

ROYAL COURT

27 26th November, 1987

Before The Bailiff,  
Jurats J.H. Vint and  
J.J.M. Orchard.

Her Majesty's Attorney General

-v-

John Robert Patterson and  
James Patrick Nolan

**Application for Bail**

**Solicitor General for the Crown**

**Advocate S.A. Pearmain for the applicants.**

JUDGMENT

**The Bailiff:** "This is an application to this Court to review the decision of the learned Police Court Magistrate who refused to grant bail to the applicants. It is clear from the transcript that all the matters that you have urged this morning to us Mrs. Pearmain, even if this were an application 'de novo', were placed before the Magistrate and he clearly considered them fully and it cannot be said that he failed to exercise his discretion judicially. Moreover, there is a distinction, in fact, two distinctions between this case and the case that you referred to of Attorney General -v- Barnes and that is that Barnes had no record and that the Crown did not oppose bail. Those are two important distinctions. As regards the suggestion Mr. Solicitor that if we were to grant bail this morning a number of other prisoners would immediately inundate this Court with bail applications, we think that was a remark really which perhaps we think ought not to have been made and it is not one which has had any bearing on our decision. Therefore for the reasons I have given, we are satisfied that the Magistrate directed himself judicially and bail is refused."

Authorities cited by Solicitor General

Representation of Nikos Malcarious 1978 JJ 215

R -v- Michael Patrick Phillips (CCA) 1947.