

1 **IN THE GRAND COURT OF THE CAYMAN ISLANDS**  
2 **CRIMINAL DIVISION**

3 **Neutral Citation Number: [2025] CIGC (Crim) 70**

4 **INDICTMENT NO: 36 of 2025**

7 **R**



9 **V.**

11 **JORDAN DARL MANDERSON**

15 **Appearances: Mr. Andre Wedderburn, Crown Counsel, Office of the Director of Public**  
16 **Prosecutions for the Prosecution**

17 **Ms. Amelia Fosuhene, Brady Law for the Defence**

21 **Before: The Hon. Justice Cheryll Richards KC**

23 **Submissions Heard: 24<sup>th</sup> October 2025, 7<sup>th</sup> November 2025 and 4<sup>th</sup> December 2025**

25 **Sentence Judgment: 4<sup>th</sup> December 2025**

29 ***Criminal Law – Sentencing, Possession of an Imitation Firearm contrary to section 18 (6) of the Firearms***  
30 ***Act (2025 Revision)***



**SENTENCE JUDGMENT**

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1. The defendant is before the Court for sentencing following his guilty plea to the single offence of Possession of an Imitation Firearm with Intent to Commit an Offence contrary to s. 18(6) of the *Firearms Act* (2025 Revision). The particulars are that he on the 20<sup>th</sup> day of March 2025 at 1428 West Bay Road, West Bay, had in his possession an imitation firearm with intent to commit an offence namely to cause fear or provocation of violence at night towards Latoya Lamb.
2. The maximum sentence which is prescribed by the *Act* is a fine of \$250,000 or imprisonment for a term of 35 years or both.
3. The defendant first appeared in the Grand Court on the 16<sup>th</sup> April 2025. Following defence requests for time and thus after three mention dates, he was arraigned on the 30<sup>th</sup> May 2025 and entered the plea as aforesaid.

**THE FACTS**

4. The facts are not disputed. The prosecution has provided a summary which is set out below.
5. At about 7:00pm on the 20<sup>th</sup> day of March 2025, the defendant entered the Jungle Bar located at 1428 West Bay Road, West Bay. He was visibly drunk. He was staggering and spitting all over the bar with some of his spit making contact with other customers. He was cursing and singing “f... the police!”. Some customers became upset, complained and then left the Bar.
6. The defendant was at the counter of the Bar where customers were. The victim was working as a bartender at the material time. The defendant lifted up his shirt and the victim saw in the front of his pants waist what appeared to be the handle of a firearm which was grey in colour.



- 1        7.        After the defendant lifted his shirt, customers immediately began to leave. During this time the  
2        defendant began speaking loudly and said “*aint nobody call the f... police, cause I know you*  
3        *all are informers*”.
- 4
- 5        8.        The victim became fearful on seeing the handle of the firearm. She noted that the defendant  
6        was drunk and that he appeared angry and unstable. She did not know whether he was upset at  
7        someone in the bar or what he would do.
- 8
- 9        9.        The victim went over to her manager and told her what she had seen. Her manager exclaimed  
10        “*The guy with the gun, yes I saw him Latoya, he has a gun in his waist, please call the police*”.  
11        Thereafter, the victim called the police.
- 12
- 13       10.       On the arrival of the police, the defendant was seen walking towards the rear door of the Bar  
14       away from the officers. PC Bowen called out to him, but he kept walking away.
- 15
- 16       11.       The defendant exited the Bar and when he was on the rear patio, he threw an object which  
17       landed on the floor. He then took up the object and threw it on a table. The object which was a  
18       grey flare gun was recovered by PC Alleyne.
- 19
- 20       12.       The defendant stated that he was a boat captain and was on the sea all day and he was allowed  
21       to have a flare gun. According to PC Bowen, the defendant appeared to be highly intoxicated  
22       as the smell of liquor emanated from his breath when he spoke and he was unsteady on his feet.  
23       Of note, PC Bowen observed that the defendant had what appeared to be a large bottle of white  
24       rum in his hand.
- 25
- 26       13.       The defendant was interviewed under caution in the presence of his Attorney on the 21<sup>st</sup> March  
27       2025. He told the police that he had come off work and visited the Jungle Bar where he had a  
28       couple of drinks consisting of beer and rum but could not recall any aspect of the incident. For  
29       the remainder of the interview, the defendant either answered that he could not remember or  
30       no comment to the questions put to him.
- 31



