

ROYAL COURT
(Samedi Division)

130.

7th July 1995

Before: The Deputy Bailiff and Jurats
Coutanche and de Veulle.

Her Majesty's Attorney General

-v-

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Application for review of refusal on 3rd July, 1995, of Youth Court Magistrate to grant bail pending appeal.

- On 6th July, 1994, the applicant was sentenced by the Youth Court to 2 years Probation, concurrent on each of the following 5 counts to which guilty pleadings entered: 1 count of taking and driving away a motor vehicle without the owner's consent; 1 count of driving without insurance; 1 count of driving without a licence; 1 count of larceny; and 1 count of causing malicious damage.
- On 4th January, 1995, the applicant was sentenced to 36 hours at an attendance centre, after pleading guilty before the Youth Court to: 1 Count of taking and driving away a motor cycle without the owner's consent; 1 count of driving whilst disqualified by reason of age; 1 count of driving without insurance; 1 count of larceny by finding; 1 count of taking and driving away a mountain bicycle without the owner's consent; and to breaching Probation Order imposed on 6th July, 1994. The Court ordered that Probation Order stand without sanction for its breach.
- On 6th June, 1995, the applicant admitted further breaches of the Probation Order, before the Youth Court, and was remanded to 28th June, 1995.
- On 28th June, 1995, the Youth Court discharged the Probation Order and sentenced the applicant to 6 weeks' Youth Detention with 3 months' disqualification from driving.
- On 29th June, 1995, the Applicant lodged a Notice of Appeal against the Sentence imposed on 28th June, 1995.
- On 3rd July, 1995, the Youth Court Magistrate refused bail.
- Court allows bail on terms.
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The Solicitor General
Advocate S. E. Fitz for the Applicant

JUDGMENT

5 **THE DEPUTY BAILIFF:** Because of the contention of your advocate that there is a legal flaw in the way that you were sentenced, and because you would have served your sentence before your appeal could be heard, we are going to grant you bail. We have to say, however, that we are not particularly impressed by your record and by the way that you behave.

10 The terms of the bail, which I must ask that you accept, are that you will live with your parents. Your mother is going to put up £200.00 surety and that is a great deal of money; if you breach your bail she will lose that money. Finally, we are going to impose a curfew on you from 8.00 p.m. until 7.00 a.m. That means you have to be home at 8.00 p.m. and if you are found out after that time you will be taken back into custody and there is nothing
15 then that we can do to help you. Do you understand?

The appeal hearing will be on the 24th July.

No authorities.