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IN THE COURT OF APPEAL

R. M. COURT CRIMINAL APPEAL No. 247/65

BEFORE: The Hon. Mr. Justice Duffus (President)  
The Hon. Mr. Justice Henriques  
The Hon. Mr. Justice Waddington

R. vs PABLO WILLIAMS

Mr. F. M. Phipps for the Crown  
Appellant appeared in person

13th January, 1966

DUFFUS, P.:

The appellant Pablo Williams was convicted of unlawful possession of a small trinket box and a pair of children's socks and sentenced to twelve months imprisonment by the learned Resident Magistrate for the parish of Kingston.

The Court examined carefully the evidence given by Special Constable Winston Lewis, and it did not seem that he gave any evidence of reasonable grounds to support his suspicion. He may very well have had good grounds for suspicion but the evidence thereof did not appear to have been given to the learned Resident Magistrate. In the circumstances, the learned Resident Magistrate ought not to have ordered the appellant to account for his possession. In these circumstances, and in view of the fact that learned Counsel for the Crown is not supporting the conviction the appeal is allowed and the conviction quashed and sentence set aside.