1 14. The item recovered from the table at the Bar was examined by Leesa Mullings, the Forensic  
2 Firearm Examiner. It was tested using the 12 Gauge calibre “Orion Red Flare” signal flare  
3 recovered in it but the flare failed to discharge. That flare had an expiry date of February 2010.  
4 However, when a 12 Gauge calibre signal flare from police ammunition stock was used in the  
5 item recovered, it discharged the flare after the first pull on the trigger.

6  
7 15. Ms. Mullings concluded that the item recovered was a 12 Gauge calibre “Orion” flare gun that  
8 was in working condition and capable of discharging 12 Gauge calibre flare cartridges.

9  
10 **VICTIM IMPACT REPORT**

11  
12 16. The Department of Community Rehabilitation (“DCR”) has provided a Victim Impact Report  
13 dated the 19<sup>th</sup> September 2025, (“VIR”). The victim stated that during the incident she was so  
14 nervous that her hand was trembling, her heart was racing and she was shaking. She did not  
15 want to say anything to the defendant for him to go off. She was concerned that she would not  
16 make it out of the situation alive. She said that she was trying to stay as calm as possible because  
17 he appeared very unstable. In the immediate aftermath she did not want to return to work  
18 because she did not feel safe. When she did return to work after a few days, she still had safety  
19 concerns.

20  
21 17. The victim expressed the hope that any sentence which the defendant receives is such that he  
22 understands that it is not acceptable for him to go around putting people in fear. She also  
23 comments that she hopes that he gets help with his drinking She said that: -

24  
25 “The defendant was drinking the rum “raw”. She said that he did not chase it. It was a  
26 big bottle, and he drank about half of it. Persons like him should not be anywhere near  
27 alcohol. He is a danger to the public and himself when he drinks. He could not talk or  
28 walk properly.”

29  
30 18. The Probation Officer concludes that based on all the available information, the defendant’s  
31 behaviour: -



1 “posed a significant risk to the safety of the patrons who were present. The following  
2 factors contributed to heighten the level of psychological and physical harm for those  
3 present:

- 4
- 5 • Mr. Manderson appeared to be intoxicated while being armed.
- 6 • He was behaving in an aggressive and threatening manner towards the
- 7 patrons.
- 8 • Mr. Manderson’s erratic behaviour evoked, fear and safety concern for Ms.
- 9 Lamb and the other patrons.”
- 10

#### 11 **ANTECEDENT HISTORY**

- 12

13 19. The defendant has an antecedent history which includes offences of Disorderly Conduct,  
14 Resisting Arrest and Assaulting Police in 2013 and Possession of Unlicensed Firearm and  
15 Ammunition for which he was sentenced to 10 years imprisonment in February 2016.

- 16

#### 17 **SOCIAL INQUIRY REPORT**

- 18

19 20. The DCR has provided a Social Inquiry Report dated the 19<sup>th</sup> September 2025, (“SIR”). The  
20 defendant is thirty-two years old with one son who is twelve years old. The defendant grew up  
21 in a dysfunctional household where one parent struggled with alcoholism and drug addiction  
22 and there was the use of aggressive and abusive language in the home. He did not attend school  
23 consistently and struggled and continues to struggle academically. It is believed that he has a  
24 learning disorder. From an early age he started working on boats and continues to do so when  
25 there is work available. He was involved with a local gang in the past but denies any recent or  
26 current involvement. He lost several friends and his brother due to gang violence which has  
27 negatively impacted him. Since 2022 he has been the victim of two separate incidents of gun  
28 violence. He said that he consumes large quantities of ganja and alcohol a day and agreed that  
29 he would consider himself an alcoholic. He said that his consumption level is due to ongoing  
30 stress after what he has been going through since 2022. He appeared to the Probation Officer  
31 to be ambivalent to treatment.

