COMMONWEALTH OF THE BAHAMAS **CASE NO. 2026/CRI/BAIL/FP/00033**

IN THE SUPREME COURT

Criminal Division

B E T W E E N

RUEDON KNOWLES

Applicant

AND

DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

AND

COMMONWEALTH OF THE BAHAMAS **CASE NO. 2026/CRI/BAIL/FP/00034**

IN THE SUPREME COURT

Criminal Division

BETWEEN

WILLIAM LIGHTFOOT

Applicant

AND

DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

Before: The Honorable Mr. Justice Andrew Forbes

Appearances: Mr. Sean Smith c/o Director of Public Prosecutions

Ms. Sheanda Cooper-Rolle c/o Reudon Knowles

Hearing Date: 4th August, 2026

RULING ON BAIL

FORBES, J

BACKGROUND

[1.] The Court heard the application, reserved its decision, and indicated its intention to provide written reasons; it does so now. The Court with the consent of Counsel for the Applicants and Respondent Counsel agreed that given the Application involved jointly charged Defendants and the facts and charges are similar the Court could render a decision involving both defendants, taking each case separately. The Court is grateful for the consideration of Counsel in this regard.

[2.] The Applicant's Counsel filed an application seeking the Court's consideration of bail filed on 15th July 2026 with reference to both Applicants. The Applicant, (Reudon Knowles) in his Affidavit filed on the 15th July 2026, indicated that he was born in Freeport Grand Bahama and is a resident with his eight three(83) year old mother who is depended upon. That he also has one (1) minor daughter who are also depended upon him. That he has no pending matters or previous convictions and was employed prior to his arrest as an Air Traffic Controller Supervisor. He notes he is currently on remand for Attempted Murder contrary to section 83(2) and 292 of the Penal Code. He also stated that he is prepared to comply with any and/or all conditions should bail be granted. The Applicant Counsel also laid over submissions which the Court will refer to later.

[3.] The Applicant (William Lightfoot) avers that he was born in Freeport Grand Bahama. That he has no antecedents and a pending matter for Possession of Dangerous Drugs in Magistrates Court number 2 Freeport Grand Bahama. That he was employed as an auto body Technician. That he is a father a minor female child who is depended upon him. That he is charged with Attempted Murder contrary to section 83(2) and 292 of the Penal Code and Conspiracy to commit Murder contrary to section 89(1) and 291(b)(1) of the Penal Code. He also stated that he is prepared to comply with any and/or all conditions should

bail be granted. The Applicant Counsel also laid over submissions which the Court will refer to later.

[4.] The Respondent filed an Affidavit in Opposition on 22nd July 2026 and sworn by Reserve Sergeant 1087 Chester Walker. He avers that the Applicant and his Co-Accused, were arrested in the case of William Lightfoot and charged with Attempted Murder and arraigned before Deputy Chief Magistrate Smith. Sergeant Walker further avers that the Applicant (Lightfoot) is to be served his Voluntary Bill of Indictment (VBI) on the 25th August 2026. That Sargent Walker then refers to the report and statement given by Lochinvar Woodside whose statements was exhibited. According to Mr. Woodside he met two men at a local restaurant one by the name of "Don" and the other by the name of "Billy Lightfoot" and another male who is didn't know all got into a jeep driven by Don and Billy was in the passenger seat and he was in the rear. He claims that they drove in area he was not familiar where Don claims they were picking up something. He clams they went through a dirt road near the sea with boats in the water when Don pulled a black gun and fired at him. That Don and Billy then dragged him from the vehicle and they both fired shots at him. That he recalls them throwing what he believed to be gasoline or paint thinner on him. That they then left him for dead and once they left he ran in opposite direction. That he went to a residence and the Police and ambulance later came and took him to the hospital. That he then gave a descriptions of both Don and Billy. That photo line ups were exhibited which had the circled images of both Applicants as identified by alleged victim. Also exhibited was the Police Hospital Form which evidence multiple gunshot wounds which required surgery and listed as serious.

