

11th July, 1986.

A.G.-v-MARY ANNE GOURLAY

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Bail Application for Mary Anne Gourlay

DEPUTY BAILIFF: The application is refused. We wish to stress that what we have been doing is, in fact, to review the decision of the learned Assistant Magistrate. Clearly, the Magistrate, on the first occasion, totally misdirected himself as to the legal situation; the Assistant Magistrate did not; he agreed at page 3 that he would certainly consider the application; it's quite clear that he did consider it because he, for instance, said that if bail were granted, it would have to be in Jersey and that he would see about the possibility of remaining in Jersey; he gave you, Mrs Pearmain, the opportunity to reply after he had heard the police officer and, finally, he said, "In spite of all that you have said, I'm afraid the Court is not going to grant bail today," therefore we cannot find that the Assistant Magistrate erred in any way whatsoever. We must, in those circumstances, uphold his decision and the application is refused.