- 32



1       21.     The Probation Officer notes that the defendant was sentenced to Probation and Community  
2           Service Orders in 2013 and successfully completed both without being breached. During his  
3           most recent term of imprisonment there were no infractions recorded against him.

4  
5       22.     Under the heading Assessment/Evaluation, the Probation Officer concludes that the defendant  
6           requires mental health, substance and alcohol abuse treatment but that due to his circumstances  
7           his risk cannot be managed in the community. It is stated: -

8  
9           “Though it is recognised that the client has experienced numerous traumatic events and has  
10          been the victim of two shootings since his release from prison in 2022 it is deemed vital  
11          that his mental health, substance and alcohol abuse is addressed. This, along with Mr.  
12          Manderson using his time in a more pro-social manner by attaining work and engaging in  
13          other positive leisure activities, will significantly decrease his risk in relation to recidivism.

14  
15          Mr. Manderson has expressed a desire to comply with any sentence imposed by the court.  
16          At this time, any community-based order poses safety concerns, [due to] his continued  
17          engagement in gang related activities, concerns around public safety, his very high-risk  
18          factors, his risk cannot be managed in the community. Due to this he has been deemed not  
19          suitable for community service.”

20  
21       23.     The defendant was assessed as being at very high risk of re-offending with six of the eight  
22           criminogenic factors above the medium level. The conclusion is that while he would benefit  
23           from intensive supervision there are concerns that this cannot be properly done in the  
24           community. The Officer states: -

25  
26          “Mr. Manderson could greatly benefit from engaging in Intensive Supervision services  
27          where he will be supervised by a Probation Officer on a weekly basis. Supervision will  
28          aim to help him change his circumstances; specifically, to address his substance misuse,  
29          employment circumstances, and areas contributing to the identified anti-social pattern and  
30          pro-criminal thinking. Unfortunately, due to Mr. Manderson’s statements about persons  
31          targeting him, his current gang involvement, concerns raised in the report and him being a  
32          victim of two shooting incidents in recent years; fulsome supervision may not be a feasible



1 option at this time, as it is likely that his compliance and engagement in services will be  
2 very low. The client has been made aware that in totality his offence places him into the  
3 custody threshold and stated that he would be ready to comply with whatever order the  
4 court imposes.

5  
6 Note should be taken by the court of both his parents' statement of the client's alleged  
7 diagnosed mental and development needs which could impact his ability to grasp any  
8 social-educational programs offered to him. The court should also take into consideration  
9 that the client has breached bail conditions by being arrested on August 18, 2025.”  
10

### 11 **THE SUBMISSIONS**

12  
13 24. The prosecution submitted that it is clear from the surrounding circumstances of this case that  
14 the defendant's intention was to cause fear to the victim and patrons at the Bar. Counsel submits  
15 that whilst the defendant did not point the firearm at the victim or patrons at the Bar, his act of  
16 lifting up his shirt and exposing the handle of the firearm in the Bar coupled with the offensive  
17 words uttered by him were sufficient to cause a disturbance of the peace and caused the victim  
18 to become fearful.

19  
20 25. Counsel places reliance on a number of cases. In the case of *R v Kevin Kumar Walters*<sup>1</sup>, the  
21 defendant was convicted and sentenced to twenty (20) months' imprisonment for possession of  
22 an imitation firearm contrary to section 18 (6) of the *Firearms Act* (2008 Revision). This was  
23 at a time when the maximum penalty for the offence was one hundred thousand dollars  
24 (\$100,000.00) and imprisonment for twenty years.

