

JERSEY / JUDGMENT

AG -v- Sousa [2017] JRC 053 (29 March 2017)

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JUDGMENT

THE DEPUTY BAILIFF: 1. This is a hearing before the Inferior Number to determine whether or not the defendant is fit to plead to answer to two counts on the Indictment, those of sodomy and indecent assault. In its judgment in this matter of 10 th March 2016 (AG-v-Sousa

[2016] JRC 059) the Inferior Number declared that he was not fit to plead and as a result he was detained at Her Majesty's pleasure in a secure hospital in the United Kingdom. 2. We have before us the reports of two experts, the same experts upon who the Court based its judgment on the 10 th March, 2016, and they reflect the fact that the accused has had improvements in his mental health the effect of which is that both experts are now of the opinion that he is fit to plead, applying the test that must be applied in these circumstances specifically that set out in the case of AG-v-O'Driscoll

[2003] JLR 390 . We have had the opportunity of reading in advance and considering the reports of those experts and it is right that we reflect that both the Crown and the defence are ad idem in their conclusions that this defendant is fit to plead - we so find and declare that he is fit to plead and may stand trial on the counts on the Indictment. Authorities AG-v-Sousa

[2016] JRC 059 . AG-v-O'Driscoll

[2003] JLR 390 . Page Last Updated: 22 May 2017 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 24 October 2026 · Esheria