

JERSEY / JUDGMENT

The Attorney General v Christopher Henry Hall

COURT

Royal Court

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Inferior Number Sentencing - Grave and criminal assault**[2020]JRC042A****Royal Court****(Samedi)****6 March 2020**

Before :

R. J. MacRae,
Esq., Deputy Bailiff, and Jurats Ronge and Pitman.
The Attorney General
-v-
Christopher Henry Hall
Sentencing by the Inferior
Number of the Royal Court, following a guilty plea to the following charge:
1 count of:
Grave and criminal assault (Count 1).
Age: 45.
Plea: Guilty.

Details of Offence:

On 22nd August, 2019, the defendant reported to prison officers that he was self-harming in his cell. Prison officers attended at his cell and saw him sitting on a chair in his cell, swiping at his arm, the officers could see cuts to the defendant's arms. Officers opened the cell door and the defendant came out of his cell and moved towards the officers aggressively, waving his arms around and holding a razor in his hand. The defendant shouted words to the effect of "Fuck you screws". As he said this the defendant swung at a prison officer with his right hand, no contact was made. The prison officer, fearing that he was going to be struck by the defendant whilst holding the razor, moved backwards, he then shouted at the defendant to get back into his cell. The defendant moved towards the prison officer who stepped forwards and manoeuvred the defendant back into his cell. The wing was then placed on lock down. Because

the defendant's arms and hands were covered in blood, as he swung towards the prison officer his blood sprayed onto the prison officer, covering his arms and shirt. The prison officer could also taste blood in his mouth. As the prison officer had no injuries, he concluded that this was the defendant's blood.

After the incident, prison officers persuaded the defendant to surrender the razor blade and this was seized by other prison officers. Once the razor blade had been seized, the defendant came out of his cell to have his wounds treated by a prison health care officer.

The prison officer did not suffer any injuries as a result of this incident although he was covered in blood and the defendant's blood had also gone into his mouth. On 2nd September 2019, the incident was reported to the police.

Details of Mitigation: Guilty plea, co-operation in interview, remorse (personal apology to the prison officer which has been accepted), psychological issues.

Previous Convictions: The defendant has 173 previous convictions for 347 offences, including 27 offences against the person.

Conclusions:

Count 1: 12 months' imprisonment.
Forfeiture and destruction of the razor blade sought.
Compensation Order sought in the sum of £88.

Sentence and Observations of Court:

Count 1: 12 months' imprisonment.
Forfeiture and destruction of the razor blade ordered.
No Compensation Order made.
Orders the release of reports to the Health Care Team at Prison and Adult Mental Health Services.
Ms E. L. Hollywood, Crown Advocate.
Advocate J. E. R. Bell for the Defendant.

JUDGMENT

THE DEPUTY BAILIFF: 1. You are 45 years old and your list of previous convictions runs to over 40 pages which, even by the standards of this court, is exceptional and those convictions include 27 offences against the person. This case concerns yet another assault, this time on a prison officer who was just doing his job. 2. On the evening of the 22nd August, 2019, prison officers went to your cell to help you because you were harming yourself with a razor in your hand. When prison officers opened the door to your cell you came out; you were aggressive; waving your arms

around with a razor in your hand; shouting 'fuck you screws'. You swung out at a prison officer with your right hand whilst holding the razor, causing him to fear he was going to be struck by you. You then moved towards him, and even though you failed to make contact with the prison officer, blood sprayed onto him, covering his arms and shirt. This was your blood and he could even taste your blood in his mouth. We note from his victim personal statement he has had to have regular blood tests since the assault, the last one on the 6th February,

2020. He suffered 25 weeks of stress and was diagnosed with anxiety. Fortunately, there was no infection passed on to him. 3. Although you were not cooperative with the police initially, you did make full admissions in interview and pleaded guilty at the first opportunity, and we give you credit for that. 4. This court has said before that prison officers are entitled to the court's protection. They have a difficult job and it needs to be clearly understood by prisoners that if they assault a prison officer they can expect severe punishment. 5. We have taken into account the contents of the Social Enquiry Report, the report of a psychologist and, in addition to the admission of guilt, the fact that you apologised personally to the prison officer and he accepts you did not single him out for this assault. 6. The report from the Probation Service describes you as solitary and nomadic. You have a history of substance abuse, but you are in good physical health and we have heard from the Probation Officer in her report, and from your advocate, that you are making good use of your time in custody. We have read the report of Dr Boucher, the psychologist, and she has provided a diagnosis to you for the first time of the underlining condition from which you suffer namely a severe personality disorder and she says that a custodial sentence is an opportune time for you to engage with a psychologist. 7. This offence is so serious that only a custodial sentence can be justified and the sentence that the court imposes is one of 12 months', accepting the Crown's conclusions. In view of your means we make no orders for compensation or costs. But we do want to make a few remarks directly to you, having regard to what we have heard from Advocate Bell and what we have read in the two expert reports. We hope that this time in custody is an opportunity for you to receive some help in a stable environment and we hope that on your release that you make use of the help offered to you by the Probation Service. I am sure you have read the report of the probation officer, and the officer in question clearly stands ready to help you to reintegrate in the community and, although you have got a long list of convictions it is never too late, and I hope you understand that. 8. So we hope that whatever you learn in custody you can make use of when you are released and it is clear the Probation Officer who wrote the report has a lot of time for you and we hope you do not let her down when you are released. 9. We direct the release of the two reports to the Health Care Team at the Prison and the Adult Mental Health Service. Authorities Criminal Justice (Compensation Orders)(Jersey) Law 1994 Harrison v AG [2004 JLR 111] AG v Le Lay [2015] JRC 085 AG v Kean [2013] JRC 258 AG v Capuano [2015] JRC 085

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Prepared on 23 October 2026 · Esheria