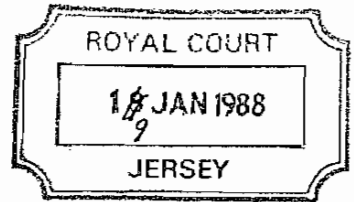


ROYAL COURT (INFERIOR NUMBER)



Before: Mr. V.A. Tomes, Deputy Bailiff
Jurat the Hon. J.A.G. Coutanche
Jurat Mrs. M.J. Le Ruez

Nicos Sophianou

- v -

The Defence Committee of the States of Jersey

Advocate W.J. Bailhache for the Plaintiff
Crown Advocate Miss S.C. Nicolle for the Defendant

In the early afternoon of Sunday, 15th November, 1981, the plaintiff was arrested and detained in police custody. On the 16th November, 1981, he was charged - 1) with having, between the 1st January, 1981, and the 15th November, 1981, criminally broken and entered the premises known as G.E. Brown & Company Limited, Hilgrove Street, in the Parish of St. Helier, and stolen a case of Cossack vodka valued at £51.00; 2) or having aided, assisted or participated in the said criminal act; 3) or with having received, hidden or withheld the said property, knowing the same to have been stolen.

At the material time the plaintiff was living in a room on the first floor above the Galleon Restaurant, 41 Colomberie, St. Helier, (the Galleon) where he resided as the guest of his brother Andreas Sophianou, the owner of the premises. At the material time Andreas Sophianou was out of the Island.

The facts are substantially in dispute. There had been a series of stock shortages at G.E. Brown & Company Limited (G.E. Brown) over the preceding twelve months, leading to complaints to the States of Jersey police. In early November, 1981, two men had been arrested on the premises of G.E. Brown. Both had been interviewed. As a result, the police had arrested two further men, and a large quantity of alcohol had been recovered. Resulting from information given by the two men, arrangements were made for a number of premises to be searched. These included the Galleon.

According to the plaintiff, at about 12 o'clock midday on Sunday, the 15th November, 1981, he was called downstairs as a result of two girls, who were also living on the premises, shouting up to him. He went downstairs to find two police officers who were already inside the premises - according to his Order of Justice there were three police officers, but in evidence, including cross-examination, he maintained that there were two officers; whilst this is not of itself important it demonstrates how, in several respects the plaintiff's own evidence was inconsistent with his own Order of Justice. One of the officers was Detective Constable Prior. The plaintiff did not know the name of the other officer who was Detective Constable (now Police Sergeant) Adamson.

Again, the evidence of the plaintiff, this time in an important respect, was inconsistent with his Order of Justice. According to the Order of Justice Detective Constable Prior wrongfully and without reasonable cause arrested the plaintiff and took him into Police custody. When asked by the plaintiff why he was being arrested the officer told him it was for breaking and entering into the premises of G.E. Brown and for stealing a case of vodka from them. The plaintiff allegedly replied "you must be joking. I have never been there". The officer then began to shout at the plaintiff, further accusing him of theft and demanding to know where the vodka was; the plaintiff told the officer not to shout. The plaintiff's room was then searched by the officers but no stolen property was found. The officers then took the plaintiff to his brother's house where the vodka was discovered by them in a shed; the plaintiff was not aware of its whereabouts. The plaintiff was then taken to the Police Station and interviewed; he denied all knowledge of the offence. The plaintiff was then charged by Centenier Lane of St. Helier with the offences we have already described. Accordingly, the plaintiff alleges wrongful arrest and false imprisonment and seeks special and general damages.

In his Reply to the defendant's Answer the plaintiff averred that at the time of his arrest the police officers had not found any cases of spirits; that it was only after the plaintiff had been arrested, and after Detective Constable

Prior had searched the plaintiff's bedroom, without discovering any stolen property, that the police officers found a quantity of spirits in the kitchen of the premises.

In evidence in chief, the plaintiff told us that immediately he went downstairs the police showed him "a paper" (the charge sheet); it had three charges on it, the alleged breaking and entering and stealing and other charges; Detective Constable Prior gave him the piece of paper and told him that he had been thieving; the plaintiff said "you must be joking" and protested that he had never thieved in the whole of his life. The officer then asked the plaintiff to take him upstairs to see his room which he did and his room was searched; the police removed certain half bottles of drink, which were his personal supply, his cigarettes and some magazines. Detective Constable Prior was very rough and very nasty towards him, threatened him, told him the police were taking him "inside", shouted at him, and called him a thief.

