

**JAMAICA**

**IN THE COURT OF APPEAL**

**BEFORE: THE HON MR JUSTICE F WILLIAMS JA  
THE HON MRS JUSTICE G FRASER JA  
THE HON MRS JUSTICE TIE POWELL JA(AG)**

**SUPREME COURT CRIMINAL APPEAL NO COA2022CR00015**

**DELANO DUFFUS v R**

**George Clue for the appellant**

**Miss Claudette Thompson, Director of Public Prosecutions, and Miss Nailah Bishop for the Crown**

**2 March 2026**

**Endorsement by Tie Powell JA (Ag)**

[1] The court heard submissions from Mr George Clue, counsel for the appellant, as well as from the Director of Public Prosecutions, Ms Claudette Thompson, and Ms Nailah Bishop for the Crown. Mr Clue conceded that he could advance no ground capable of supporting a successful appeal against the conviction for murder. We agreed with that position.

[2] Mr Clue further conceded that he could advance no ground for a successful appeal against sentence, save that the learned trial judge failed to give credit for time spent in pre-sentence remand. We also agreed with this position. We noted that the learned trial judge did not set out the methodology employed in determining the appropriate sentence. Consequently, we undertook our own review of the sentence, applying the established sentencing principles, and concluded that the sentence imposed was reasonable and not manifestly excessive. There was, however, no indication that credit was given to the appellant for time spent on pre-sentence remand, as required by **Callachand and Another v The State of Mauritius** [2008] UKPC 49 (a decision of the Privy Council,

which has been applied in several authorities from this court such as **Meisha Clement v R** [2016] JMCA Crim 26, **Daniel Roulston v R** [2018] JMCA Crim 20 and also **Clayton Williams v R** [2023] JMCA Crim 35). Accordingly, the sentence is now adjusted to reflect the appellant's pre-sentence remand period of two years and six months.

[3] Therefore, the orders of the court are as follows:

1. The application for permission to appeal against conviction is refused.
2. The appeal against sentence is allowed in part.
3. The sentence of life imprisonment with a minimum of 25 years being served before being eligible for parole is set aside, and substituted therefor is a sentence of life imprisonment with a minimum of 22 years and six months being served before being eligible for parole, credit having been given for the pre-sentence remand of two years and six months.
4. The sentence is reckoned as having commenced on the date imposed, that is, 3 December 2015.