

JERSEY / JUDGMENT

Arcturus and others v AG [2000]

JRC 174 (07 September 2000)

[2000] JRC 174

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE DEPUTY BAILIFF: 1. We make the order in the terms of the draft consent order save that in paragraph 1. we vary the period for filing the amended representation to 10 days, as requested by Mr. Sinel, and in paragraph 2 we reduce the period for the Attorney General to file his answer, to 10 days, also as requested by Mr. Sinel. There are consequential changes in the two undertakings to reflect those amended periods. The only two additional matters are the question of the hearing date and the question of some documents. 2. Dealing first with the hearing date, we think it right to include in the order that the date presently fixed is 25 th

- 27 th October, but we make it clear that there is liberty to either party to apply to change that date and we take note of the fact that it may well be the intention of Mr. Sinel to do so for the reasons that he has outlined. However, that liberty to apply must be exercised, we think, by the end of next week. In other words, as we understand it, the matters to which Mr. Sinel referred concerning another case should have become a little clearer by the end of next week and we think that, in order that everyone knows where they stand, if Mr. Sinel wishes to apply to adjourn the date, the parties must attend upon the Bailiff's Secretary no later than the end of next week. If it cannot be agreed then the matter should be heard before me, again not later than the end of next week. 3. We come finally to the question of the documents. Mr. Sinel has applied for copies of the documents in the Attorney General's possession which were obtained from Cater Allen Bank (Jersey) Limited and the Royal Bank of Scotland International pursuant to two notices under the Investigation of Fraud (Jersey) Law 1991 , which the Attorney issued at about the same time as the notices in this case and in relation to the same investigation. Those notices related to the bank statements and so forth of a company called Conrho Limited, one of the applicants. The existence of these two notices was disclosed formally to the applicants in the Attorney General's affidavit, which is dated 28 th July. 4. Mr. Sinel's application today has not been made with any supporting paper work. The Act of the Court on th July ordered that any summons and accompanying matters had to be made 4 clear days before today's hearing. We have to say that Mr. Sinel's present application does not comply with that. Furthermore, we understand from Mr. Sinel that he has neither approached the banks at any time since 28 th July nor taken any other steps since that time to establish what documents were supplied by the banks to the

Attorney General.

5. The documents in question obviously belong in law to the banks but Conrho Limited is the banks' customer. It therefore seems to us that Conrho is entitled to ask the banks what documents they supplied pursuant to the notices, and in our judgment that is the correct course. Even if, for some reason of which we are not at present aware, the banks cannot give the exact information, we still do not think it right that the Attorney General should be ordered to provide copies of these documents at this stage of a criminal investigation. The directors of Conrho should know what documents fall within the description contained in the notices and we do not think that they will be in any way prejudiced in relation to the conduct of the application for judicial review. We therefore refuse Mr. Sinel's application. No Authorities Page Last Updated: 19 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2000/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/arcturus-and-others-v-ag-2000-jrc-174-07-september-2000>

Prepared on 26 October 2026 · Esheria