

ROYAL COURT
(Samedi Division)

171

1st September, 1995

Before: The Deputy Bailiff and Jurats
Blampied and Gruchy.

Her Majesty's Attorney General

-v-

Christopher Henry Hall

Application for review of Magistrate's refusal to grant bail on 30th August, 1995.

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|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| On 6th February, 1995, | the applicant was charged before the Police Court with being in breach of a Binding Over Order. The Police Magistrate ordered that the Binding Over Order should stand. |
| On 13th February, 1995, | the applicant was charged before the Police Court with being drunk and disorderly, and with being in breach of the Binding Over Order dated 24th January, 1995. He was Bound Over for six months, on condition that he attend the Drugs and Alcohol Advisory Service as directed. The Police Magistrate ordered that the Binding Over Order should stand. |
| On 24th April, 1995, | the applicant was charged before the Police Court with larceny and with escaping from lawful custody, and was placed on Probation for one year, on condition that he complete forty hours Community Service, on each offence, to run concurrently. |
| On 26th April, 1995 | the applicant pleaded guilty to 1 count of assault committed on 25th April, and admitted breaches of binding over and Probation Order, and was remanded to 22nd May, 1995, |
| On 22nd May, 1995, | the applicant pleaded guilty to 1 count of theft committed on 13th May, 1995, and was remanded in custody without bail option. |
| On 1st June, 1995, | the Magistrate refused bail application |
| On 21st June, 1995, | the applicant pleaded guilty to 5 counts of criminally breaking and entering (Count 1 committed on 5th April, 1995, count 4 committed on 9th April, 1995; Count 7, committed on 29th and 30th April, 1995, count 10, committed on 29th April, 1995; count 15, committed on 21st May, 1995) and to 1 count of attempted theft (count 13, committed on 30th April, 1995); and was remanded in custody without bail option. (The remaining counts on the charge sheet were alternative counts). |

On 22nd June, 1995, the Magistrate refused the bail option.

On 7th July, 1995, The Royal Court rejected an application to review the Magistrate's decision to refuse bail. See Jersey Unreported Judgment of that date.

On 20th July, 1995, the Magistrate refused to allow bail option.

On 30th August, 1995, the Magistrate refused to allow bail option.

Application refused.

C.E. Whelan, Esq., Crown Advocate.
Advocate Mrs. S. Sharpe for the Applicant.

JUDGMENT

THE DEPUTY BAILIFF: Hall, we cannot grant you bail, but we must say this: we regard the fact that a man, who has pleaded guilty, is still in custody five months after being charged as most unfortunate. In the absence of any reasonable explanation, it cannot be in the interests of justice for a delay of this length to continue for much longer. We would hope that matters can be expedited.

To you, Hall, we would say this: continue to think constructively; your letter has done you no harm and I am sure that it will be considered with some interest when you do come up to this Court for sentencing. I will go so far as to say this: there appears to us at this early stage to be some grounds for mitigation.

No authorities