



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**

**AT VOI**

**CRIMINAL CASE NO 8 OF 2015**

**REPUBLIC**

**VERSUS**

**E W M**

**SENTENCE**

1. The Court has carefully analysed the circumstances of this case. It is indeed regrettable that a daughter should turn against her own biological mother, an only surviving parent leaving herself and other children orphaned. Indeed, it is also tragic that the basis of the argument was so trivial but ended up leading to the death of the deceased who was actually taking care of the Accused person's daughter at the material time of the incident. The Accused person was drunk and had fought her mother previously. She vented her frustrations on the deceased and now finds herself in the circumstances she finds herself in. In view of her own actions, she must bear the consequences.

2. Having said so, the Court has noted that the accused person is HIV positive, a first offender, a young mother of three (3) young children, remorseful and saved the Court a lot of resources to try this case. Having listened to her mitigation and bearing in mind that the Pre-Sentencing Report dated and filed on 15<sup>th</sup> June 2016 recommends a custodial sentence which the Accused person does not object to but welcomes the same due to the hostility of her family, community and administration, I hereby sentence the Accused person to serve six (6) years imprisonment for the offence of manslaughter that she voluntarily pleaded guilty to. The period the Accused person has been in custody to be taken into consideration during the computation of her sentence.

3. Right of Appeal within fourteen (14) days from today. Orders accordingly.

**DATED and DELIVERED at VOI this 15<sup>TH</sup> day of JUNE 2016**

**J. KAMAU**

**JUDGE**