

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
THE FEDERATION OF ST. CHRISTOPHER AND NEVIS
ST. CHRISTOPHER CIRCUIT
CASE SKBHCR 2023/0064

REX
V
DEANGELLE BERRIDGE

APPEARANCES

Mr Teshoun Vasquez and Ms Azuree Liburd for the Crown.

Mr Chesley Hamilton for the Defendant.

2024 NOVEMBER 07

SENTENCE

Manslaughter for stabbing friend

- 1 **Morley J:** Deangelle Berridge aged 22 (dob 12.02.02) faces sentence following early plea on 22.03.24 to the manslaughter by reason of provocation, when then aged 20, of her friend Alisha Dunrod aged 20 on 03.10.22 where fighting outside a nail salon in Basseterre she stabbed her once in the neck, causing a 3cm wound, nicking the subclavian artery leading to exsanguination and hypovolemic shock, with a knife from her handbag during an argument about belongings said to have been taken from Alisha. On 02.10.24, the facts were opened, with mitigation, and sentence was adjourned to today 07.11.24 for remarks to be in writing.
- 2 Deangelle had entered the nail salon of Walquira del Rosario. Alisha passed with her friend Kenlija Caines and told her she would seek to recover her belongings. Alisha entered and began an argument with Deangelle. Events were captured on street cctv, though not

inside. Alisha went in and out of the salon three times arguing with Deangelle. Walquira said Alisha then pushed Deangelle and there was a confrontation. Deangelle withdrew a short-bladed orange-handled knife from her bag. Kenlija recalled Alisha challenged Deangelle to stab her, saying 'stab me nah, stab me nah', and continued the confrontation, then pushing Deangelle out of the salon onto the pavement and coming out after her, grabbing her, seen on cctv. The two can be seen twirling in a circle, gripping each other, and pulling at each other, when then Deangelle fires a single blow, which lands on Alisha's neck, the fight stops, and Deangelle goes back into the salon, where she waits, while the police and ambulance are called, as Alisha sits down weakening.

- 3 This case is a most awful tragedy, borne of illegally carrying a knife, said in mitigation on 02.10.24 foolishly for self-protection from 'assault and molestation', and without it there can be little doubt there would have been no fatality, perhaps just some bruising and scratches. Sheryl Dunrod, Alisha's mother, at all times dignified in court, has lost her daughter, while Desia who is the daughter of Deangelle, born on 17.08.21, now 3, has lost her mother to incarceration, becoming a ward of the state and taken into care; indeed, Deangelle had earlier been staying with Alisha leading up to the birth.
- 4 In her poignant victim impact statement dated 09.05.24, Sheryl describes how she misses Alisha, having many sleepless nights, picking at her food, she cannot believe how her daughter is gone, how Alisha did not deserve this, having helped Deangelle, taking her in when pregnant, and how Sheryl can barely talk about events, preferring to be mute and not to speak at all.
- 5 Deangelle was the subject of a psychiatric report dated 06.06.24 by Dr Isben Williams, who reported interalia:
 1. The data provided in this evaluation report under section **IV - Mental Status Examination**, attests to the defendant at the times she was assessed, being of sound mind, not being out of touch with reality, reflective, remorseful and hopeful.
 2. The data provided in this evaluation report under section **V – Pertinent Personal and Family History** portrays a *pre-adolescent child evolving into a late adolescent lass* who for about a fifteen-year period when she should have been completing childhood and adolescent developmental tasks in preparation for adulthood was instead enduring an accumulation and confluence of major psychological stressors, many intentionally degrading, all of which have been the bane of her childhood experiences. She honed a scathed mental state and acquired maladaptive, ingrained patterns of behaviour that ultimately came to bear on an acute situation into which she was

provoked and to which her unplanned and involuntary stress response was regrettably lethal.

3. As this Court is aware Anglo-American common law has for centuries (long before psychology and psychiatry had progressed to become the behavioural sciences that they are today) recognized that persons under significant psychological stress, may bear decreased responsibility for their criminal behaviour, as also indeed for other ambits of their behaviour. Therefore, defendants who could demonstrate that the control of their behaviour was impaired by emotional conditions, not necessarily rising to the level of legal insanity, may have the severity of their charges reduced or may even be found not guilty....

Over the duration of my assessments the mental state portrayed by Deangelle was as normal as could be expected for a young mother in her precarious situation, still coming to grips with the realities of her new and disturbing life circumstance.

Further aspects of her Mental Status were as follows.

- Appearance and Behaviour: During assessment interviews she was always tidily clad. She was attentive and betrayed no discomfort with the interview process. Her engagement was unassuming, and she was at all material times polite, respectful and cooperative. She exhibited no abnormal or involuntary movements.
- Speech: Her speech was normal in rhythm, rate, and volume, and sentences complete except when questions relating to details of the homicide incident were posed, when she seemed abashed.
- Mood/Affect: Her mood was even and the range of her affect, though somewhat constricted, was within the ambit of normalcy. She was able to speak to issues appropriately and admitted to having experienced from time-to-time fluctuating levels of depressed mood,
- Thought (content and process): Her thoughts were coherent, and her stream of thought was not divergent or ramblings. She thought carefully before responding, usually betraying a level of insightfulness that belies her lower-stream 5th Form educational level, and a relatively impoverished background and a less than wholesome environment.
- She admitted to harbouring no suicidal ideation but rather to guilt, mingled with feelings of hope for the time when all the truths would have been revealed. She expresses bewilderment as to what could have caused this severe lapse of judgement which resulted in a non-intentional homicide. Alongside those thoughts she expresses remorse and contrition, being hopeful for whatever second-chance she might yet have to be a better person and a good mother to her daughter. Her daughter was two months shy of her second birthday when Deangelle was charged and held on remand.
- Deangelle has no known family history of mental health issues and, but for manifestations of Conduct Disorder and Depressive episodes with both of which she was affected at least the duration of her pre-teens, she has never experienced any psychotic or other significant mental syndrome. She has also never taken medication

for any mental disorder, nor has she had the benefit of any psychological therapy but rather wished that she knew how to access such services.

