

ROYAL COURT
(Samedi Division)

115

10th September, 1993

Before: J.H. Vint, Esq., Lieutenant Bailiff,
and Jurats Hamon and Le Ruez

The Attorney General

- v -

Christopher Anthony Warburton

1 count of grave and criminal assault

AGE: 31

PLEA: Guilty

DETAILS OF OFFENCE:

Warburton saw two males fighting in the car park of the Inn on the ark. He intervened, attacked the man on the ground, standing over him and punching him to the head. With the victim curled up to protect himself, Warburton then kicked him at least five times hard in the face. He caused a large laceration from the left eyebrow to the left ear. He was drunk.

DETAILS OF MITIGATION:

Warburton gave himself up at the Police Station. He exhibited real remorse and apologised to his victim.

PREVIOUS CONVICTIONS:

Bad record with conviction for assault in 1988.

CONCLUSIONS:

2 years' imprisonment.

SENTENCE AND OBSERVATIONS OF THE COURT:

Conclusions granted.

The Attorney General.
Advocate R.G. Morris for the accused.

JUDGMENT

THE LIEUTENANT BAILIFF: The Attorney General's conclusions for a two year sentence are confirmed by the Court. You are sentenced to two years' imprisonment on a count of grave and criminal assault.

In saying that, the Court accepts that there were extenuating circumstances, but we are entirely satisfied that the Crown has taken all the mitigating circumstances into account and I think it has probably given the learned Attorney considerable difficulty in reaching those conclusions. But we are sure they are correct and it is not up to us to try and improve on the previous comments that have been made about this sort of offence, not only by the Court of Appeal, but by the Bailiff himself. People who walk the streets of St. Helier are entitled to do so in safety.

Authorities

A.G. -v- Norris (3rd June, 1992) Jersey Unreported.

Norris -v- A.G. (28th September, 1993) Jersey Unreported C.of.A.

A.G. -v- Smitton (29th July, 1993) Jersey Unreported.