

PRESS STATEMENT FROM THE ATTORNEY GENERAL

On 26 May 2021, the Judicial Committee of the Privy Council considered an application for permission to appeal a judgment of the Court of Appeal of the Eastern Caribbean Supreme Court (Anguilla) dated 24th June 2020 in the matter between Gavin Scott Hapgood (the Appellant) and the Commissioner of Police and Senior Magistrate (the Respondents).

The Judicial Committee of the Privy Council decided *that “permission to appeal should be refused because the application does not raise an arguable point of law of general public importance which the Board should consider at this time”*.

This means that the Preliminary Inquiry into the charge of manslaughter in the death of Kenny Mitchel in the Magistrate’s Court must resume and continue to completion with a determination of whether there is sufficient evidence to commit Hapgood to stand trial for manslaughter.

The Crown will continue to lead evidence in relation to this requirement to enable the Court to make a committal determination. If the Court finds sufficient evidence and commits Hapgood to stand trial for the offence, the Attorney-General may indict him and engage an extradition process.

The Crown remains determined to progress this case. It will do so - as it has since proceedings started – objectively, fairly and steadfastly with full regard for the rule of law and the principles of natural justice, including the presumption of innocence.

Hon. Dwight Horsford
ATTORNEY-GENERAL