

IN THE JUVENILE COURT OF SEYCHELLES

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Reportable/ Not Reportable / Redact  
[2020] SCSC 889  
CR-JO 8/2016

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In the matter between:

**THE REPUBLIC**  
(*rep. by Mrs. Morel*)

**PROSECUTION**

and

  
(*rep. by Mr. Daniel Cesar*)

**OFFENDER**

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**Neutral Citation:** *Rep v F C*  (CR-JO8/2016) [2020] SCSC889

**Before:** The Juvenile Court

**Summary:** Probation Order under Section 5 – Probation of Offender's Act (CAP 18).

**Heard:** 26 November 2020

**Delivered:** 26 November 2020

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**ORDER**

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**GOVINDEN R - CHAIRMAN      DELCY O – MEMBER      ELIZABET R - MEMBER**

This is the unanimous decision of the Juvenile Court.

- [1] The offender has been convicted for the offence of unlawful possession of property contrary to and punishable under Section 310 of the Penal Code.
- [2] This conviction was rendered upon the convict entering a guilty plea. Following that the Court called for a Probation services pre-sentencing report from the Probations Services. The Report dated 22<sup>nd</sup> of October 2020 has been provided to the Court and to the learned counsel for the offender, Mr. Daniel Cesar. The learned defence counsel in his submissions in mitigations submitted that he accepts the recommendations of the Probations Services found therein. He suggested that these conditions shall ensure, if properly apply, that the

offender will mend his ways and lead a reformed life. The recommendation of the probations Services are that the convict is put on 2 years' probation with the following condition;

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- i) That he shall conduct regular drug test.
- ii) He shall be in a stable employment.
- iii) That he shall live an honest life and that the Probations Services is willing to submit progress report on a 3 or 6 month basis.

[3] The Court is satisfied that such a Probation Order can be imposed in the circumstances of this case, under Section 5 of the Probation of offender's Act (Chapter 184) and we therefore imposes the following Probation Orders;

- i) That the offender shall be under the supervisions of a Probation Officer for a period of 2 years from today. The offender shall report to the Probation Officer Ms. E Magnan, being the Probation Officer that drew the Report in this case, on a date to be fixed by the Court. This date shall be the 4<sup>th</sup> of December 2020.
- ii) He must notify to the Probation Officer, without delay, if there is any changes of his address. The Officer shall caused to be conducted regular drug test and the convict shall comply to those test as directed by the Probation Officer. He shall be in a stable employment and he shall live an honest and industrious life.
- iii) The said Probation Officer shall submit to this Court on a 3 months basis progress report of the progress of this Probation Order. This Court shall adjourn to the 3<sup>rd</sup> day of December, which is a Thursday, at 9.00am for the Offender to be given a written copy of this Probation Order. A copy of this Order shall be served upon Probation Officer Ms. E Magnan as soon as it is sign by all officers of this Court.

A copy of this order is to be served upon the Director of Probation Services, Victoria, Mahe.

Signed, dated and delivered at Ile du Port / Victoria on 26 November 2020.



**R GOVINDEN**  
**CHAIRMAN**

**O DELCY**  
**MEMBER**

**R ELIZABETH**  
**MEMBER**