After the search of his bedroom the police officers took him downstairs, told him they were going to take drinks away, took all the loose bottles that were in the restaurant, including bottles of Greek wine, which they put into cases; the officers removed full cases of Greek wine from the premises; the plaintiff did not see them take any cases of spirits; they then took him to the police van and thence to his brother's house, where he was told to sit in a chair. The police searched a cottage or shed behind the house in his absence and found cases of spirits there which he saw the officers put in the police van. He was then taken to the Police Station where he was interviewed - he could not remember exactly what the officers asked him but he was asked if he was guilty and denied it; he was then placed in a cell.

Under cross-examination, the plaintiff identified the charge sheet which he maintained had been shown to him inside the Galleon - he was sure it was the same and remembered the figure of £51. The police officers had asked him if he was Nicos Sophianou and as soon as he had replied in the affirmative they

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had shown him the charges. The plaintiff insisted that the police had searched his room before removing any property from downstairs. He denied that the police found any cases of spirits in the kitchen of the premises; that he had been in the kitchen with Detective Constable Prior; that he knew that the police had found a case of vodka on the premises, or that they had removed three other cases of spirits.

Detective Constable Prior told us that he went to the Galleon because of information from those already arrested that over a period of time a large quantity of alcohol had been delivered to "the Greeks" there. He knocked at the side door in Francis Street; the door was opened by a young female. He asked for the owner and she said that he was away on holiday. He asked who was in charge of the premises and she said that it was Nicos, the owner's brother, who was upstairs. The officer asked to see him. She went away; the officer waited outside; a short while later a man, the plaintiff, came to the door; the officer asked him who he was and he told him; the officer asked if he was the manager in his brother's absence and he replied in the affirmative. The officer told him that they (the officer and his companion(s)) were police officers and that they had reason to believe that a quantity of alcohol had been delivered to the premises over the preceding few months; he did not show any paper to the plaintiff; the officer believed that he was accompanied by a Centenier, but in any event told the plaintiff that they wished to carry out a search; they were invited in and the search was carried out with the consent of the plaintiff. In conversation before the search the plaintiff said that he had worked there during the summer, but was not actually working there at the time. The officer denied any accusation of theft, the alleged production of a charge sheet and having shouted at the plaintiff. The officers went into the kitchen of the premises, to which the side door gave direct access, and searched there, including a store cupboard off the kitchen and found there a large quantity of cigarettes and various types of alcoholic drink. The officer thought that a third police officer had been involved in the search. During the search Detective Constable Adamson recorded in sequence the items found. In

course of the search the officers found a case of vodka bearing the stamp of G.E. Brown; this was significant because Detective Constable Prior had examined all the invoices for sales by the company to the restaurant over the previous three to four years and knew that no case of vodka had been supplied legitimately over that time; whilst the officer could not recall whether or not the case was closed, it was a full case. At that point Detective Constable Prior asked the plaintiff what he knew about it and the plaintiff denied any knowledge. The officer told the plaintiff that he suspected him of having received stolen property over the preceding year and arrested and cautioned him. The plaintiff replied that he knew nothing about it. The officer made it clear that he had reason to believe that the case of vodka was stolen and he did not accuse the plaintiff of having broken and entered the store and having stolen it; he could not recall having called the plaintiff a thief.

After having cautioned the plaintiff, the police officers continued the search and maintained a record of items found so that they could be checked; they found at least two cases more which Detective Constable Prior suspected had been stolen. In some cases, the name of the supplier on the side of the case had been partially disfigured by an attempt to remove it; in other cases the whole name had been torn off.

It was only after the search of the kitchen had been completed that the police officers went up to the room occupied by the plaintiff and searched it; they found nothing of any significance there. After the search of his room had been completed they proceeded to the house of the plaintiff's brother where they carried out a further search and, in a lean-to shed at the rear of the house, found a large quantity of alcoholic drink, including numerous cases with the partial name of G.E. Brown.

The evidence of Detective Constable Prior was substantially corroborated by Police Sergeant Adamson. However, to his recollection there had been no Centenier present and the search had been with permission.

