

ROYAL COURT  
(Samedi Division)

30th June, 1995. 118.

Before: The Deputy Bailiff,  
and Jurats Orchard and de Veulle.

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The Attorney General

- v -

Simon Paul de la Haye

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Application for Bail.

On 6th September, 1994, pleaded not guilty to a charge of grave and criminal assault in the Magistrate's Court.

Subsequently 3 bail applications were made and were refused.

On 11th November, 1994, the Applicant applied successfully to the Royal Court for a review of the Magistrate's decision to refuse bail, and was admitted to bail in the sum of £500.00, on conditions. (*See Jersey Unreported Judgment of that date*).

On 25th January, 1995, the Applicant was additionally charged with rape and indecent assault, to which not guilty pleas were entered. Bail was withdrawn.

On 9th June, 1995, the Applicant was indicted before the Royal Court charged with:  
1 count of rape; and  
1 count of indecent assault

Application for bail refused.

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S.C.K. Pallot, Esq., Crown Advocate.  
Advocate J.C. Gollop for the Applicant.

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JUDGMENT

THE DEPUTY BAILIFF: We are very grateful, Mr. Gollop, for everything that you have put before us, but when we last granted bail in this Court the matter was one of grave and criminal assault. The matter now - and we appreciate everything that you have said - is

a question of rape and we feel that we are bound by Representation of Makarios (1978) JJ 215; the matter is so serious that in the circumstances we cannot - however much we might be minded to do so - grant your client bail. He is therefore remanded in custody.

Authorities.

A.G.-v-de la Haye (11th November, 1994) Jersey Unreported.

Representation of Makarios (1978) JJ 215.

A.G.-v-Heuzé (8th July, 1994) Jersey Unreported.

A.G.-v-Hakes (18th November, 1994) Jersey Unreported.

Archbold (1995 Ed'n): Vol.1: pp.1/296-1/323.