[5.] Sargent Walker avers further that neither Applicant is a fit and proper person for bail and that the evidence is cogent. That with respect to the Applicant William Lightfoot he has a pending matter along with a co-accused charged with Possession of Dangerous Drugs contrary to section 22(2)(b) of Dangerous Act as well as Proceeds of Criminal Conduct contrary to section 11(1)(A) of the Proceeds of Crime Act. These matters were scheduled to go to trial on the 27th July 2026. However at the date of this bail hearing there has been no indication as to whether the matter has continued, adjourned or concluded.

SUBMISSIONS

[6.] The Applicants were represented by Counsel, Mrs. Sheanda Cooper-Rolle who provided written submissions, which were laid over to the Court and filed on the 28th July 2026. Counsel for the Applicant cited Article 20(2) (a) of the Constitution of the Commonwealth of the Bahamas as well as the often-cited case of **Woolmington v. Director of Public Prosecutions** (1935) AC 462 Counsel asserts that the Applicant ought to be granted bail as he is a Bahamian who is gainfully employed. Counsel also cited multiple Bahamian Court of Appeal decisions were germane Jonathan **Armbrister v. The Attorney General** SCCrApp. No. 145 of 2011 also the case of **Damargio Whyms v The Director of Public Prosecution**, **Richard Hepburn v. The Attorney General** SCCrApp. No. 276 of 2014. Counsel argues that the Crowns opposition is merely a regurgitation of the virtual complainant allegations and it does not address whether either Applicant is a flight risk or will threatened or interfere with witnesses or the investigation itself. That William Lightfoot, notwithstanding his pending matters, is presumed innocent. That each Applicant is prepared to be bound by stringent however Counsel for the Applicant asserts that the evidence is adduced is merely a rehash of the allegations and don't present whether either Applicant poses a risk of absconding or interfering with the investigation or witnesses in the present case and that the Applicants are fit and proper persons for bail.

[7.] The DPP emailed its submissions as already mentioned by the Court. Mr. Smith noted the serious nature of the allegations against the Applicant and whether there are any conditions this Court can impose that will restrain this Applicant from committing additional crimes. The DPP refers the Court to the comments made by the *Justice of Appeal Evans* in **Duran Neely** SCCrApp. No 29 of 2018 and particularly at paragraph 19. Also, the comments made by *Justice of Court of Appeal John* in the **Johnathan Armbrister v. The Attorney General** SCCrApp. No.145 of 2011 case at paragraph 13. Counsel then applied the comments of Dame Anita Allen in the Case of **Cordero McDonald v. The Attorney General** SCCrApp. No. 195 of 2016 specifically paragraph 34. Counsel for the DPP submits that the Applicants are unfit persons for bail.

THE LAW

[8.] The Court must now consider the rationale for the denial of bail to the Applicants and consider whether they will refuse or fail to surrender for trial.

[9.] Section 4 (1) of the Bail Act provides:-

"(1) Notwithstanding any other enactment, where any person is charged with an offence mentioned in Part B of the First Schedule, the Court shall order that that person shall be detained in custody for the purpose of being dealt with according to law, unless the Court thinks that his detention is not justified, in which case, the Court may make an order for the release, on bail, of that person and shall include in the record a statement giving the reasons for the order of release on bail: Provided that, where a person has been charged with an offence mentioned in Part B of the First Schedule after having been previously convicted of an offence mentioned in that Part, and his imprisonment on that conviction ceased within the last five years, then the Court shall order that that person shall be detained in custody.

[10.] Sections 4(2) and (3) of the Bail (Amendment) Act, 2011 provide:-

(2) Notwithstanding any other provision of this Act or any other law, any person charged with an offense mentioned in Part C of the First Schedule shall not be granted bail unless the Supreme Court or the Court of Appeal is satisfied that the person charged - -

(a) has not been tried within a reasonable time;

(b) is unlikely to be tried within a reasonable time; or

(c) should be granted bail having regard to all the relevant factors including those specified in Part A of the First Schedule and subsection (2B), and where the court makes an order for the release, on bail, of that person it shall include in the record a written statement giving the reasons for the order of the release on bail.

(2A) For subsection (2) (a) and (b) ---

without limiting the extent of a reasonable time, a period of three years from the date of the arrest or detention of the person charged shall be deemed to be a reasonable time; delay which is occasioned by the act or conduct of the accused is to be excluded from any calculation of what is considered a reasonable time.