We have no hesitation in saying that we prefer the evidence of the two police officers wherever it conflicts with that of the plaintiff. Whether or not a Centenier was present at the time that access was obtained to the premises is of no real significance, since access was obtained by invitation and the search carried out with the permission of the plaintiff; in the circumstances it is not surprising that recollections differ. Of much greater significance is the evidence of the plaintiff concerning the charge sheet - the charge sheet is dated the 16th November, 1981, the day after the search was carried out. We are convinced that it was not prepared in advance, which would have been contrary to recognized police procedures, of which the Court has judicial knowledge, and that it did not exist on the 15th November and, therefore, was not produced, at the time of the search. Furthermore, the Court had the opportunity to examine the note book of Detective Constable Adamson, which is consistent with the evidence of the police officers as to the sequence of the search, that is to say that the search of the kitchen and the finding of the case of vodka took place before any search of the plaintiff's upstairs room. In our judgment, the evidence of the plaintiff was unreliable throughout.

There are other evidential matters which are peripheral. The plaintiff's Order of Justice further alleged that at Police Headquarters he complained to the police officers that he suffered from a kidney disorder and needed to see his doctor. The plaintiff had recently been diagnosed by his doctor as suffering from a kidney disorder for which treatment had been arranged at Guys Hospital, London, England. As a result of his detention in custody the plaintiff was unable to attend for this treatment. The plaintiff explained this to the police but was not allowed to see his doctor.

In his Reply to the defendant's Answer, the plaintiff further averred that he continually and consistently complained about his kidney disorder.

In evidence, the plaintiff admitted that he had never mentioned anything about his kidney disorder to the police at the Police Station, nor did he ask to see a doctor.

Consequently, this part of the plaintiff's action, intended to prove aggravation in connection with the alleged false imprisonment and this to increase the damages to be awarded, was not pursued. However, the fact remains that the plaintiff gave the information for the preparation of his Order of Justice and reinforces the view of the Court that, at the least, the plaintiff is "careless" as to the truth, whether on oath or otherwise.

However, the matter does not end there. Article 3(1) of the Police Force (Jersey) Law, 1974, provides that:-

"Where a police officer with reasonable cause suspects that any person has committed, is committing or is about to commit, an offence he may arrest that person".

The question to be resolved, therefore, is whether Detective Constable Prior, at the time of arresting the plaintiff, with reasonable cause suspected that the plaintiff had committed the offence of receiving the case of vodka, knowing the same to have been stolen.

The defence of Detective Constable Prior to the allegation that he had no reasonable cause to suspect that the plaintiff, as opposed to his brother, Andreas Sophianou, the owner of the Galleon, who was subsequently convicted of having received alcoholic drink knowing the same to have been stolen, was that he had received information that a large quantity of alcoholic drink had been delivered to the Galleon over the preceding twelve months; that, allegedly, the deliveries had been made on many occasions; that one of "the Greeks" from the Galleon had allegedly collected alcoholic drink from the home of one of the informers; that the plaintiff was introduced to him as being "in charge" of the premises; that, on the plaintiff's own admission, he was the manager of the premises whilst his brother was out of the Island; that the plaintiff was residing on the premises; that the plaintiff had been employed in the business during the summer, i.e. during the twelve month period referred to

by the informers; that the officer had found the case of vodka; that there was strong evidence to justify suspicion that the case of vodka had been stolen; that the plaintiff was in possession or constructive possession of the case of vodka; and that he, Detective Constable Prior, firmly believed that the plaintiff had knowledge of the stolen alcoholic drink.

The Court must now consider the legal test to be applied to the question we have posed and the defence we have described.

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Mr. Bailhache referred us to Mohammed - Holgate v. Duke (1983) 3 All E.R. 526 C.A. In that case the plaintiff and another woman lived in the same house. In December 1979 some jewellery was stolen from the other woman's room and some months later it was found in a jeweller's shop. The jeweller gave a police constable a description of the person who had sold the jewellery to him. The plaintiff fitted that description and, knowing that she had been living in the house at the time of the theft and that she had been in financial difficulties, the constable felt that he had reasonable cause for suspecting that she had stolen the jewellery. Without making any further enquiries, he exercised, in good faith, his power under section 2(4) of the Criminal Law Act 1967 to arrest the plaintiff without a warrant. She was then taken to a police station and interrogated. No evidence was obtained linking her with the crime, and she was released about six hours later. The plaintiff brought an action against the chief constable claiming damages for false imprisonment. The judge found that the arresting officer had had reasonable cause at the time of the arrest to suspect the plaintiff of the theft and that the period of detention had not been excessive, but he awarded the plaintiff £1,000 damages on the ground that the arresting officer had not been justified in exercising the power of arrest under section 2(4) because his sole reason for arresting the plaintiff rather than interviewing her under caution was that he thought she would be more likely to confess if she was subjected to the greater stress and pressure involved in an arrest and deprivation of liberty. The chief constable appealed. The Court of Appeal held that where a constable had reasonable cause for

