

IN THE COURT OF APPEAL

R.M.C.A. No. 154/65

BEFORE: The Hon. Mr. Justice Henriques (P)
 The Hon. Mr. Justice Waddington
 The Hon. Mr. Justice Moody (Ag.)

R. v. W E S L E Y S T A P L E S

Mr. C. B. F. Orr appeared for the Crown.
Appellant appeared on his own behalf.

22nd November, 1965.

HENRIQUES, J.A.:

In this matter, the appellant was convicted before the learned Resident Magistrate for the parish of Clarendon on the 29th of June, 1965, of two offences: one for house-breaking and larceny and the other was assault at common law, and sentenced in the one case to 6 months hard labour to be followed by a term of imprisonment of 12 months hard labour on the other. These offences were committed in relation to his father's house and to the person of his father. When this matter first came before this Court, the Court adjourned it so that it could have the advantage of a Probation Officer's report; and today Mr. Harris, Probation Officer for Clarendon, has appeared and tendered his report. He has also intimated to us that the father is anxious that his son should return to him and assist him in the farm work which he does.

The Court feels, from the report that Mr. Harris has tendered, that there is a reasonable chance that in the future, a healthy relationship might be built up between this son and his father. Apparently there has been some grievance in the past on the part of the son.

The appellant has assured us that he is going to endeavour to do his best in order to build a sound relationship with his father and in view of the Probation Officer's report and his

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expressed willingness to cooperate with the Probation Officer, the Court quashes the sentences of 6 months hard labour and 12 months hard labour and substitutes therefor, a probation order, that is, an order placing the appellant under the supervision of Mr. Harris the Probation Officer for Clarendon, for a period of two years; the conditions of the order being that he lives an honest and industrious life, that he keeps the peace and be of good behaviour, and that he receives, at all times, visits from the Probation Officer, Mr. Harris, and obeys and carries out his directions.

On the appellant entering into such a bond formally, he may be discharged.

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