(2B) For subsection (2) (c), in deciding whether or not to grant bail to a person charged with an offence mentioned in Part C of the First Schedule, the character or antecedents of the person charged, the need to protect the safety of the public or public order and, where appropriate, the need to protect the safety of the victim or victims of the alleged offence, are to be primary considerations.

(3) Notwithstanding any other enactment, an application for bail by a person who has been convicted and sentenced to a term of imprisonment in respect of any offense mentioned in Part D of the First Schedule shall lie to the Supreme Court or the Court of Appeal. (3A) notwithstanding section 3 or any other law, the Magistrates' Court shall not have jurisdiction for the grant of bail in respect of any person charged with an offense mentioned in Part C or Part D of the First Schedule.

DISCUSSION/ANALYSIS

[11.] It appears that the Respondent's submissions are that the Applicant (William Lightfoot) has pending matters, and that the evidence adduced is cogent and powerful and is grounds to deny the Applicant (Lightfoot) bail. As for the Applicant (Reudon Knowles) the evidence is cogent and there has been no delays.

[12.] The Applicants faces a charge involving Attempted Murder contrary to section to section 83 (2) & 292 of the Penal Code with reference to (Knowles) and Conspiracy to Commit Murder contrary to section 89(1) & 292 as well as Attempted Murder contrary to section 292 of the Penal Code with respect to Lightfoot. These are offenses that have been included in Part C of the First Schedule of the Bail Act and the Bail (Amendment) Act, 2011, which states as ***follows: Kidnapping—section 282, Conspiracy to commit Kidnapping—sections 282 and 89(1), Murder—section 291, Conspiracy to commit Murder—sections 291 and 89(1), Ch. 84; Abetment to Murder—sections 86 and 307, Armed Robbery—section 339(2), Attempted Murder–section 292, Conspiracy to commit Armed Robbery—sections 339(2) and 89(1), Abetment to Armed Robbery—sections 86 and 339, Treason—section 389, Conspiracy to commit Treason—sections 389 and 89(1), Ch. Possession of Firearm designed to discharge explosive matter—section 30(1)(a), Ch. 213; Possession of Automatic Weapons—section (30)(l)(b), Ch. 213; Possession of Firearm or Ammunition with intent to endanger life or cause serious injury to property—section 33, Ch. 213; Possession of Firearm with intent to commit an indictable offence—section 34(1), Ch. 213; Any offence under any of the following sections of the Sexual Offences Act, Ch. 99: 6 (rape), 10 (sexual intercourse with a person under fourteen years), 12 (sexual intercourse with a person suffering from a mental disorder), 13 (incest) and 14 (sexual intercourse with a dependent); 25An offence under section 12A of the Bail Act (Ch. 103) (Emphasis Added)***

[13.] Sections 4(2) and (3) of the Bail (Amendment) Act, 2011 permit the grant of bail to those charged with a Part C offense (as stated in paragraph 10 above). Additionally, a Judge hearing an

application for the grant or denial of bail for an applicant charged with a Part D offense shall have regard to the following factors as found in Part A of the Bail (Amendment) Act, 2011:-

> "(***a) whether there are substantial grounds for believing that the defendant, if released on bail, would-***
>
> > ***(i) fail to surrender to custody or appear at his trial;***
> >
> > ***(ii) commit an offense while on bail; or***
> >
> > ***(iii) interfere with witnesses or otherwise obstruct the course of justice, whether in relation to himself or any other person;***
>
> ***(b) whether the defendant should be kept in custody for his own protection or, where he is a child or young person, for his own welfare;***
>
> ***(b) whether he is in custody in pursuance of the sentence of a Court or any authority acting under the Defense Act;***
>
> ***(c) whether there is sufficient information for the purposes of taking the decisions required by this Part or otherwise by this Act;***
>
> ***(d) whether having been released on bail in or in connection with the proceedings for the offense, he is arrested pursuant to section 12;***
>
> ***(e) whether having been released on bail previously, he is charged subsequently either with an offense similar to that in respect of which he was so released or with an offense which is punishable by a term of imprisonment exceeding one year;***
>
> ***(f) the nature and seriousness of the offense and the nature and strength of the evidence against the defendant.";***

[14.] Thus the question is whether these Applicants would surrender for trial? The Respondent offered no evidence to suggest that they would not have appeared, and the Affidavit is totally devoid of any suggestion that the Applicants might not surrender for trial. They, however, focused on the Applicants being a safety concern to the community.

