

4/5/2000



1 IN THE GRAND COURT OF THE CAYMAN ISLANDS
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3 HOLDEN AT GEORGE TOWN, GRAND CAYMAN
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5 CASE NO: 2010/2000 (1-3)
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9 BETWEEN: LUIS WARREN APPLICANT

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12 AND: HON. ATTORNEY GENERAL RESPONDENT
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16 **Appearances:**

17 Mr. John Furniss of Collins, Broadhurst & Furniss for the applicant
18 Miss Jane Rowley Q.C. for the Crown.
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23 **RULING**
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26 Pending his trial which is now underway but which has been adjourned, the defendant
27 applies for bail.

28 Like the Learned Magistrate who dealt with the matter by refusing bail, I am concerned at
29 the manifest lack of regard for authority shown by the defendant. His failure to comply
30 with previous conditions of bail is such that a Court can have no confidence that he will
31 observe new conditions of bail as a matter of his own volition. In effect therefore strict
32 compliance would involve the Court requiring that the police become actively involved in
33 monitoring the defendant's movements.

34 Those are not conditions which I would regard as appropriate in this case.

35 The defendant has forfeited the necessary trust which the Court might repose in him. I
36 have concerns that he would fail to observe the conditions of bail and might reoffend.

1 There is another reason for not granting bail: If proven, the allegations of involvement in
2 the incident for which he is now being tried would indicate that some period of
3 incarceration is likely, given in particular his previous history.

4 Time spent in custody until the conclusion of the trial would then be required to count
5 towards his sentence. From all I have heard, the case against him is strong. The learned
6 Magistrate conducting his trial was correct in having awaited the testimony of the first
7 witness before deciding on the matter of bail.

8 I can see no reason to defer from the view she has taken in the exercise of her discretion.

9 Application refused. Remanded to Northward Prison.

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15 ANTHONY SMELLIE
16 CHIEF JUSTICE

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19 DATED THE 4TH DAY OF MAY 2000.

