

R v Larter [2014] EWCA Crim 1610 (A1)

Fake hostage situation. Police called by appellant. He said he was armed with rifles and shotguns, that he was holding his daughter in his house, that he would "do his daughter" and that he would shoot any police who came to his house. The police responded with an armed response vehicle. During event, the appellant made further threats against police officers who attended and said that he was holding his step-son. A police negotiator was instructed to engage with the appellant. A substantial number of officers were engaged. The police soon became aware that the appellant's daughter and step-son were not in fact in the house, but the duration of the stand-off was in the region of four hours. The appellant spoke of coming out of the house "all guns blazing" and of killing as many of the police as he could. In the end he left the house voluntarily, stripping to show that he was not armed. Guilty plea, full credit, 27 months reduced to 18 for plea (serious previous convictions exacerbated sentences which Court of Appeal upheld noting it was severe, but not manifestly excessive.)

R v Barratt [2015] EWCA Crim 1534

Offender and her husband forced entry to property of neighbour on day injunction had been granted against them prohibiting them from causing any nuisance to neighbour or her family. Offender threatened neighbour and offender's husband (also convicted of affray) went upstairs and took victim's baby out of cot, and stood with it at top of stairs threatening "This is what will happen and we're not afraid to do it". He put the child down and came downstairs. He then threatened to cut the brakes of the car of victim's partner. Offence was planned, victim was 8 months pregnant and alone with children in her home at night when offence occurred. Serious distress and fear caused with lasting impact. Late guilty plea so only 10% credit. Sentences: 25 months imprisonment imposed on both offenders in first instance (28 months pre plea). Court of Appeal agreed with sentences but reduced appellant's sentence to 18 months applying Petherick principle due to three children and newborn baby. No mention of husband's sentence being appealed so 25 months after plea appropriate sentence in absence of issues specific to mother and Petherick consideration.

R v Beale (1st instance)

Shouted loud and violent threats to kill neighbours, forced entry to their flat and fired a nail gun (not loaded but victims did not know it was not) more than once. Victims terrified. Guilty plea at first opportunity, full credit. Sentence: 2 years imprisonment.

R v Parry, Burns, Williams, Mann & Nicoll (1st instance case)

Mindless, unprovoked, drunken violence in a small community public house holding a charity event which was ruined because of appalling behaviour. Terrifying incident, during which serious injuries were caused. Offenders described by more than one witness as behaving like wild animals. Heavily influenced by alcohol, behaviour escalated from boorish bravado, ignoring several polite requests to leave by those in charge, to what was an incident of serious violence, which they instigated and which resulted in the indiscriminate punching of people on the floor, kicking of people on the floor, having a total disregard to whether victims were male or female; described as group violence at its worst. One victim suffered a fractured skull, and had to undergo five general anaesthetics to stitch the wound and to stem the bleeding, and to have a plate inserted in his skull, landlady was punched to the face, females were kicked, some witnesses feared that victims were dead, glasses were broken determinately and people thought that those glasses were to be used as weapons; the public were left utterly shocked and frightened. Joint responsibility between offenders for causing utter terror. Guilty pleas on day of trial so only 10% credit.

Sentences all post plea (varied depending on relevant previous convictions): Burns 18 months custody; Nicoll 16 months custody; Parry 16 months custody; Williams 16 months custody; Mann 12 months custody.

R v Khalid [2014] EWCA Crim 2709

Bizarre incident where offender gave victim telephone number then wished his number to be deleted from victim's phone, so grabbed at victim's phone and threatened him with a knife (not produced). Sentence: Guilty plea 12 months (18 months before plea) imposed in first instance, reduced to 8 months (12 months before plea) by Court of Appeal.

R v Fox and Hicks [2005] EWCA Crim 1122

Football related group violence. Involved shouting, swearing and throwing debris, including stone, masonry and beer cans, in the direction of rivals and later the police who were trying to keep the two groups apart. Took place in a busy high street, crowded with traffic and with many members of public present. Continued over a significant period of time and calm was only restored after mounted police had arrived to supplement the uniformed police. Chaotic scenes which Judge said would have caused considerable alarm and disturbance to those present at the time.

Sentences: Fox – Guilty plea on day of trial for violent disorder to alternative count of affray. Credit not specified. Good character and not involved in second serious incident involving confrontation with police officers, so lesser role determined. 12 months reduced to 8 months imprisonment by Court of Appeal.

Hicks – Guilty plea on day of trial for violent disorder to alternative count of affray. Credit not specified. Recent and relevant previous convictions. Sentence of 12 months imprisonment upheld by Court of Appeal.

R v Bent (1st instance case)

Retaliation by offender when attacked by another by punching and being hit with a bottle. Could have extricated himself but did not; sought retribution and attacked with a plastic cleaning cone and bundled attacker to ground – appalling display. Only the two involved in fight were hurt. Guilty plea (full credit).

Sentence: 8 months imprisonment suspended for 12 months, including 200 hours of unpaid work.

R v Johnson (1st instance case)

Incident in betting shop in which offender retaliated after being punched. He continued confrontation, picking up the lid of a bin and wielding it in the course of that confrontation. No contact was made due to other party picking up a chair and fending it off and it was a short incident which was interrupted by the police but, nonetheless, frightening for those who were involved in the betting shop at the time and causing disorder. Behaviour continued when Police arrived. NG plea- found guilty after trial. Sentence: 3 months custody suspended for 12 months (without requirements).

R v Tomkinson & Jackson (1st instance case)

Incident started in takeaway at end of a night out with another group. Not clear who instigated. Violence involved offenders punching, kicking and throwing others to the floor. Potential for serious injuries to be caused but only bumps and bruises eventuated. Judge said incident self-limiting (resolved itself) and not sustained. Considered immediate custodial sentence but offenders bailed with electronic monitoring for four months prior to hearing which Judge said

was equivalent to two month custodial sentence. Guilty plea (offered on basis) – credit not specified.

Sentences: Intensive alternative to custody Community Order imposed on each offender, including: 12 months supervision, unpaid work 120 hours (Jackson) 160 hours (Tomkinson due to breach of SSO and precons). Electronically monitored curfew four months 8.00pm-7.00am. Accredited programme to address alcohol related aggression or violence, and three victim awareness sessions.

R v Grant, Grant, Tyres and Grant (1st instance case)

Revenge attack, offenders descended on the complainants' property. Tyres armed with a Samurai sword. There was some fighting. Hayley Grant threw a brick, and there was some scuffling involving Mark Grant. Donna Grant was verbally aggressive. The Prosecution said the Complainants 'gave as good as they got'. Anyone seeing it or witnessing it would be extremely frightened. All pleaded guilty on the day of trial.

Sentences: Tyres (possessed sword)- 6 months custody suspended for two years including supervision requirement for twelve months. With guideline – Category B2 case. Hayley Grant - Community Order with 100 hours unpaid work. Mark Grant - Community Order with 100 hours unpaid work. Donna Grant - Community Order with supervision for a period of twelve months.