

24th February, 1986.

POLICE COURT APPEALS

A.G. -v- Kenneth Brynley Davies

DEPUTY BAILIFF: We have considered the whole of the evidence and the submissions most carefully. We are satisfied that taking the evidence as a whole the Assistant Magistrate was entitled to come to the decision to which he did come. It is the task of the Magistrate to come to a decision on the facts with the benefit of seeing and hearing the witnesses, studying their demeanour and so on. It is clear that he preferred the evidence of the Police Officers to that of the appellant and we agree with that view. In our opinion there was a refusal to be examined and to give samples and Article 16(a) does apply to corroborate the evidence of P.C. Minty. Accordingly the appeal is dismissed. Mr. Thacker will have his legal aid costs.