

Maurice John Kirk

Appellant

FROM
THE COURT OF APPEAL OF GUERNSEY

ORAL JUDGMENT OF THE LORDS OF THE JUDICIAL
COMMITTEE OF THE PRIVY COUNCIL, DELIVERED THE
26TH JANUARY 1987

Present at the Hearing:

LORD MACKAY OF CLASHFERN

LORD ACKNER

LORD OLIVER OF AYLMEYTON

[Delivered by Lord Mackay of Clashfern]

Their Lordships will deal first of all with the appeal relating to the judgment of the Court of Appeal of Guernsey dated 16th April 1985 relating to the Clameur de Haro. This matter has been fully dealt with in the judgment of the Court of Appeal of Guernsey dated 16th April 1985. Their Lordships have carefully considered all that Mr. Kirk has put before them orally and in writing but they have come to the conclusion that no error has been demonstrated in the judgment appealed from. They will therefore humbly advise Her Majesty that this appeal should be dismissed.

Their Lordships now proceed to the petition for doleance. Their Lordships are prepared to proceed on the assumption that the procedure by way of doleance does apply from Guernsey but they are not satisfied that any case has been made out by Mr. Kirk in his oral submissions or in his submissions in writing for further inquiry and therefore they will humbly advise Her Majesty that this application should be dismissed.

And finally so far as the four petitions for special leave are concerned their Lordships will humbly advise Her Majesty that these petitions should be dismissed.

