

REMAND APPLICATION

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(This form may be copied to the Probation Service)

URN 62CA123456

Name of Defendant: OWENS, John

Persistent Offender? **NO**

(Surname first)

D.O.B 21/09/1972

YOT consulted (*youths only*) **Select Option** Vulnerable / intimidated victim **Yes**

Time and date of arrest for breach of bail (if applicable): **N/A**

The recommendation is for a remand (check (x) one box only):

In custody ☒ Police custody ☐ Local Authority Accommodation / Secure Accommodation ☐

Reason(s) for opposing bail

There are substantial grounds for believing that if granted bail this defendant is likely to:

Fail to surrender	☒	Commit offences on bail	☒
For the defendant's own protection or welfare	☐	Interfere with witnesses or otherwise obstruct the course of justice	☒
For the defendants own welfare (<i>Youth ONLY</i>)	☐	The ONLY way to protect the public from serious harm (<i>Youth ONLY</i>)	☐
Charged with or convicted of a violent offence equivalent to 14 plus years imprisonment in the case of an adult (<i>Youth ONLY</i>)	☐	To prevent the commission of imprisonable offences (<i>Youth ONLY</i>)	☐

Give full details to substantiate each ground for opposing bail or seeking a remand in custody or on conditional bail. Provide an estimated date by when a full file will be submitted.

THE DEFENDANT HAS BEEN ARRESTED FOR 124 OFFENCES.
HE HAS 24 PREVIOUS CONVICTIONS.
HIS CRIMINAL ACTIVITY DATES BACK TO 1984 WHEN HE WAS 12 YEARS OF AGE SHOWING HE IS A CAREER CRIMINAL.
HE HAS 4 PREVIOUS CONVICTIONS FOR VIOLENCE RELATED OFFENCES.
HE HAS 4 PREVIOUS CONVICTIONS FOR POSSESSING BLADED ARTICLES.
HE HAS BEEN CHARGED TODAY FOR A SECTION 18 ASSAULT WITH A KNIFE FOR WHICH HE HAS A PREVIOUS CONVICTION.
HIS MOST RECENT CONVICTION IS FOR POSSESSING BLADED ARTICLE IN JANUARY THIS YEAR.
HE HAS 2 IMPENDING PROSECUTIONS SHOWING HE IS STILL COMMITTING OFFENCES WHILST ON BAIL.
HE HAS COMMITTED 15 OFFENCES IN TOTAL WHILST ON BAIL THE MOST RECENT BEING IN JANUARY THIS YEAR.
HE HAS ALSO FAILED TO APPEAR ON 12 PREVIOUS OCCASSIONS.
HE HAS A NON APPEARANCE WARRANT THAT HAS JUST BEEN EXECUTED.
HE HAS BEEN ARRESTED 6 TIMES IN THE PAST FOR NAW'S COMPOUNDING THE LIKELIHOOD HE WILL FAIL TO SURRENDER IF RELEASED.
THIS SHOWS A TOTAL DISRESPECT FOR OUR JUDICIAL SYSTEM AND RAISES CONCERNS HE WILL NOT COMPLY WITH THE ADMINISTRATION OF JUSTICE.
HE HAS CONVICTIONS THROUGH VARIOUS COURTS THROUGHOUT THE UK SUGGESTING HE HAS NO FIXED ROOTS IN THE CARDIFF AREA AND AGAIN THIS IS AN INDICATION THAT HE WILL FAIL TO APPEAR.
HIS MOST RECENT CONVICTION BEING FROM READING MAGISTRATES COURT.
HE IS OF NO FIXED ABODE OR THE ADDRESS GIVEN CANNOT BE REASONABLY ASCERTAINED THEREFORE THERE ARE SERIOUS DOUBTS THE ADDRESS GIVEN IS CORRECT.

