



The Court of Appeal for Bermuda

CRIMINAL APPEAL No 8 of 2015

Between:

TAARIQ CLARKE

Appellant

-v-

THE QUEEN

Respondent

Before: **Baker, President**
Bell, JA
Kawaley, AJA

Appearances: Mr. Charles Richardson, Compass Law Chambers, for the Appellant
Mr. Loxley Ricketts, Department of Public Prosecutions, for the Respondent

Date of Hearing & Judgment:

15 March 2016

EX TEMPORE JUDGMENT

Appeal against sentence of 7 ½ years' imprisonment reduced to 6 for aggravated burglary and using a firearm – assistance to the police – given evidence leading to a conviction - early plea of guilty

PRESIDENT

1. This is an appeal by Taariq Clarke on the basis that he was sentenced by Justice Greaves to seven and a half years' imprisonment for aggravated burglary and using a firearm to commit the offence which reflected a discount of about 35% on a sentence that would have been twelve years' imprisonment, but for the fact that he had given assistance to the police in the shape of a caution statement that in the event ultimately led to another person being apprehended and convicted of

the crime. It is urged on the Court that in accordance with the ordinary practice he should now be entitled to the full discount of 50%, the consequence of which would reduce the sentence of seven and a half years' imprisonment to six years' imprisonment, that being on the ground that he gave sworn testimony in the High Court which led to the conviction of a co-defendant.

2. We see no reason to depart from the ordinary practice, nor do we see that there is any necessity to describe in any detail the circumstances of the offence. The circumstances can be seen by looking at the judgment recently given by this Court in *The Queen v Umdae Woolridge* Criminal Appeal 12 of 2015.
3. The appeal is accordingly allowed and the sentence of seven and a half years reduced to six years. In other respects, the order below stands.

Signed

Baker, P