

Vinson Ariste (Appellant) v The King (Respondent) (Bahamas)

Case ID: JCPC 2019/0010

Jurisdiction: Court of Appeal of the Commonwealth of the Bahamas

Case summary

Issue

Mr Ariste appeals against his conviction for armed robbery on the basis that it was unsafe because:

- i. He was denied access to legal representation during his detention, police questioning and at trial;
- ii. His confession was obtained by oppression and so should not be admitted as evidence; and
- iii. The Judge's directions to the jury in relation to the confession and evidence going to Mr Ariste's character were inadequate.

Facts

On 21 July 2010, Mr Ariste was arrested for armed robbery. He was interviewed and detained at the police station until 25 July 2010, during which time he confessed to committing this offence and several other offences. He did not have access to legal representation. Mr Ariste claims he was tortured into confessing.

Mr Ariste's trial took place on 5-14 March 2012. He remained unrepresented. The only direct evidence directly implicating Mr Ariste was his confession. The Judge rejected his application to exclude the confession. Mr Ariste was convicted by the jury and, on 5 June 2012, sentenced to 15 years' imprisonment. On 18 February 2013, Mr Ariste's appeal to the Court of Appeal of The Bahamas was rejected.

In 2016 Mr Ariste was prosecuted for a different robbery on the basis of another confession made during his July 2010 detention. He was legally represented. On 31 March 2016, the Judge held the confession was inadmissible.

Parties

Appellant(s)

Vinson Ariste

Respondent(s)

The King

Appeal

Justices

Lord Lloyd-Jones, Lord Kitchin, Lord Hamblen, Lord Leggatt, Lord Burrows

Hearing start date

28 March 2023

Hearing finish date

28 March 2023

Watch hearing

28 March 2023 [Morning session](#) [Afternoon session](#)