suspecting that a person had committed an arrestable offence, he could exercise the power of arrest under section 2(4) of the 1967 Act and use the period of detention to establish whether his suspicions were justified and also to seek further material evidence. The constable was not required to make all practicable inquiries before exercising the power of arrest. In the circumstances the arresting officer had had reasonable cause to suspect the plaintiff of the theft and his decision to arrest her had been within the range of reasonable choices available to him. It followed that, because the arresting officer had not acted improperly, the appeal would be allowed and the award of damages would be set aside.

Sir John Arnold P. delivered the leading judgment. At page 528 he said:

"For that (the arrest) to be a justifiable arrest it is necessary that the provisions of s.2(4) of the Criminal Law Act 1967 should be complied with. That sub-section is in these terms:

'Where a constable, with reasonable cause, suspects that an arrestable offence has been committed, he may arrest without warrant anyone whom he, with reasonable cause, suspects to be guilty of the offence.'

"There is no doubt that theft is an arrestable offence. There is no doubt that the constable suspected that that offence had been committed; indeed it is common ground that it had. But did he, with reasonable cause, suspect the plaintiff to be guilty of the offence? The judge concluded that he did. He then went on to say, and this is the point in the appeal, that, although the prescriptions of the subsection were satisfied, nevertheless there was an abuse of the power of arrest thus created because the power was exercised unreasonably. To that part of the argument we have not yet come.

"The reason why the matter with which I am now dealing arises is that there is a respondent's notice, and the respondent's notice complains that the

judge wrongly came to the conclusion that (the constable) did, with reasonable cause, suspect that the plaintiff was guilty of the offence. That is the point with which we are at this stage concerned".

Sir John Arnold completed that part of his judgment with the following sentence (at p.528):

"In my judgment there is no colour in authority or principle for the proposition that if there be in the mind of the arrester for reasonable cause a suspicion to the relevant effect there is any need to make further inquiries for the purpose of complying with the section, and accordingly I would not uphold this paragraph in the respondent's notice".

It is unnecessary for us to quote further from the judgment. We accept, as did Miss Nicolle, the submissions of Mr. Bailhache 1) that the test in the instant case, as in *Mohammed - Holgate v. Duke*, is not whether the police officer suspected that the plaintiff had committed the offence, but is whether he had reasonable cause for that suspicion. And the test can be put in the form of a question that the police officer was required to ask himself - 'do I suspect that the person I am about to arrest is guilty of the offence and, if so, why?'. The Court has to examine the reasons in order to decide whether the officer had reasonable cause for his suspicion.

A defendant who justifies an arrest has to prove affirmatively that he acted on good grounds; accordingly the burden rests on Detective Constable Prior, and through him on the defendant, to establish that he had reasonable cause to suspect that the plaintiff had committed the offence of receiving the case of vodka. There must be an honest belief that the person arrested has committed the offence and that belief must be reasonable; it does not have to be proved correct, but it must be reasonable.

The Court is satisfied that Detective Constable Prior was in possession of information, in the form of a confession from one or two of the principal offenders, that stolen alcoholic drink had been delivered to the Galleon on many occasions over the preceding twelve months. The Court is satisfied that the information related to 'the Greeks at the Galleon', in the plural, and that the officer also had information that 'one of the Greeks from the Galleon' had collected alcoholic drink from the home of one of the principal offenders. The Court is satisfied that the female who answered the door indicated that the plaintiff was 'in charge' of the premises and that the plaintiff confirmed that he was 'in charge' whilst his brother was away from the Island. Mr. Bailhache sought to persuade us that there is a difference between being in charge of the premises and in charge of the business, but we do not think there is anything in this point. These are licensed premises and a person who is in charge of licensed premises is normally in charge of both the premises and the business or, at the very least, the licence. It is true that, at the relevant time, the restaurant was closed but, nevertheless, we believe that the plaintiff was 'in charge' of the premises and its contents. The Court is satisfied that Detective Constable Prior believed the plaintiff to be the manager of the licensed premises in his brother's absence. Here, there is a conflict of evidence - Detective Constable Prior said that he asked the plaintiff whether he was the manager in his brother's absence and the plaintiff replied in the affirmative but, under cross-examination, said that he 'certainly understood' the plaintiff to be the manager of the premises. Police Sergeant Adamson recalled only a reference to the plaintiff being 'in charge' of the premises. The plaintiff denied having called himself the manager of the premises or at all. He could not be manager, he said, because he did not work there. However, the Court draws considerable assistance from the "detention sheet" used at the Police Station. There, the appropriate entry, in the hand of Police Sergeant McDonald, shows the occupation of the plaintiff as "Manager". Sergeant McDonald explained that he normally obtains the personal information entered on the sheet, i.e. full name, local address, English address or elsewhere, date of birth, place of birth and occupation from the prisoner direct; however, he could not rule out the