[15.] As stated by the Court in **Stephon Davis v the DPP (supra),** there is no evidence before this Court that the Applicants will refuse to surrender. The Court notes the comments made by the Court of Appeal in **Riclaude Tassy and Director of Public Prosecutions MCCrApp. No.**

129 of 2022, where the court said: **"A breach of bail conditions may give rise to criminal liability, as well as the risk of revocation of bail."**

[16.] There is strong evidence against the Applicant advanced by the Crown based on the statements and reports presented in this bail hearing, in that there is identification evidence of the alleged incident. However, this evidence must be vetted at trial not in a bail application. At this point the Court only has before it reports of an anonymous witnesses and the Applicant maintains his innocence and it is in this Court's view that the evidence is strong and cogent. The seriousness of this charge and *prima facie* evidence advanced by the Crown weigh heavily on the scale against the grant of bail but there are other factors that the Court must consider.

[17.] There has been no unreasonable delay thus far as the Applicants are likely to be served his VBI on the 25th August 2026. The Court will note the comments made by Justice of Appeal Evans in the case of **Tyreke Mallory v. The Director of Public Prosecutions** SCCrApp. No. 142 of 2021in which he said the following:

"The difficulties experienced by the courts in Freeport are well known and cases have been greatly affected by the lingering effects of Hurricane Dorian and the onset of the current pandemic. There was no direct evidence led by the DPP as to how this has operated in this particular case. However, the learned judge sitting in Freeport is fully aware of the issues affecting those courts and he was entitled to take judicial notice of the same in determining that the appellant's case could still be tried within a reasonable time…" That being said however, the Court notes that the Applicant has yet been served his VBI which means that there is strongly like hood that there may very well be a delay. In that regard the Court notes the comments again of Justice of Appeal Evans in **Kyle Farrington v. The Director of Public Prosecutions** SCCrApp. No. 80 of 2019, where he says the following:

"135. In my view a trial judge in setting a trial date must have in mind Article 19(3) of the Constitution as well as the provisions of Section 4(2) of the Bail Act. Mr. Munroe's submission was that Section 4 contemplates that once it became evident that the applicant could not be tried within a three year period the judge was obliged to grant him bail. I do not agree. Section 4 in my view is a marker which requires the judge to be aware of the accused person's rights under Article 19(3) of the Constitution…"

[18.]

[19.] The Court takes note of the comments of the Court of Appeal in **Cordero McDonald v. The Attorney General SCCrApp. No. 195 of 2016** where, then, *President of Appeal Dame Anita Allen* said as follows:

"18. As noted in Richard Hepburn v The Attorney General SCCrApp. 276 of 2014, there is a constitutional right to bail afforded by articles 19(3) and 20(2) (a) of the Constitution; and in as much as the right pursuant to article 19(3) is not triggered since there is no element of

unreasonable delay in this case, consequently this application is grounded in the provisions of article 20(2) (a).

19. In that regard, the appellant is presumed innocent and has a right to bail, unless after a realistic assessment by the judge of the matters prescribed above, the appellant's right to remain at liberty is defeated by the public's interest in seeking to ensure " that the course of justice is not thwarted by the flight of the suspect or defendant or perverted by his interference with witnesses or evidence and that he does not take advantage of the inevitable delay before trial to commit other offences…" 8 (per Lord Bingham in Hurnam v The State [2006] 3 LRC 370, at 374).

20. The balancing of the applicant's right to the presumption of innocence and that of the public to be protected are reflected in the above-mentioned factors recognized and prescribed by the Bail Act as matters to be weighed against the grant of bail, and, in so far as they are relevant to the particular application for bail, they must, as previously noted, be assessed by the judge before exercising the discretion. Indeed, section 2B prescribes that in relation to Part C offenses: '…the character or antecedents of the person charged, the need to protect the public or public order and, where appropriate, the need to protect the safety of the victim or victims of the alleged offense, are to be primary considerations.'"

[Emphasis added].

