

SUPREME COURT OF SEYCHELLES HELD AT ILE DU PORT

Reportable

[2020] SCSC 79

CO 07/2019

In the matter between:

THE REPUBLIC

(rep. by Georges Tachette)

REPUBLIC

and

CAROLINE NINETTE BARREAU

(rep. by Karen Domingue)

ACCUSED

Neutral Citation: *The Republic vs Caroline Ninnete Barreau* CO 07/2019 [2020] SCSC 79 (6 February 2020).

Before: Govinden J

Summary: *The convict sentenced to 4 years imprisonment upon being convicted for manslaughter contrary to Section 192 of the Penal Code (CAP 158)*

Heard: 6 February 2020

Delivered: 6 February 2020

ORDER

SENTENCE

GOVINDEN J

[1] Ms. Caroline Ninette Barreau has been convicted of the offense of manslaughter contrary to Section 192 of the Penal Code (CAP 158), after she pleaded guilty to the said charge. The offense is a serious offense as it carries with it upon conviction a maximum sentence of life imprisonment.

[2] The convict's Counsel, Ms. Karen Domingue, made a very strong submission in favour of mitigating the sentence of the convict. I am satisfied, based on her mitigations, that the convict has pleaded guilty at the first opportunity and hence has saved the precious time of this Court, the Defence and of the Prosecution. The convict is further credited for

having shown remorse and has through her plea of guilty, saved the victim's friends and relative to the further anxiety of coming to Court and testifying.

- [3] During the process of the determining the most appropriate and suitable sentence in this case I have considered the convict's probation report dated the 23rd of October 2019 and the recommendation thereof.
- [4] I have further considered the extenuating circumstances presented by her learned Counsel in her submissions. Namely that the convict was provoked into attacking the victim by the victim's violent acts committed upon her and that she suffered injuries during the course of these violent attacks. I have further considered the social and personal circumstances of the convict and her unstable childhood and that of her family.
- [5] The Court have further looked at the sentencing pattern in this jurisdiction relating to sentence of this nature and the Court sentences in cases similar to the facts in this one pleaded guilty to.
- [6] Having done so this Court will impose a sentence of 4 years imprisonment on the convict Caroline Ninette Barreau. The time spent on remand shall be taken in consideration in this sentence and shall be deducted from the totality of the sentence. The convict has a right of appeal to the Court of Appeal against this sentence as of 30 days hereof.

Signed, dated and delivered at Ile du Port on 6 February 2020

Govinden J