

IN THE SUPREME COURT OF SEYCHELLES

Criminal Side: CO 28/2013

[2018] SCSC 121

THE REPUBLIC

versus

TERRENCE STRAVENS

Accused

Heard:

Counsel: Mr Chinnasamy, Assistant State Counsel for the Republic
Mr Hoareau for the accused

Delivered: 2 February 2018

SENTENCE

Dodin J

- [1] The Convict Terrence Stravens has been convicted of the offence of causing death by negligent driving by virtue of driving a motor vehicle on the road negligently as per Section 24(1)(b) of the Road Transport Act.
- [2] The sentence for the offence is a term of up to 2 years imprisonment or a fine of up to SR10,000 or both. The Convict is 54 years old and gainfully employed as a Security Officer at PUC. He has a dependent wife who suffers from Parkinson's disease. The record of proceedings would show that the Convict was willing to plead guilty to the offence of causing death by negligent driving at the first opportunity which was declined by the prosecution.

- [3] Consequently it is only fair to treat the Convict as having been convicted at the earliest opportunity and be given all the credits that a person who would have pleaded guilty at the first opportunity would have been given.
- [4] I have given the mitigating factors related by the defence counsel in this case including the fact that the Convict is a first offender with an unblemished record prior to this accident. He is genuinely remorseful and that there were no aggravating factors such as speed, use of substance such as to drug or alcohol.
- [5] Considering all the above circumstances of the case I impose a following sentence on the Convict:
- (1) I impose a sentence of 1 year imprisonment suspended for 2 years and a fine of SR6000.
 - (2) I also suspend his driving license for a period of 1 year effective from today. He should pay his fine within 3 months.
- [6] He can appeal against both judgment and sentence within 30 working days.

Signed, dated and delivered at Ile du Port on 2 February 2018

G Dodin
Judge of the Supreme Court