

15th January, 1987

Her Majesty's Attorney General

- v -

Peter Gerald Marriott

THE BAILIFF: There are more than sufficient members of the Jury who find the accused guilty on Count 1. Now, would you please come up and give your verdict to us on Count 2.

More than sufficient members of the Jury find the accused guilty on Count 2. Mr Attorney?

ATTORNEY GENERAL: In the light of the verdict of the Jury I move that Marriott be remanded in custody for sentence by the Court when the Probation Service have had the opportunity to prepare background reports for the assistance of the Court. The Chief Probation Officer, Sir, I think, has indicated to me that it would take, perhaps, two weeks for his department to prepare the necessary reports. I don't know whether the Court would wish to fix a date ... (inter)

THE BAILIFF: I think it would be better. Would you ask my secretary to come in ... so that, we can see what we can do. Mr Le Marquand, the Court will have to be presided over by the Deputy Bailiff as I shall be away.

ADVOCATE LE MARQUAND: Yes, Sir. I appreciate that.

THE BAILIFF: But at any rate, it's the Jurats to find the sentence.

ADVOCATE LE MARQUAND: Yes, I appreciate that, Sir. I wish to make an application for bail, Sir, of course.

THE BAILIFF: Well, just a moment. One thing at a time.

ADVOCATE LE MARQUAND: Yes, Sir.

THE BAILIFF: Would the afternoon of Thursday the 5th of February be convenient?

ADVOCATE LE MARQUAND: I think so, Sir, yes.

THE BAILIFF: Very well, the sentencing will take place on Thursday the 5th of February, at half past two. Before you make your application, Mr Le Marquand, Mr Foreman, members of the Jury, this is the only Assize case as you heard me say at the beginning of the Assizes and therefore you won't be

needed any more. You heard me also thank those members of the panel who were called for service but who weren't drawn for today's trial and I do thank you in the name of the Island for performing this very important civil duty. I realise of course it is a statutory obligation but it does impose difficulties and inconvenience on members of the public and its right that their ability to come forward and willingness to sit through these trials is acknowledged. Particularly I wish to do so in the light of the appalling weather we've all had to endure in the last three or four days and the fact that you've all made a tremendous effort to come here in spite of the difficulties I have mentioned. You are therefore now discharged.

Now, Mr Le Marquand?

ADVOCATE LE MARQUAND: Sir, the ... Marriott's personal circumstances are quite well-known to the Court. He of course has a family and lives in Jersey and has lived here for most of his life, and is in regular employment. Therefore, Sir, he is not going to fail to turn up for sentencing. He is ... he was a person of previous good character and therefore he's not likely to re-offend; the circumstances of this case are very much a one-off. Therefore, Sir, I would ask for bail on his behalf, because I would submit that it is by no means absolutely certain that in two weeks' time that the Court will find that a custodial sentence is required. I mean, on the face of it, the charges of which he is convicted are very serious, but the very unusual circumstances surrounding the case are such that ... and particularly with a man of his age who's 55, I would submit that there must still be a reasonable possibility that the Jurats, depending of course on the background report, the Jurats might yet feel that a custodial sentence could be avoided. And as, Sir, even the short period of imprisonment from now for the next two weeks is going to have a completely disruptive effect on him and the whole of his life and work and so on, I would ask that he be granted bail on reasonable terms from now until the time of his sentencing.

THE BAILIFF: Mr Attorney?

ATTORNEY GENERAL: I have no observations to make, Sir. I leave it to the wisdom of the Court.

THE BAILIFF: Very well. The Court is prepared to place your client on bail, Mr Le Marquand, because of the exceptional circumstances you've mentioned. It was ... what amounts ...

ADVOCATE LE MARQUAND: He's currently on purely nominal bail, Sir. I'll take instructions as to what amount ...?

THE BAILIFF: £100?

ADVOCATE LE MARQUAND: Sir, Mrs Marriott has £60 on her currently, Sir ... and £20 would make it £80. Otherwise, Sir, there's going to be some delay in his release, whilst extra cash is obtained.

THE BAILIFF: Very well, we place your client on £60 bail. He's to surrender his passport. If he's got one.

ADVOCATE LE MARQUAND: Yes.

THE BAILIFF: Very well. £60 bail, surrender his passport for attendance here at 2.30 p.m. on the 5th of February.

ADVOCATE LE MARQUAND: Sir, I'm grateful.