possibility that the plaintiff's occupation as manager had been provided by the arresting officer, albeit in the presence and hearing of the plaintiff. The Court finds that the entry on the detention sheet shows either that the plaintiff was holding himself out to be the manager of the licensed premises or that Detective Constable Prior held the honest, and in our view reasonable, belief that the plaintiff was the manager. The Court is satisfied that, by the time of the arrest, Detective Constable Prior knew that the plaintiff was living upstairs, on the premises. The Court is satisfied that Detective Constable Prior knew that the plaintiff had been employed in the business of the Galleon; whilst he was not so employed at the time of his arrest the significant factor was that he was so employed until some three months before his arrest and thus during the twelve month period in which stolen alcoholic drink was delivered on many occasions to premises within which he both lived and worked. Deliveries had been made during the hours of darkness by men dressed as builder's labourers. The Court is satisfied that the case of vodka - with the stamp of G.E. Brown partly obliterated - was found on the licensed premises and that no case of vodka from G.E. Brown had been supplied legitimately to the Galleon during the previous three years.

Notwithstanding the able arguments put forward by Mr. Bailhache on the plaintiff's behalf, and whilst we acknowledge that there was a language difficulty, we are not persuaded that a sense of personal outrage showed through his evidence. We are satisfied that the police officers were credible witnesses. We reject the suggestion that Detective Constable Prior was motivated by an improper purpose i.e. to keep the plaintiff in custody so that he could not communicate with his brother and warn him of what was happening in Jersey.

We are confident that the plaintiff could have made contact with his brother whether or not he was in custody. And Mr. Andreas Sophianou told us that he was not surprised to be arrested on his return because one of the two girls living at the Galleon had telephoned him in Tenerife to inform him of what had occurred.

Mr. Bailhache went on to urge a subsidiary submission - that even if the original arrest and detention were lawful, the imprisonment of the plaintiff on the morning of Monday the 16th November, 1981, became unlawful because the detention was longer than necessary.

In Mohammed - Holgate v. Duke, at p. 535, Sir John Arnold said this:-

"A lawful arrest followed by a period of detention which before release takes place is unjustifiably long itself provides a cause of action of wrongful imprisonment during the excess period after the release should have taken place".

And later he said:

"It is, as it seems to me, plain on the law that one of the matters which is relevant to the question of whether there was an undue, improper prolongation of detention was whether that came about from a reasonable cause".

Our duty, as in the case of the primary submission, is to decide whether the prolongation of detention from 10 o'clock on the morning of Monday, 16th November, 1981, the first opportunity to present the plaintiff before the Police Court, and 2.30 o'clock in the afternoon of the same day when he did appear, having been charged by Centenier Lane at 1.45 o'clock p.m., came about from a reasonable cause or was an undue or improper prolongation of the detention.

Detective Constable Prior explained that a great deal of time was spent on collating the alcoholic drink recovered from several premises; he was also busy interviewing other suspects; he prepared a report for the Centenier to take to the Court; furthermore, the officer had discovered that there was a cellar at the Galleon and he wished to search it; accordingly, at 11.15 o'clock that morning the plaintiff was removed from his cell and accompanied police officers to the Galleon where, with his consent, a further search was made; the

plaintiff was returned to his cell at the Police Station at 12.07 p.m. The period of detention by the police was from 4 o'clock p.m. on the 15th November, 1981, when the plaintiff arrived at the Police Station (he was not imprisoned in the cell until 6.40 p.m.) to 2.30 o'clock p.m. on the 16th November, 1981, when he appeared in the Police Court, a total period of less than twenty-four hours.

The Court is satisfied that there was reasonable cause for the detention of the plaintiff until the afternoon of Monday, 16th November, 1981, and that the prolongation of detention was neither undue nor improper.