25  
26 26. Counsel cited the cases of *R v Omari*<sup>2</sup> and *R v Duffy*<sup>3</sup>.  
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<sup>1</sup> Grand Court Unreported Judgment, Ind. 91 of 2023 dated 24<sup>th</sup> May 2024

<sup>2</sup> [2004] EWCA Crim 911

<sup>3</sup> [2005] EWCA Crim 2054



- 1        27.    In *R v Omari* the appellant’s sentence of 5 years imprisonment on a guilty plea for the offence  
2        of possessing an imitation firearm with intent to cause fear of violence was affirmed on appeal.  
3        He had previous convictions for resisting and assaulting a constable but none for firearms.  
4
- 5        28.    In *R v Duffy* the appellant had entered guilty pleas to the offences of having a firearm or  
6        imitation firearm with intent to resist arrest, possessing an imitation firearm with intent to cause  
7        fear of violence and making a threat to kill a police officer. On appeal, the sentence of 5 years  
8        imprisonment for Count 1 along with the other sentences of 3 years imprisonment were  
9        affirmed. The appellant had no previous convictions for firearm offences but had a bad record  
10       for violent behaviour to include affray and assault occasioning actual bodily harm.  
11
- 12       29.    Counsel submits by reference to the *United Kingdom Sentencing Council Guidelines* (“SGC  
13       Guidelines”) that the defendant’s culpability in the instant case is low. Counsel said that the  
14       circumstances suggest that there was little or no planning on the part of the defendant and his  
15       conduct was limited in scope and duration. The harm caused is submitted to be within Category  
16       3.  
17
- 18       30.    The defence do not disagree with the submitted categorisation.  
19
- 20       31.    In the United Kingdom where the maximum sentence for this offending is 10 years custody, an  
21       offence of Lower Culpability and Category 3 harm would have a starting point of 6 months  
22       custody with a sentence range of a medium level community order to 1 year custody.  
23
- 24       32.    The prosecution submits that there are four aggravating factors as follows:-  
25
- 26            i)        This offence was committed in public at night at a bar where patrons had gathered;  
27            ii)        The defendant has previous convictions for similar offences;  
28            iii)        The defendant committed the offence whilst under the influence of alcohol; and  
29            iv)        The defendant attempted to dispose of the firearm on the approach of the officers.  
30
- 31       33.    Defence Counsel submitted that each case that involves an imitation firearm turns on its own  
32       facts. There are differences with the case of *Kevin Kumar Walters*. Counsel said that it is  
33       accepted that the defendant was incredibly drunk when the offence was committed and that



1 what he had done would have caused fear of violence by others who witnessed what he was  
2 doing.

3  
4 34. Counsel submitted that the defendant held no reasoned intent, but only drunken intent and  
5 whilst still not a defence, it is argued that had the defendant not been drunk at the time, it is  
6 wholly unlikely that he would have committed any offence at all.

7  
8 35. Counsel submitted that: -

9  
10 “ In reality the item involved was a flare gun. It lacked the capacity to do anything other  
11 than frighten those who saw it and whilst that is not downplayed by these submissions, it  
12 was not an item that was used to rob or coerce those to provide their goods. It was possessed  
13 in his waistband whilst he sang and vocalised dissatisfaction in a drunken fashion. He  
14 simply told people that he knows they are informers and cursed about the police. Clearly  
15 this was a frightening experience for any persons witnessing it. The lifting of the shirt and  
16 showing the item being the act which could have caused fear from the complainant that she  
17 would be hurt, through violence. It is the showing of the firearm in his drunken state, that  
18 must make the defendant fall foul of the legislation. It is the showing of the firearm in that  
19 drunken state, which clearly provides the Crown with a case.”

20  
21 36. As to the aggravating factors, the defence accept that the fact that the offence was committed  
22 in a public place and that the defendant has previous convictions are aggravating factors. The  
23 fact of the alcohol and the attempt to dispose of the firearm are not accepted. Counsel submits  
24 that the attempt to dispose was unrealistic.

25  
26 37. In mitigation, Counsel submits that it is a mitigating factor that the defendant was drunk.  
27 Counsel said that the defendant has expressed remorse. He was open and frank with the  
28 Probation Officer. He is trying to seek help for his addiction which has led to the offending.  
29 His circumstances mean that he has not been able to do so.