[20.] The Court is also guided by the comments of then **President of Appeal Sir Michael Barnett** in **Stephon Davis** ***supra,*** and taking his comments from the head note, he said as follows:

"This court has on more than one occasion repeated the principle that bail should not be denied as a punishment for a crime for which a person has not yet been convicted. This principle applies even when the crime is alleged to have been committed whilst a person was on bail. The burden is on those opposing the grant of bail to show why there are good reasons to deny bail to a person charged with an offense…." (Emphasis Added)

Also, the comments of *Justice of Appeal Evans,* although cited by Counsel for the Applicant, are essential, and he said as follows:

"A judge hearing a bail application cannot simply refuse an application for bail merely on the fact that the new offense is alleged to have been committed while the defendant was already on bail for a similar offense. There is a requirement for the judge to assess the evidence on which the crown intends to rely on the hearing of the new charge. We must recognize that every individual charged before the Court is presumed innocent until proven guilty. We walk a

tightrope between protecting society's interests and the constitutional rights of individuals brought before the Courts. This system only works if all stakeholders do their part. As such, the Crown is not at liberty to hold information to its bosom and not provide the Courts with sufficient information to make proper decisions; nor are they permitted to deprive individuals of their liberty based only on suspicion of involvement in criminal activity….."

[21.] The Respondent produced a scant Affidavit that does not fully support nor demonstrate sufficient evidence to restrain this Applicant's liberty. The Director of Public Prosecutions failed to recognize that an individual's liberty requires urgency, not this laissez-faire approach.

This Court also takes note of the comments made by then *Justice of Appeal Longley* in **The Attorney General of the Commonwealth of The Bahamas v. Bradley Ferguson, Kermit Evans, Stephon Stubbs, and Kenton Deon Knowles SCCrApp. No.57, 106,108 &116,** and in particular paragraph 35, where he said as follows:

"That is not to suggest that every judge must embark on a minute examination of the evidence against an accused on a bail application. That would not be proper (see Hurnam). But whereas here no evidence is adduced linking the respondents to the crimes charged at a hearing where that issue is live, it seems to me that to give the accused the full measure of his rights under article 19 of the constitution there is an obligation to release him immediately, and leave it to the court hearing the case preliminarily or otherwise to decide whether in fact there is evidence to support the charge. In Hurnam, release on bail was thought proper in circumstances where the evidence against the accused comprised accomplice evidence and had to be approached with caution. The court thought the presumption of innocence in those circumstances operated to justify immediate release pending trial…."

DISPOSITION

[22.] This Court, given the circumstances, will grant bail for the current offense. This Court is fully aware of the comments *of Justice of Appeal Evans and of the President, Sir Michael Barnett, of the Court of Appeal in the* **Stephon Davis case (supra).** Those comments bear repeating and are as follows:

"***A judge hearing a bail application cannot simply refuse an application for bail merely on the fact that the new offense is alleged to have been committed while the defendant was already on bail for a similar offense. There is a requirement for the judge to assess the evidence on which the crown intends to rely on the hearing of the new charge."…: "This court has on more than***

one occasion repeated the principle that bail should not be denied as a punishment for a crime for which a person has not yet been convicted. This principle applies even when the crime is alleged to have been committed whilst a person was on bail. The burden is on those opposing the grant of bail to show why there are good reasons to deny bail to a person charged with an offense."

Therefore, the bare assertion by the Crown that the Applicant Lightfoot has a pending matter and as such ought to be denied Bail as for the Applicant Knowles the evidence is cogent and serious and he ought to be denied bail. The Court, having considered the circumstances of this case and the evidence presented, will accede to the Application; however, it will impose conditions to ensure there are no violations.

[23.] Bail will be granted for Nine Thousand Nine Hundred Dollars ($9,900.00) with one (1) or two (2) sureties.

(a) Applicants are to be outfitted with an Electronic Monitoring device and comply with all the conditions thereto.

(b) That the Applicants will report to the Central Police Station(Freeport, Grand Bahama) each Wednesday & Friday by 7 pm at the latest.

(c) Applicants are not to affiliate with his co-accused with respect to either of the matters or contact any of the Prosecution witnesses directly or indirectly whatsoever. Any violation may result in possible revocation.

(d) Applicants are to surrender all travel documents and apply, should the Applicant require to travel.

(e) Parties are at liberty to reapply.

[24.] Parties aggrieved may appeal to the Court of Appeal.

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Justice Andrew Forbes

Dated the 8th September 2026