

JERSEY / JUDGMENT

AG v Bisson and Bisson [2023]

JRC 245 (08 December 2023)

[2023] JRC 245

Source: bailii.org · Research copy typeset by Esheria. Not court-issued or certified.

JUDGMENT

THE DEPUTY BAILIFF: 1. Erin Bisson and Richard Bisson, you appear to be sentenced for making persistent, abusive, offensive and obscene telephone calls to the police. 2. Erin Bisson, you have four previous convictions for using words that are threatening and abusive. 3. Richard Bisson, you received a caution at the Parish Hall in 2014 for three instances of sending offensive messages. 4. Count 1 relates to the two of you making constant abusive telephone calls to the States of Jersey Police over the course of a year as particularised by the Crown this morning. You were argumentative, aggressive and offensive to phone operators and would use foul and abusive language. You made 529 phone calls between January 2022 and January 2023. Erin Bisson, you made 322 phone calls and Richard Bisson you made 207. On some days you would call the police many times. 5. Counts 2 and 3 are specific instances involving Erin Bisson making telephone calls to the police of an abusive nature, for example describing one police officer as a "dirty pig" and asking the person who you were speaking to if they had ever been "raped by a pig". We have seen the transcript of that call and similar calls. It is not necessary for us to repeat the disgraceful language you used. 6. Counts 4, 5, 6, 7 and 8 involved calls made by Richard Bisson to the police, leaving offensive messages and talking about the police in extremely abusive terms as the Crown has outlined this morning. You were also specifically and repeatedly abusive about a Vigntenier in the Honorary Police so as to make fun of his Disability. We have read his witness statement today, a man who spent many years serving the island in the Honorary Police and expected a degree of verbal abuse in consequence but was unprepared for the level of abuse directed to him via a third party leaving him horrified and distressed. He said he has:- "fought my disability every day of my life and have been through so much both physically and psychologically, throughout all of this I have tried to remain positive..." He has been significantly affected by the derogatory comments that you made Richard Bisson, someone with whom he had never had any professional dealings. 7. During your police interviews you gave the police no assistance, and in your case Richard Bisson you refused to even leave your cell to be interviewed. You both pleaded guilty at the first opportunity and will receive full credit for those pleas. 8. The maximum sentence for the offences you have committed is one of 2 years' imprisonment and the Magistrate sent this case to this Court because it was felt that the powers of the lower court were insufficient to deal with you both. 9. We accept that your constant misuse of the telephone system to harass

the police represented an unacceptable interference with and threat to police operational effectiveness. We have read the statement of Acting Inspector McCallum in this regard which notes the effect your behaviour had on staff morale and officers and staff with a stressful job who, this officer feels, should not be put in a position where they are made to feel uncomfortable and cause unnecessary distress. The officer says: "In all my years of service, the impact of two individuals on staff/Officer morale and their ability to carry out their core role has never been so profound or noticeable, ignoring the time that could have been spent helping those in genuine need of Police assistance." 10. The police do a difficult job and their main role is to protect the public. They should be treated with respect and this sort of abuse is wholly unwarranted. 11. Further, it is essential that there is an element of deterrent to any sentence the Court imposes today to ensure that the message goes out that the police will be protected by the courts from this sort of conduct in the future. 12. You are both assessed at being either high or moderate risk of reconviction which is perhaps unsurprising against the background of the facts of these offences. 13. The Crown has moved for a sentence of 12 months' imprisonment in the case of you, Erin Bisson and 14 months imprisonment in the case of you, Richard Bisson. The Crown also invites the Court to make restraining orders against you to protect Honorary and States of Jersey Police Officers from harassment in the future and indeed we have seen statements from two senior officers from the Honorary Police Force and it is plain that beyond the charges of the Indictment you have routinely harassed members of the Honorary Police and this too has to stop. 14. We make a Restraining Order prohibiting you both from contacting the States of Jersey Police or its officers directly or indirectly or officers of the Honorary Police directly or indirectly unless you are seeking to report a real emergency or a complaint as a victim of a crime and we make that order for a period of 10 years from today. Any breach of this restraining order is reserved to the Royal Court and you will face a separate term of imprisonment of up to two years and a fine if you breach this restraining order. 15. We now turn to consider the question of sentence. 16. Richard Bisson, we have considered with care the Probation Report which speaks of you exhibiting a lack of empathy for your victims and an absence of remorse for those affected by your behaviour. The Probation Report speaks of your failure to take responsibility for your offending and in relation to the possibility of a non-custodial sentence the report says owing to your lack of responsibility taking you are considered unsuitable for a probation order, and as to Community Service you are described as not motivated to commit to the requirements of the scheme and you are not considered as suitable for that order as a direct alternative to custody. 17. Erin Bisson, you have exhibited remorse for your conduct and you accept there is no excuse for your behaviour. You accept that your behaviour is likely to have caused distress and harm to your victims. You are regarded as having been contrite in your interview with the Probation Officer. There is also a medical aspect and background to your behaviour referred to at paragraphs 30 and 31 of the Pre-Sentence Report. You are prescribed drugs to counter your depression and anxiety and in terms of specific provisions in the Pre-Sentence Report we note that in your case the officer says that you would absolutely adhere to any condition set out by the Court in relation to a community based sentence, although any community service order would need to be sensitive to your physical needs, and in relation to probation, to which you have consented, such an order would address your self esteem issues, restorative justice and tackle your difficulties with pro-social

decision making, impulsivity and anti-authoritarian attitudes. 18. In your case, Richard Bisson, not only is there no viable alternative to a custodial sentence, we know that you were not even prepared to listen to your report being read out to you by the Probation Officer. We are satisfied that these offences are so serious that only custody is warranted. We do not regard this as being appropriate to suspend a sentence of imprisonment as suggested by counsel on your behalf. We note arrangements have been made for the care of your 16 year old son and in your case the sentence of the Court is 12 months' imprisonment, concurrent on each count and that is the sentence that we impose upon you. 19. In the case of you, Erin Bisson, the jurats were divided. One was satisfied that the Court should impose the same sentence on you as your co-defendant, namely 12 months' imprisonment and the other jurat felt that in the circumstances the Court could impose a Community Service Order as a direct alternative to prison. In those circumstances I have been required to exercise my casting vote and in the circumstances having regard to the contents of the Pre-Sentence Report and the concerns about the effect of immediate custody on you, your employment, accommodation and other circumstances I have determined that I will adopt the position of the Jurat who felt that you can be dealt with in this case (as a direct alternative to custody) by a community service order. So you will be sentenced to a Community Service Order of 180 hours concurrent on each count, the equivalent to 12 months' imprisonment and a Probation Order for 1 year. If you breach that order in any way this case will be returned to the Royal Court and the likelihood is that you will receive a prison sentence. Do you understand that? Authorities AG v O'Brien

[2010] JRC 077 . AG v Matthews

[2020] JRC 186A. Page Last Updated: 29 Feb 2024 Back to top About JLJB Accessibility Contacts Copyright Disclaimer Feedback Privacy policy Site map This website is not compatible with your web browser. You should install a newer browser . If you live in Jersey and need help upgrading call the States of Jersey web team on 440099. BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bailii.org/je/cases/UR/2023/>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/ag-v-bisson-and-bisson-2023-jrc-245-08-december-2023>

Prepared on 23 October 2026 · Esheria