30



- 1 38. Counsel referenced the cases of *R v Fabian Oliver Thompson*<sup>4</sup> and *R v Jonathan Samuel*  
2 *Welcome*<sup>5</sup> in both of which following trials and convictions, each defendant received sentences  
3 of over 5 years imprisonment for a similar offence.  
4
- 5 39. Counsel submitted that it is accepted that this offence attracts a custodial sentence.  
6
- 7 40. In an impassioned plea in mitigation, Counsel asked the Court to consider whether a sentence  
8 of immediate custody is necessary where efforts are being made by this defendant to address  
9 the root causes of his offending behaviour, and where he has not had the benefit of the  
10 assistance which could be afforded to him now that he is an adult.  
11
- 12 41. Counsel submitted that “*in order to break the obvious cycle of institutionalisation, the*  
13 *defendant should be afforded the opportunity of an alternative to immediate custody. He should*  
14 *be afforded the opportunity to show this court and himself, that he is worthy of the chance to*  
15 *change what, for him, has been a tormented and difficult upbringing*”.  
16
- 17 42. Counsel said that the defendant knows that his drinking is a problem. He was advised to get  
18 help from Narcotics Anonymous, but he said that he could not stay there because so many  
19 people want to do him harm. Counsel said that the defendant has been in prison from a young  
20 age, just as he turned sixteen years. He has had an unstable family upbringing. His drinking  
21 and aggression is part of a learnt behaviour pattern from his own parent. He has had learning  
22 difficulties. From an early age he was left behind. He just wants to settle down and do all the  
23 normal things but does not know how to do so. Counsel said that he has fallen into the trap of  
24 gangs and peers. He has lost his brother who was murdered because of the problem of being  
25 labelled from a young age. He is a young man who clearly needs help. Counsel asked how is  
26 someone to be changed if all that is done with them is to place them into custody. Counsel said  
27 that the defendant is calling out for change and is open to this, to breaking the cycle of offending  
28 and taking a different path. Counsel said the defendant is a very kind and hopeful young man.  
29 He knows that he has a drinking problem and is asking for help.  
30

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<sup>4</sup> Grand Court Unreported Judgment Ind. No 92/2016 dated 29<sup>th</sup> May 2027

<sup>5</sup> Grand Court Unreported Judgment Ind. No 57/2016 dated 15<sup>th</sup> December 2016



1 43. Counsel asks the Court to consider a strict order which would get the defendant the help that  
2 he needs and address his offending behaviour and the causes of it.

3  
4 44. The Court brought to the attention of Counsel the conclusion of the Probation Officer that  
5 fulsome supervision in the community may not be a feasible option for the defendant given his  
6 present circumstances. Counsel then sought an adjournment for the Probation Officer to attend  
7 to provide any further clarification.

8  
9 45. The Probation Officer attended and explained that the only intensive treatment available in the  
10 community for the addiction issues with alcohol and drugs which face the defendant is that  
11 provided by Caribbean Haven but there are a number of circumstances highlighted in the SIR  
12 which will have to be considered.

13  
14 46. At the request of defence Counsel, the sentencing was again adjourned in order that Caribbean  
15 Haven be asked to do an intake assessment to see whether the defendant is a suitable candidate  
16 for in house treatment.

17  
18 47. The Assessment Report received from Caribbean Haven is dated 23<sup>rd</sup> November 2025 and  
19 concludes that the defendant is not a suitable candidate because of his history of violent  
20 behaviours which would be of concern in an environment where he would need to be in  
21 constant contact with other clients. The alternative recommendation is that he engages in  
22 outpatient services at the Counselling Center and Mental Health Treatment Services. The  
23 Report states in part: -

24 “ In order to effectively address Mr. Manderson’s alcohol and marijuana concerns, it is  
25 instead recommended for him to engage in outpatient services at the Counselling Centre,  
26 namely the IOP program offered. This intervention is deemed to be suitable for Mr.  
27 Manderson because this particular program effectively assists individuals in addressing  
28 substance-use concerns on an outpatient level and also because Mr. Manderson has  
29 sufficient protective factors in the community, therefore is likely able to maintain  
30 engagement in IOP services. It is also recommended for Mr. Manderson to engage in  
31 Mental Health Treatment services, in order to obtain a comprehensive mental health  
32 evaluation so that all parties involved with Mr. Manderson’s rehabilitation efforts are able  
33 to have a more in depth understanding of his mental capacity and functioning.”



