

ROYAL COURT

12th July, 1991

97.

Before: The Deputy Bailiff, and  
Jurats Myles and Gruchy

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The Attorney General

- v -

Allister Douglas Strattan

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Application for bail.

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The Attorney General.

Advocate A.P. Begg for the applicant.

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**JUDGMENT**

DEPUTY BAILIFF: On the question of oppression, we have analysed the sequence of the interviews. On the first day, the 15th, the arrest was at 1.30 p.m. The first interview started at 2.45 p.m., and it lasted for one hour, during which the applicant made prompt admissions of using drugs, possession of drugs and an intent to deal. In our view there was no time in that hour for the oppression which is alleged. There were no further

interviews that day at all, so a suggestion of interviews two or three times a day is not borne out by the record.

On the 16th, which is the second day, at 10.15 a.m. the applicant was taken to the Interview Room. The interview actually started at 10.40 a.m., and it was terminated at 11.55 a.m. so that is one hour and fifteen minutes, because by then it was evident that the applicant was upset and he was asked if he would like to see a doctor, and arrangements were made for him to see a doctor and the interview was curtailed. Therefore, again we fail to see where there is even prima facie evidence of oppression.

The doctor saw him at 12.50 p.m. on the same day and there were no more interviews at all on the 16th.

On the 17th (the Wednesday), Dr. Holmes saw the applicant again at 1.30 p.m. and said that he was fit for interview. At 2.45 p.m. the applicant was taken into the Interview Room and at 4.05 p.m. he was detained in the cells, so the total interview length had taken place between 2.45 p.m. and 4.05 p.m. He then saw Mr. Hollywood at 5.40 p.m.; he saw Dr. Holmes at 6.10 p.m. and he went to the Adult Psychiatry Unit.

On the 18th he was brought from the Adult Psychiatry Unit to Police Headquarters at 10.45 a.m. At 11.35 a.m. the third interview commenced and at 11.58 a.m. the interview was concluded. In other words, twenty-three minutes the entire interview, including the reading of the previous records and two questions only put to him. Therefore, we are not at all satisfied that he has even the commencement of a case on oppression for the trial in due course.

We are very sorry for the applicant's parents, but we have to have regard to the gravity of the offences and in this jurisdiction at least, the gravity of offences alone is a sufficient ground for refusing bail. Because we think that the Magistrate was right to find a prima facie case, and we believe on the evidence there is a strong prima facie case, we have to refuse the application for bail. Therefore the application is refused.

Authorities

- A.G. -v- Clarkin (5th February, 1991) Jersey Unreported.  
A.G. -v- Pockett (21st December, 1990) Jersey Unreported.  
A.G. -v- Mallet (21st December, 1990) Jersey Unreported.  
A.G. -v- Andrews (21st December, 1990) Jersey Unreported.  
A.G. -v- Bull (15th February, 1991) Jersey Unreported.  
A.G. -v- Makarios (1978) JJ 215.  
A.G. -v- Clarke (1963) JJ 247.