

ROYAL COURT
(Samedi Division)

215.

28th November, 1997

Before: F.C. Hamon, Esq., Deputy Bailiff and Jurats
Herbert and Jones

A.G.

-v-

Noel Anthony Perkins

Application for Bail

On 22nd August, 1997, the applicant pleaded not guilty to:

- 1 count of unlawful sexual intercourse, contrary to Article 4 of the Loi (1895), modifiant le droit criminel (count 1).
- 1 count of indecent assault (count 2).
- 1 count of procuring an act of gross indecency (count 3).
- 2 counts of obtaining money by false pretences (counts 4,5) and was remanded on bail under psychiatric supervision.

On 28th November, 1997, the applicant changed his plea of not guilty on counts 1 and 5 to one of guilty; and maintained his pleas of not guilty on counts 2,3 and 4, which pleas the Crown accepted.

Application for bail granted on conditions.

D. E. Le Cornu, Esq., Crown Advocate
Advocate J.G.P. Wheeler for the applicant

JUDGMENT

THE DEPUTY BAILIFF: On the basis of A.G. -v- Makarios (1978) JJ 215, any offence of this seriousness would normally warrant a remand in custody and an application for bail would be quite futile but there are matters here which disturb us. Bail has been granted on terms since 12th March last year and that is a long time. Bail applications have been renewed during this period. He was allowed to go on holiday with his family. We cannot be interested in his personal family circumstances but we note that his last offence was committed in 1988 and there are serious sexual offences on his record but he has not yet heard the clang of the prison gates. We cannot understand that without knowing more of the background and there may be more in the psychiatric reports than we know. He appears to be under psychiatric care at the moment. We cannot conceive why his bail has been so regularly renewed and why his application for a holiday was not opposed by the Crown but there are five weeks to trial and in the particular circumstances we are prepared to allow bail to continue on the same terms.

Authorities

A.G. -v- Hughes (22nd September, 1989) Jersey Unreported.

A.G. -v- Makarios (1978) JJ 215.