

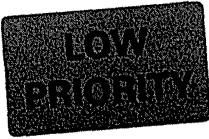
BETWEEN

EDMONDS

Applicant

A N D THE POLICE

Respondent



2011

Hearing: 19 November 1986
Counsel: E. Bedo for Applicant
B.M. Stanaway for Respondent

ORAL JUDGMENT OF WILLIAMSON J.

This is an application for bail by Edmonds. He has been committed for trial on charges of kidnapping, sexual violation, wounding, disfiguring and indecent assault.

These charges all relate to an incident on the 24th September 1986 at the South Brighton Domain. Depositions relating to this matter were taken on the 11th and 12th November 1986. They disclose that the two complainants identified a photograph of the Applicant as being the person who committed these offences. One of the complainants later identified the Applicant from persons entering and leaving the District Court. There is also evidence of a possible opportunity for the Applicant to have committed the offences as well as connecting evidence related to a particular form of knife and the presence of a white Hillman Hunter motorcar.

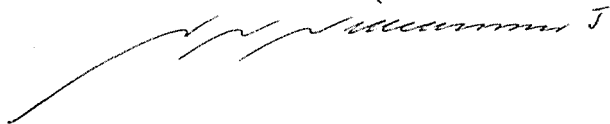
The Applicant has at all times denied being the person involved and accordingly it appears that the real issue at the trial will be one of identity.

The Applicant has been remanded in custody since his arrest on the 26th September. It appears that his trial will not take place until early in 1987, unless it can be heard during the week of the 8th December. At present I understand that it cannot be heard during that week because the

Applicant's Counsel are involved in another trial which is to take place during that week and in respect of which the persons accused have been remanded in custody. Should there be any change in relation to this trial it may be that the present Applicant's trial could be dealt with during that week. Obviously that course would be a preferable one.

In relation to bail, I am concerned at this stage to consider the likelihood of the Applicant's answering to bail and matters of public interest. Other than the pressure of facing serious charges of this nature, there are no specific matters which would indicate that the Applicant is unlikely to answer to his bail. He is in a position to provide sureties, report and has indicated that he would submit to a curfew. However, so far as matters of public interest are concerned, there are facts upon which I believe that it would be against public interest to allow bail. The offences are of an unusual and serious nature. They tend to have serious public consequences. In view of the evidence contained in the depositions relating to the activities or alleged other activities of the person involved in these offences, the, at least prima facie, evidence of the identity of the Applicant as this person, combined with his previous record in relation to violent sexual matters, I am of the opinion that bail would not be appropriate in the public interest.

For those reasons this application is refused.

A handwritten signature in cursive script, appearing to read 'William J.', is written in dark ink on the right side of the page.

Solicitors:

E. Bedo, Christchurch, for Applicant
Crown Solicitor, Christchurch, for Respondent