1 **THE SENTENCE**  
2

3 48. This Court has considered the relevant questions as set out in the case of *R v Avis*<sup>6</sup>.  
4

5 i) What sort of weapon is involved in this case? It is an imitation firearm.  
6

7 ii) What use if any was made of it? It was not brandished or pulled by the defendant.  
8 The witnesses say that the defendant lifted up his shirt and made threatening  
9 remarks about no one calling the police.  
10

11 iii) With what intention did the defendant possess the imitation firearm. Clearly it was  
12 to instill fear into the minds of the patrons in the Bar.  
13

14 v) What is the defendant's record? He has a previous conviction for an offence of a  
15 similar nature.  
16

17 49. In the case of *Welcome*, the defendant had brandished an imitation firearm at police officers  
18 and two members of the public at night in a public place. His intention was to resist arrest. The  
19 Court adopted a starting point of 5 years imprisonment. The defendant had previous convictions  
20 including one for possession of a prohibited weapon, two for attempted robbery and two for  
21 possession of an imitation firearm with intent to commit an offence; The defendant was  
22 sentenced to 6 years imprisonment after trial. This was before the increase in sentences in the  
23 Cayman Islands.  
24

25 50. The Grand Court (Dobbs J.) said this: -  
26

27 "27. Mrs. Boddan, counsel for the Defendant, has submitted that when looking at  
28 the UK cases, cognizance has to be taken of the fact that the maximum sentences  
29 in the UK are higher for the equivalent offence, That is correct. However, the  
30 imposition of the tough mandatory minimum in the Cayman Island demonstrates

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<sup>6</sup> [1998] 1 Cr. App. R. 420



1 that these offences are taken extremely seriously and are indeed higher than the  
2 mandatory minima in the UK.

3  
4 28. In my judgment, there has to be some correlation between sentences for a real  
5 firearm and an imitation one under the section. Despite Lord Bingham’s measured  
6 words, there is a strong message about the seriousness of cases involving imitation  
7 firearms. In this case, the officers were clearly concerned for their safety, taking  
8 cover where they could; the two members of the public must have been petrified.

9  
10 29. The mandatory minimum sentence under the section, had this been a real  
11 firearm, is ten years following conviction. This obviously can be increased to  
12 reflect aggravating factors. With that in mind, I take a starting point of five years.  
13 A more imposing weapon would have attracted a higher starting point.”

14  
15 51. The learned Judge referred to the judgment of Lord Bingham in the case of *Bentham*<sup>7</sup> and  
16 stated that: -

17 “24. Applying the questions set out in *Avis*: The court is concerned with an  
18 imitation firearm. Although the maximum sentence under s.18 is the same whether  
19 the firearm is imitation or real, commonsense dictates that the fact that the gun is  
20 an imitation one is a highly relevant factor. If the gun in question had been a real  
21 firearm under the section, the mandatory minimum sentence of 10 years’  
22 imprisonment, unless exceptional circumstances pertained would follow  
23 conviction. However, the fact that the gun was an imitation one does not take the  
24 offence out of the clearly serious category which Parliament intended, not least  
25 because as Lord Bingham in the case of *Bentham* (supra) at paragraph 6 said:

26  
27 “While an imitation firearm lacks the capacity of a real loaded firearm to kill or  
28 injure, it has much the same capacity to frighten and enforce compliance, not least  
29 because many imitations are almost indistinguishable from the real thing and those

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<sup>7</sup> [2005] UKHL 18



1                                   threatened have little opportunity or inclination to examine the nature of the  
2                                   weapon used.””

3  
4           52.       Both Counsel referred to the *SGC Guidelines* for the offence of Possession with Intent to Cause  
5                   Fear but accept that there are differences. The maximum sentence in the Cayman Islands since  
6                   the start of 2025 is 35 years, more than three times what it is in the United Kingdom.

