appeal

*C. de L. d'Arifat*  
..... C. de L. d'Arifat  
Justice of Appeal

*8th* October, 1991