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THERE ARE 2 PERSONS RESPONSIBLE FOR THIS OFFENCE ONE OF WHICH IS STILL OUTSTANDING AND EFFORTS ARE BEING MADE TO TRACE / LOCATE THIS PERSON. THE DEFENDANT IS THE BOYFRIEND OF THE OUTSTANDING PERSON AND IT IS BELIEVED IF RELEASED CONTACT WILL BE MADE BETWEEN THEM AND I THEREFORE BELIEVE ITS IMPERATIVE THE DEFENDANT REMAINS IN CUSTODY TO PREVENT ANY LOSS OF EVIDENCE. THE DEFENDANT HAS BEEN CHARGED WITH A SERIOUS OFFENCE FOR WHICH IF FOUND GUILTY IS LIKELY TO RECEIVE A CUSTODIAL SENTENCE. I BELIEVE IF GRANTED BAIL HE WILL FAIL TO APPEAR AT COURT FOR THIS REASON. THE VICTIM HAS TO FREQUENT THE SPOTT ROAD AREA ON A DAILY BASIS AND IF THE DEFENDANT IS RELEASED THIS WILL BRING HIM INTO CONTACT RAISING WITNESS INTIMIDATION ISSUES. I STRONGLY BELIEVE THAT FURTHER ARRESTABLE OFFENCES WILL BE COMMITTED RESULTING IN FURTHER INJURIES OR SERIOUS LOSS OR DAMAGE TO PROPERTY. DUE TO THE SERIOUS NATURE OF THIS OFFENCE AND THE FACT THAT THE VICTIM IS KNOWN TO THE DEFENDANT AS ARE HIS WHEREABOUTS ATTEMPTS WILL BE MADE TO TRACE VICTIM WHERE INTIMIDATION WILL OCCUR PREVENTING THE COURSE OF JUSTICE TAKING PLACE. THE VICTIM IS STILL RECEIVING TREATMENT FOR THEIR INJURIES / OR RECOVERING AT HOME AND THE FULL EXTENT OF THEIR INJURIES ARE STILL UNKNOWN THE VICTIM IS STILL AT HIS HOME ADDRESS WHICH IS KNOWN TO THE DEFENDANT HOWEVER ATTEMPTS TO SEEK ALTERNATIVE ACCOMMODATION ARE BEING MADE AND THE DEFENDANT MUST NOT BE RELEASED UNTIL THIS HAS TAKEN PLACE. IN THE INTERESTS OF PUBLIC SAFETY AND THE POLICE'S RESPONSIBILITY TO THE VICTIM IT IS VITAL THE DEFENDANT IS PLACED BEFORE THE NEXT AVAILABLE COURT

If bail is granted despite the recommendations for a remand in custody or conditional bail is sought, suggest here any conditions of bail considered appropriate with reasons (include sureties). In line with Home Office Circular 61/2002, consider whether a 'doorstep' bail condition is necessary in those cases where a curfew or residence condition is appropriate.

CONDITIONS OF BAIL: SEC 3 (A) TO (C) BAIL ACT 1976

- THE ACCUSED IS TO LIVE AND SLEEP AT A SPECIFIED ADDRESS
- PRESENT HIMSELF TO A CONSTABLE WHEN REQUESTED
- NOTIFY THE POLICE OF ANY CHANGE OF ADDRESS OR ABSENCE
- THE ACCUSED IS TO REPORT PERIODICALLY AT A POLICE STATION TO AVOID CERTAIN EVENTS OR TO ENSURE HE REMAINS IN A CERTAIN AREA. DAILY/WEEKLY/INTERVALS
- RESTRICTED FROM ENTERING CERTAIN AREAS I.E. CITY CENTRE OR WITHIN A CERTAIN DISTANCE I.E. NOT TO GO WITHIN 5 MILES OF GIRLFRIENDS WORK
- NOT TO CONTACT VICTIM / WITNESS DIRECTLY OR INDIRECTLY
- NOT TO ASSOCIATE WITH THE CO ACCUSED TO PREVENT FURTHER OFFENCES
- ACCUSED TO SURRENDER PASSPORT
- ACCUSED MOVEMENTS RESTRICTED. CURFEW AT THE TIME OFFENCES COMMITTED
- ACCUSED TO PROVIDE SURETY OR SECURITY. OTHER CONDITIONS: NOT TO SIT IN FRONT SEAT OF CAR/ENTER LEISURE CENTRES/ PLAY SPORT

OR

THE OIC HAS APPLIED FOR A REMAND IN CUSTODY AS FELT APPROPRIATE - THEREFORE NO BAIL CONDITIONS HAVE BEEN CONSIDERED AT THIS TIME.

Give details of co-defendant(s) - name(s), court(s) and hearing date(s) - in this or other outstanding cases.

N/A

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Officer in case: DC 999 JONES

Date: 01/04/18

Supervisor's name: PS 1111 SMITH

Date: 01/04/18