7  
8           53.       The Court accepts the agreed position of Counsel that this is an offence of lower culpability  
9                   and harm in accordance with the *SGC Guidelines*. Adopting an adjusted starting point of 30  
10                  months custody the offending is aggravated by the fact that this occurred in public place, a bar  
11                  and at night, the defendant has previous convictions for an offence of a similar nature, and the  
12                  offence was committed while under the influence of alcohol. In the *Cayman Islands*  
13                  *Sentencing Guidelines* this is listed as an aggravating factor.

14  
15          54.       These factors serve to increase the sentence by 12 months to one of 42 months imprisonment.

16  
17          55.       In mitigation account is taken of all the circumstances in his favour which are outlined in the  
18                  SIR and by his Counsel. The defendant has had a troubled childhood and has a learning  
19                  disability. He has difficult personal circumstances in which he lost his brother to gang violence  
20                  and he himself has been the victim of such violence. He is remorseful and seeks rehabilitative  
21                  assistance to deal with an alcohol addiction which is learnt family behaviour.

22  
23          56.       These mitigating factors serve to reduce the sentence by 9 months to one of 33 months  
24                  imprisonment.

25  
26       **CREDIT FOR GUILTY PLEA**

27  
28          57.       The defendant entered a guilty plea. Counsel for the defence argues that he should receive full  
29                  credit even though the plea was not offered at the first reasonable opportunity.

30  
31          58.       The prosecution submits that not only was the plea not offered at the first reasonable  
32                  opportunity, but the evidence was overwhelming.



1  
2 59. The Court notes that while the defendant was still in the Bar on the arrival of the police, he had  
3 the firearm with him which he tried to dispose of. However, while there were three mention  
4 dates, of importance is that two of the mention dates were because his Counsel was engaged in  
5 a trial in another Court. The defendant is afforded the full discount of one third for a sentence  
6 of 22 months imprisonment.

7  
8 **CONCLUSION**

9  
10 60. The personal circumstances of the defendant are noted in particular his plea for help with his  
11 addictions. The primary aim of sentencing in this case is rehabilitation in order to prevent a re-  
12 occurrence of this offending behaviour. The sentence will be suspended for two years. The  
13 defendant is therefore sentenced as follows:

- 14  
15 i) 22 months imprisonment suspended for 2 years.
- 16  
17 ii) Pursuant to section 21 of the *Alternative Sentencing Act* (2008 Revision) a  
18 suspended sentence supervision order for a period of 2 years is made. During this  
19 period the defendant is to be supervised by the DCR. The conditions are that he is  
20 to:  
21 a. Reside at the stated address.  
22 b. Follow and comply with all the instructions of his assigned Probation  
23 Officer which will include:  
24 • Enrolling and attending outpatient counselling services at the  
25 Counselling Center namely the IOP programme offered.  
26 • Enrolling in and attending Mental Health Treatment Services.
- 27  
28 iii) Pursuant to section 11 of the *Alternative Sentencing Act* (2008 Revision) an  
29 Exclusion Order is made for a period of 1 year. By this Order the defendant is not  
30 permitted to enter any premises which holds a liquor license. This includes, but is  
31 not limited to, Kelly's Bar, Pop-A-Top, La Petit, Tukka, Pappagallo, Tortuga and  
32 Brooklyn.

1  
2 iv) Pursuant to section 5 of the *Alternative Sentencing Act* (2008 Revision), a Curfew  
3 Order is made for a period of 1 year. The defendant is to observe a curfew between  
4 the hours of 7pm and 7am. During this time period the defendant is to be at the  
5 stated address. The defendant is to be fitted and or remain fitted with an electronic  
6 monitoring device so as to allow monitoring of his compliance with the Curfew  
7 Order by the Electronic Monitoring Department. The Probation Officer is also to  
8 monitor his compliance.  
9

10 61. The defendant is warned as to the possible consequences of any breaches of the Orders made.  
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12

13 **Dated this the 4<sup>th</sup> day of December 2025**

14 

15 **The Hon. Justice Cheryll Richards KC**  
16 **Judge of the Grand Court**  
17