

JERSEY / JUDGMENT

AG -v- Bisson [2015] JRC 073 (17 April 2015)

[2015] JRC 073

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JUDGMENT

THE DEPUTY BAILIFF: 1. In common with many courts who have had to consider this type of matter before, we have found this particular case very difficult. Mr Bisson, you are to be sentenced today in respect of a single count of grave and criminal assault. Both you and the victim, a friend of many years standing, work for the same plastering company, your relationship was close but occasionally volatile and you regularly socialised together. During the staff Christmas party both you and the victim had been drinking heavily and after that meal an argument broke out between you and your friend. That argument continued after the party when you and your friend continued into the street. The argument went on and others tried to intervene. Suddenly you struck a single, very forceful blow to your friend's head. He was knocked out and fell heavily to the pavement, striking his head. You left the scene. 2. The consequences for him were profound. He suffered a fractured skull and required intensive and urgent treatment. He will continue to suffer the consequences of your punch for a long time, very possibly for the rest of his life. His prognosis is uncertain but his injuries are serious and they are long-term. 3. We accept that you did not intend the consequences of your punch. We accept that you are remorseful and that you will have to live with the consequences of what you have done. We understand that there was significant provocation in the sense that you had both been arguing but it was not violent provocation and the fact is that you, whilst under the influence of a substantial amount of alcohol, resorted to violence with such far-reaching consequences. We have read the statement of the victim's partner, he cannot of course, because of his injuries write one himself, and it is clear that the consequences for them have been devastating. 4. We have listened to everything that your counsel has said; we note the references that speak well of you and, of course, we note your guilty plea. You do not have a clean record for violence and violence it appears is linked with alcohol in your case, but we note that the last violent offending was almost 10 years ago. 5. The Court has given very anxious consideration to all of the factors and to the cases that have been put before us but, in our view, a sentence of imprisonment is inevitable. Reference has been made by your counsel to cases of one-punch manslaughter in which the Court has reflected the importance of the sanctity of life but the Court also wishes to have regard to the quality of life and the quality of the life of your victim has been materially affected. 6. You are sentenced to a term of 2 years' imprisonment. 7. The Court also makes an Exclusion Order in the terms sought by the Crown for 2 year period following your release from custody. 8. The Court declines to make a Compensation Order. Authorities *Harrison v AG*

[2004] JLR 111 . McManus v AG [2001] JLR N 27, JCA 118 and JRC 61. AG v O'Brien [1995] JRC 226. Holden v AG

[2003] JCA 17 and JRC 170. Whelan on Aspects of Sentencing in the Superior Courts of Jersey 3rd Edition. Page Last Updated: 24 Jan 2018 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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