In the event, the plaintiff was remanded in custody for one week by the Police Court when he appeared before it on Monday, 16th November, 1981. Detective Constable Prior said that bail was opposed because the police feared that the plaintiff would not answer to bail - he had no ties with the Island - and that he might interfere with police enquiries. The decision was reported as having been to allow further police investigations to be carried out as, although the vodka was valued at £51, related thefts, being investigated, were valued at thousands of pounds. One week later, on the 23rd November, 1981, the plaintiff was admitted to bail in the sum of £250. Detective Constable Prior said that, by that time, the plaintiff's brother having been brought back to the Island and interviewed, the police were in a position to accept that the part played by the plaintiff was smaller than at first thought and that he was less likely to abscond; moreover the police were by then reasonably satisfied that they were aware of the extent of the connected offences and that they had identified the main receivers.

In the view of the Court, the question of bail was a matter of judicial decision and is hardly relevant to the question whether the arrest and initial detention were justified. Mr. Bailhache urged upon us the submission that the real reason for opposing bail, as with the original arrest and detention, was to prevent any communication with the plaintiff's brother. Further, that one week later, the real reason no longer existed because the brother had been brought

back to Jersey on warrant and interviewed, hence no opposition to bail. We have already rejected the submission that Detective Constable Prior was motivated by an improper purpose; we do so again and accept the officer's explanation.

The case was remanded week by week as required by law, until, on the 22nd February, 1982, the police offered no evidence, the charges against the plaintiff were dismissed, and taxed costs were awarded to the plaintiff. Detective Constable Prior explained that, by that date, a tremendous number of enquiries had been completed, and a large number of people had been interviewed, arrested and charged; the plaintiff's brother had been brought back to Jersey on warrant and interviewed; the majority of prosecutions were proceeding in the Police Court; and with regard to the plaintiff's brother, there were numerous enquiries to be conducted; a delay of several months was anticipated. In light of these facts and because the evidence collated by that time suggested that the plaintiff's brother was the principal receiver, the police decided that the case against the plaintiff was being unreasonably delayed having regard to the small part that he allegedly played, and decided that no evidence should be adduced against him. The Police Court was so informed and the charges were dismissed.

When pressed in cross-examination, Detective Constable Prior said that he did not agree with the decision that no evidence should be given, it was the decision of a superior officer. As far as he was concerned, the case against the plaintiff could have proceeded but police officers have a discretion and do not proceed against everyone who commit offences.

Mr. Bailhache submitted that Detective Constable Prior's evidence on this point was both distasteful and unacceptable. The plaintiff had been charged and had been acquitted. We do not support the criticism of the officer. Counsel chose to press him on this matter and he was under a duty to answer truthfully. Of course, the Court agrees that the plaintiff is not guilty of the charges brought against him, but that fact does not help to show that, at

the time of the plaintiff's arrest and initial detention, Detective Constable Prior did not have reasonable cause to suspect that the plaintiff had committed the offence of receiving; as the officer said, he had every reason to suspect that the plaintiff had committed the offence in concert and in complicity with his brother.

In conclusion, therefore, the Court finds that the requirement of Article 3(1) of the Police Force (Jersey) Law, 1974, is fully satisfied - Detective Constable Prior did, with reasonable cause, suspect that the plaintiff had committed the offence of receiving at least the one case of vodka, knowing the same to have been stolen. Accordingly, the plaintiff's action fails and his Order of Justice is dismissed.

Authority referred to in the judgment:-

Mohammed-Holgate -v- Duke (1983) 3 All E.R. 526 C.A.

Other authorities referred to :-

The White Back - O. 20 rr. 5-8 - 20/5-8/11 re. "At the trial or hearing".

Halsbury's Laws of England - 4th edition - Volume 45 - para's 1325-1338
and para's 1340-1369

Carter -v- Nimmo and King JJ Volume 1 - part 2, p. 1007

Warner -v- Riddiford 4 C.B. (N.S) 180

Cooper -v- Public Health Committee (1966) JJ Volume 1, part 1, p. 685

Clerk and Lindsell on Torts (15th edition) - Chapter 14 - para 14-36, p. 678 et

seq. re. "where arrestable offence under the Criminal Law Act, 1967."

and p. 867 et seq. re. "Reasonable and Probable cause"

and p. 871 et seq. re. "Evidence showing prima facie case may be sufficient"

and p. 874 et seq. re. "Absence of belief in justice of prosecution"