



## CARIBBEAN COURT OF JUSTICE

**134 HENRY STREET  
PORT OF SPAIN  
REPUBLIC OF TRINIDAD AND TOBAGO**  
Telephone: (868) 623-2CCJ Fax: (868) 624-4710  
Website: [www.caribbeancourtofjustice.org](http://www.caribbeancourtofjustice.org)

### **MEDIA RELEASE (For immediate release)**

**No. 12:2017  
6 April, 2017**

#### **CCJ UPHOLDS APPEALS COURT DECISION IN A BARBADOS MURDER CASE**

The Caribbean Court of Justice (CCJ) today upheld the decisions of the Barbados Court of Appeal and the trial court judge in the Appellate Jurisdiction matter of *Troy Stanford v The Queen*. This decision dismissed the notion that the trial judge failed to direct the jury on the issue of self-defence based on the evidence presented. The CCJ also gave guidance on the obligation of the trial judge to direct the jury on defences.

Troy Stanford, the conductor of a ZR259, was charged with murder following an altercation resulting in the shooting death of ZR289 conductor Matthew Joseph on 15 June 2008. The trial judge directed the jury on the defences of “accident” and “provocation”. Stanford was convicted of manslaughter and appealed to the Court of Appeal of Barbados. He argued *inter alia* that there was sufficient evidence to direct the jury on “self-defence” and the trial judge had failed to do so. The Court of Appeal dismissed the appeal and held that the trial judge was right not to have directed the jury on self-defence. Stanford’s appeal to the CCJ advanced that the trial judge had an obligation to direct the jury on any defence which arose on the evidence of the matter, which he purports includes that of self-defence.

In considering the evidence, the CCJ stated that the law required an act of self-defence to be “*the deliberate yet reasonable result of an accused’s honest belief that he or another person was under imminent attack*”. The Court held that Stanford’s decision to shoot Joseph was neither prompted by fear of an attack on himself nor was it reasonable in the circumstances. The Court also advised that the issue of defences is to be best answered by the trial judge who has heard the evidence, and determining whether there is evidence sufficiently strong to raise a *bona fide* case of self-defence.

The appeal was determined by the Bench of the CCJ comprising the Honourable Justices Saunders, Wit, Anderson and Rajnauth-Lee. Troy Stanford was represented by Mr. Mr Larry A.C. Smith and Ms Safiya A. Moore while the State was represented by Mr Alliston Seale and Mr Oliver Thomas

The full decision of the Court can be accessed via the CCJ’s website.

*-end-*