



Civil Appeal No. 10 of 2023

**IN THE COURT OF APPEAL (CRIMINAL DIVISION)  
ON APPEAL FROM THE SUPREME COURT OF BERMUDA SITTING IN ITS  
ORIGINAL CRIMINAL JURISDICTION  
BEFORE THE HON. JUSTICE JUAN WOLFFE  
CASE NUMBER 2021: No. 31**

Dame Lois Browne Evans Building  
Hamilton, Bermuda HM 12

Date: 5/05/2025

**Before:**

**JUSTICE OF APPEAL THE HON IAN KAWALEY  
JUSTICE OF APPEAL THE HON NARINDER HARGUN  
and  
JUSTICE OF APPEAL RT HON SIR GARY HICKINBOTTOM**

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**Between:**

**THE KING**

**- and -**

**DAVIN DILL**

**Appellant**

**Respondent**

**Appearances:**

Mr Carrington Mahoney, Department of Public Prosecutions, for the Appellant  
Ms Elizabeth Christopher, Christophers, with Mr Charles Richardson, Compass Law, for the Respondent

**Hearing date(s):** 20-21 March 2025  
**Supplementary Submissions:** 10 April 2025  
**Date of Judgment:** 5 May 2025

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**PRESS STATEMENT**

**Background**

The Crown appealed against the 8 September 2023 ruling of the Supreme Court that the Respondent had no case to answer on charges of (1) murder contrary to section 287 of the Criminal Code Act 1907, and (2) having a bladed article in a public place contrary to section 315C of the Criminal Code Act 1907. The offences were said to have occurred on 14 June 2020.

The trial commenced on 8 August 2023. On 8 September 2023, following legal arguments in the absence of the jury, the Trial Judge directed the jury to enter verdicts of not guilty. Reasons for the decision to accede to the Defence submissions were given on 8 September.

The Crown appealed against this decision. The appeal was heard on 20-21 March 2025 and the Court of Appeal reserved judgment.

**Disposition of appeal**

On 5 May 2025, the Court of Appeal unanimously allowed the appeal and remitted the matter to the Supreme Court for retrial.

The Court decided that the case should have been left to the jury but noted that the Crown presented its case in a different way to the way in which the case was argued before the Trial Judge.

The Judgment was delivered by the Honourable Chief Justice Mr Larry Mussenden on behalf of the Court of Appeal on 5 May 2025.

**NOTE:** This summary is provided to assist in understanding the Court's decision. It does not form part of the reasons for the decision. Publication of the full Judgment has been restrained until further order of the Court to avoid prejudicing any retrial.