

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
IN THE MATTER OF THE BAIL LAW
IN THE MATTER OF JUDITH DONEGAN**



CAUSE NO. 77 OF 1999

BETWEEN JUDITH DONEGAN APPLICANT
AND THE COMMISSIONER OF POLICE 1ST RESPONDENT
AND DET. SGT. ROBERT WOODS 2ND RESPONDENT

EX-PARTE APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman	
Name address and description of applicant(s)	JUDITH DONEGAN #4 Westward View Apartments South Church Street, George Town Grand Cayman, Cayman Islands, B.W.I.
Judgment, order, decision or other proceeding in respect of which relief is sought	Decision of the Second Respondent to admit the Applicant to bail allegedly pursuant to the Bail and Police Laws without charging her for an offence and prohibiting her from travelling off the Island whilst requiring her to report from time to time at the Central Police Station. <u>Relief Sought</u>
<p>(1) A Declaration that the Respondents do not have the power under either the Bail Law, the Police Law, The Proceeds of Criminal Conduct Law or at common law to arrest and admit a person to bail without first charging them for an offence known to the Law;</p> <p>(2) A Declaration that the Respondents have acted in excess of their authority to arrest one of Her Majesty's subjects;</p> <p>(3) An Order for Certiorari in respect of the decision of the Respondents to arrest the Applicant, not charge her for any offence, admit her to bail, restrict her travels and require her to report to the Central Police Station on a periodic basis while the Police carry out their investigation AND to have the said decision quashed;</p> <p>(4) Damages.</p>	
Name and address of applicant's attorneys, or, if no attorneys acting, the address for service of the applicant	Samson Murray Jackson The Ground Floor (West Wing) Sigma Bldg. Smith/Hospital Roads George Town, Grand Cayman.
Signed: <i>[Signature]</i>	Dated: 15 th day of November 1999.

GROUNDNS ON WHICH RELIEF IS SOUGHT

1. The Applicant was arrested on the 17th day of June 1999.
2. The Applicant was informed that she was being investigated for a possible breach or breaches of the Proceeds of Criminal Conduct Law.
3. The Applicant was not then and has not since been charged with any offence under the said or any law.
4. The Applicant was bailed by the Second Respondent, acting under the authority of the First Defendant, ostensibly pursuant to the Bail and Police Laws to report periodically to the Central Police Station.
5. That a condition to the Applicant's said bail was the she was not to travel outside of the Cayman Islands and the Police confiscated her travel documents.
6. The delay in the Applicant bringing this application was due to the fact that she had not been advised by her previous Attorneys-at-Law that she could challenge the legality of the Respondents acting in the way that they have done in her case. The Applicant changed Attorneys in late September 1999.

Dated the 15th day of October 1999



Samson Murray Jackson
Attorneys-at-Law for the Applicant

THIS EX PARTE APPLICATION is filed by Samson Murray Jackson, Attorneys-at-Law for and on behalf of the Applicant whose address for service is that of her said Attorneys-at-Law, The Ground Floor (West Wing) Sigma Building, Smith/Hospital Roads, George Town, Grand Cayman.