- Cognition (Awareness and understanding): Deangelle during the time that I have been seeing her manifests no evidence of cognitive impairment. She has enjoyed a clear sensorium and has proven to be refreshingly insightful in psychological issues.

- 6 Moreover, in her social inquiry report dated 10.05.24 by Lauston Percival, she was variously described as a very quiet well-mannered young girl in a challenging upbringing with an absent father during her teen years, and of the offence she said:

Alisha came inside where I was and started cursing me and she pushed my head from behind several times, I got up looked in my bag for the money to pay the lady for my nails which at the time was not finished but I just wanted to get out of there and get away....I left and started walking and Alisha was still behind me walking and continued pushing me and it was at this time I remembered seeing a knife in my bag while I was looking for the money to pay the lady, so when she pushed me the last time I reached in the bag for the knife and swing at her just to frighten her and get away from me, but caught her....It was not my intention to do her any harm because she was my friend,...I felt so bad and hurt about all that happened and if only I had a second chance at all this the outcome would be totally different because sometimes it takes only one error in judgement to change our lives forever but I never intended for none of this to happen.

- 7 By contrast however, there is a screenshot of a posting she sent on social media, where her moniker is 'Baddie Dee', and upset by the behavior of some people she said, indicating she may be carrying a knife:

...one of these days aru gona say sumn and I'll hold up aru and drive a fukin knife in aru...

- 8 In court on 02.10.24, Deangelle came forward at the invitation of defence counsel Hamilton to address the court from the witness box, which was unusual. She was a demure and tearful person, small in stature, in palpable distress, expressing genuine remorse and apologizing to Sheryl, sobbing she had never intended to harm Alisha; however, she would not tell what the argument had been about, saying she did not really know, which the court does not accept, surmising she will not say as she worries it may not reflect well on her, the court having pressed her so her mother would have some understanding why two friends would fight with such terrible and avoidable consequence.

- 9 As an approach to this case, in my judgement:

- a. Deangelle is genuinely remorseful;
 - b. However, notwithstanding home challenges and her circumstance making her depressed, there is little in her psychological profile to mitigate her action;
 - c. She did not start the fight, but was pursued by Alisha, who knew she had a knife;
 - d. The stab was once, to ward Alisha off, not in lawful self-defence but in temper at being followed outside where she was pushed and assaulted;
 - e. The stab was deliberate and to the neck, as seen on cctv, not some flailing mistake in a melee, though in a circumstance of being goaded and loss of self-restraint;
 - f. Deangelle thinks in self-pity she is partly a victim too, and to protect herself she has to an extent sought to minimize her action and whatever the argument was about;
 - g. Her action was vicious and to an extent foreshadowed in social media;
 - h. But she was provoked.
- 10 In this context, her plea has been accepted, though she might easily have a faced a murder trial, noting manslaughter by reason of provocation has all the ingredients of murder, but is only mitigated to the lesser charge by a loss of self-control, where it is nevertheless the most culpable form of manslaughter, being just short of murder in the criminal calendar of offending.
- 11 Within the ECSC, there are guidelines for manslaughter by reason of provocation published in 2021, the maximum sentence being life imprisonment.
- 12 Concerning step 1 of sentencing practice, considering the circumstances of the offence, in my judgement, this offence falls within level A, as Alisha's conduct fell far short of being extreme, being verbal and minor physical abuse, pulling and pushing, while Deangelle was armed with a weapon in advance. As such the starting point is 30 years. I assess further there is the mitigation I cannot be sure of an intention to kill, but instead an intention to cause really serious harm, and so reduce the sentence by 3 years to 27 years.
- 13 Concerning step 2, considering the circumstances of the offender, there is good character, the agony of separation from her daughter, and palpable remorse, while the court recognizes it was unusual and to her credit Deangelle came forward to address it and Alisha's mother. This in combination merits a reduction in the sentence of 4.5 years, to 22.5 years.

- 14 Concerning step 3, being credit for plea, her early plea at the first practicable opportunity merits the full discount of one-third, reducing the sentence to 15 years, meaning with full remission for good behaviour she will be expected to serve 10 years.
- 15 Concerning step 4, there are no issues of totality or dangerousness.
- 16 Concerning step 5, time on remand shall count toward her sentence, being 2 years, 1 month and 1 day, and its effect on release shall be calculated by the prison.
- 17 Concerning step 6, being ancillary orders, the knife is ordered destroyed.
- 18 *Deangelle Berridge, please stand up.* For the offence of killing your friend Alisha Dunrod, as a plea of guilty to manslaughter by reason of provocation, on 03.10.22, by stabbing her in the neck with a knife you were carrying in your handbag, where she began fighting you over recovery of belongings, shall be 15 years imprisonment. Time on remand shall count, and you shall be eligible for remission of one-third of your sentence if of good behaviour. You may go with the gaoler.

The Hon. Mr. Justice Iain Morley KC

High Court Judge

7 November 2024