

JERSEY / JUDGMENT

AG v Maltez [2000] JRC 158 (04 August 2000)

[2000] JRC 158

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JUDGMENT

THE BAILIFF: 1. This applicant has pleaded not guilty to committing a grave and criminal assault upon a young woman in circumstances which we accept are serious. The applicant, however, has been in custody now for some 8 months, and we again express our concern at the length of time during which accused persons are being held in custody pending trial. The fundamental principle of the criminal law is that a person is presumed innocent until he is proved guilty. 2. Given that there is a not guilty plea to this charge the Court has to ask itself in these circumstances whether there is a risk if it were to grant bail that the accused will abscond and fail to appear to stand his trial. 3. The Counsel for the applicant has told us that his identity card is in the custody of the police and that he speaks very little English. Arrangements have been made to offer him accommodation and employment at premises in St. Helier. He is a young man with no previous convictions. We have reached the conclusion that the likelihood of his absconding from the Island is not so great that we should deny the applicant his freedom pending his trial on the offence to which he has pleaded not guilty. 4. The order of the Court accordingly is that the applicant will be released upon his undertaking to appear to stand his trial on 4 th September, 2000, or such other date as may be ordered, and that there be the following conditions: First, his identity card will continue to be held in the custody of the police; secondly, he will report twice weekly to the police; and thirdly, he will reside at No. 70 New Street, St. Helier and will notify the police of any change of address. Authorities *Loi (1864) réglant la procédure criminelle*: Article 22. *A. G. -v- Hakes* (18 th November,

1994) *Jersey Unreported. A. G. -v- Mahé & Ors.* (27 th June, 2000) *Jersey Unreported. A. G. -v- Bardwell* (24 th April,

1996) *Jersey Unreported.* Page Last Updated: 19 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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