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COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCrApp & CAIS No. 141 of 2012

Vinson Ariste

Appellant

vs

Regina

Respondent

(Substantive Appeal)

Before: The Hon Mrs Justice Allen, President
The Hon Mr Justice John, JA
The Hon Mr Justice Adderley, JA

Ms Monique Gomez, Counsel for Appellant
Mr Garvin Gaskin, with Mr Uel Johnson,
Counsel for Respondent

18 February 2013

1 The oral judgment of the court was delivered by

2 Allen, P:

3

4 Having looked at the transcript and having
5 heard counsel for the appellant this morning, we are
6 satisfied that the learned judge was correct in
7 admitting the record of interview.

8

9 In our view, having accepted the evidence for
10 the witnesses for the prosecution and, after hearing
11 the incredible story of beating, and the evidence of
12 the doctor that the injury to the head and buttocks
13 were two to three weeks old (which would mean that they
14 were inflicted prior to his coming into police
15 custody); and his evidence that the injuries could
16 possibly have been caused by a car accident (of which
17 there was evidence); that it was reasonable for the
18 judge to determine in all the circumstances that the
19 prosecution had proven beyond a reasonable doubt that
20 the record of interview was not obtained by oppression
21 and that there was nothing done or omitted to be done
22 to make it unreliable.

23

24 On the evidence, in our view, it was properly
25 admitted and we dismiss the appeal and affirm the

1 conviction and sentence.

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4 Dated this 18th day of February, 2013

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ALLEN, P

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