

IN THE SUPREME COURT OF SEYCHELLES

Reportable
[2024]
CO 56/2020

In the matter between:

THE REPUBLIC
(rep. by Ms. Rong Mei)

Prosecution

and

STEVEN BARONE
(rep. by Mr. Andre)

1st Accused

LOUISEL CONSTANCE
(rep. by Mr. Julie)

2nd Accused

Neutral Citation: *Republic v Barone & Anor* (CO 56/2020) [2024] 13th June 2024.

Before: G. Dodin J

Heard: 13th June 2024

Delivered: 13th June 2024

SENTENCE

DODIN J

- [1] The first Accused, Mr. Barone has pleaded guilty to 4 counts all of carrying out business of producing indecent material all related together. That is count 2 which is the alternative to count 1, count 4 alternative to count 3, count 6 in alternative to count 5 and count 7. On those 4 counts he has been convicted accordingly.
- [2] The second Accused, Mr. Constance has pleaded guilty to 5 counts also of the same nature of being in the business of producing or having possession of indecent material and that is count 8 and count 10 which is an alternative to count 9, count 12 which is an alternative to count 11, count 14 which is alternative to count 13 and count 16 which is an alternative to count 15 and he has been convicted accordingly on his own guilty pleas to these counts.

- [3] I have heard counsel in mitigation. The first convict, Steven Jones Barone is 46 years old, he is a first offender and he has pleaded guilty at the first opportunity when the amended charges were filed. Currently he is in a stable relationship and he is also in stable employment and learned counsel has moved the Court for leniency.
- [4] The second convict, Louisel Modest Constance who is also a first offender, he is 54 years old, he has 8 children, 5 of whom are still dependent on him. He is also a self-employed businessman employing 18 workers. He has shown remorse and stated that he feels sorry that he has been involved in this matter and he also moved the Court for leniency.
- [5] Having considered all the above and considering also that there were other co-accused's involved who have already been sentenced after pleading guilty. It is only fair to give the same sentences that were given to the others for the same offences.
- [6] Consequently I will impose the following sentences;

1. The first convict Mr. Steven Jones Barone;

Count 2

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 4

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 6

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 7

6 months imprisonment suspended for 1 year plus a fine of SR2000/-.

- [7] The total fine is SR11, 000/- all the sentences of imprisonment will run concurrently. In default of paying the fine he may be sentenced to serve a further one year imprisonment.

2. The second convict Mr. Louisel Modest Constance

Count 8

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 10

6 months imprisonment suspended for 1 year plus a fine of SR2000/-.

Count 12

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 14

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

Count 16

1 year imprisonment suspended for 2 years plus a fine of SR3000/-.

[8] The total fine is SR14, 000/-. In default of payment of the fine he may be sentenced to serve one year of imprisonment. All the sentences of imprisonment will run concurrently.

[9] They can appeal against the sentence in 30 working days of today.

Signed, dated and delivered at Ile du Port on 13th June 2024.



Dodin J