



CARIBBEAN COURT OF JUSTICE

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THE CCJ DISMISSES APPEAL IN BARBADOS MURDER CASE AND CLARIFIES APPROACH TO CONFESSIONS AND RIGHT TO COUNSEL

Port of Spain, Trinidad and Tobago. On Friday, 24 July 2026, the Caribbean Court of Justice (CCJ) delivered judgment in *Baggio Kristidi Daniel v The State* [2026] CCJ 9 (AJ) BB. The CCJ dismissed the appeal of Baggio Kristidi Daniel against his conviction for murder in Barbados and affirmed his sentence of 28 years' imprisonment.

Mr Daniel was convicted in 2019 of the fatal shooting of Alex Romel Samuel on a public minibus. His conviction was based on eyewitness testimony and an oral confession, which he made to the police whilst in custody. His appeal to the Barbados Court of Appeal was dismissed, and he subsequently appealed to the CCJ.

Before the CCJ, Mr Daniel argued that his trial was unfair. He contended that his constitutional right to consult an attorney had been violated, that the trial judge failed to properly rule on that issue, and that the jury was wrongly allowed to determine whether his confession should be used as evidence against him. He also complained that the judge failed to give appropriate warnings about the reliability of certain evidence.

In a judgment delivered by Justice Bulkan (President Anderson, Justices Rajnauth-Lee, Jamadar, and Ononaiwu concurring), the Court rejected all these arguments. The CCJ held that although the trial judge did not make an explicit ruling on the alleged breach of the right to counsel, her decision that it was not violated was clear from the record. By explicitly accepting the evidence of the police officers, she rejected the claim that Mr Daniel had been denied access to an attorney.

The Court also found that the trial judge did not improperly delegate her role to the jury. She had already determined that the confession was admissible. Her instructions to the jury were instead aimed at guiding them on how to assess the reliability of the statement. The CCJ affirmed that juries must disregard confessions if they find that they were obtained by oppression or in breach of fundamental rights, even if they believe the statements to be true. The Court also ruled that this

matter did not require a special warning of the kind described in the Court's case law, that certain types of evidence may not be entirely reliable and should be treated with caution. In any event, in this matter, the trial judge had properly cautioned the jury about the possible unreliability of certain evidence.

The CCJ emphasised the importance of the right to legal counsel as a fundamental safeguard in criminal proceedings but held that there was no breach of that right in this case.

The Court also noted that the evidence against Mr Daniel was strong. Although no witness saw the actual shooting, the combined testimony of several eyewitnesses, together with other evidence, strongly supported the jury's verdict.

Having found no errors affecting the fairness of the trial, the CCJ dismissed the appeal and upheld the conviction and sentence.

The matter was heard by CCJ President, the Honourable Mr Justice Anderson, and the Honourable Justices Rajnauth-Lee, Jamadar, Ononaiwu, and Bulkan. Mr Marlon Markland Gordon appeared for the Appellant, and Ms Krystal C. Delaney and Mr Neville Watson appeared for the Respondent.

The full CCJ judgment is available on its website at www.ccj.org.

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About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Winston Anderson. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, five states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

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