



JUDICIARY OF
ENGLAND AND WALES

THE HON. MR. JUSTICE SAUNDERS

INNER LONDON CROWN COURT

R -V- LAVINIA DESUZE

SENTENCING REMARKS

17 APRIL 2012

Lavinia Desuze was convicted by a jury of perverting the course of justice. She destroyed and disposed of distinctive clothing that her son had worn on the day of the killing and which was seen on CCTV. According to the evidence she gave at her trial, on the night of Saturday, 13th August, she cut up the sweater, T shirt and white bag worn by her son on 8th August. Having cut them up, she went off on her bike at midnight and deposited the pieces in two litter bins some way away from her house.

Her evidence at trial was that she did that to avoid people who had seen her son on TV wearing the items identifying him and exacting violent retribution on him for participating in the riots. The jury disbelieved that account and were sure that the reason she cut up the clothes was to try to prevent her son being apprehended by the police.

At the time she destroyed the clothing, she was aware that a man other than her son had been arrested for the offence and, by the actions she took, she increased the chance of that man being brought to court and wrongly prosecuted. She must have been aware of that at the time.

When the police came to her house, she immediately admitted to them that she had destroyed the clothing. She directed the police to the place where she said she had disposed

of the clothing but it had gone. I have no reason to doubt that she was being truthful to the police.

The offence that the police were investigating was a very serious one. It was a murder inquiry. She did not persist in the offence by telling the police a false story when they came to her house nor did she involve her son in what she had done. In the event her actions did not succeed in defeating the course of justice although they clearly could have done.

I do feel, as most people would, some sympathy for Lavinia Desuze. On the jury's verdict, even though she committed a very serious offence, she did so to protect her young son to whom she had given birth when she was only 14 and who she had looked after as a single mother for most of his life, although his father and grandmother did play important parts in bringing up Darrell. I accept that the instinct of a mother to protect her child is a very powerful one. If she had felt able to admit what she had done, it would have made it easier to be lenient. Instead she continued to deny committing any offence and, on the verdict of the jury, lied on oath.

I realise that seeing her son go into custody today will be a severe penalty to her. I also bear in mind her good character. I have considered the authorities to which I have been referred and the guidance that has been given by the Court of Appeal. That Court has made it clear that perverting the course of justice is always a serious offence which invariably must attract an immediate sentence of imprisonment. While the attempt to pervert was not persisted in and was ultimately unsuccessful, the course of justice involved a murder investigation. The least sentence that I can properly impose taking everything into account is one of 18 months imprisonment.