

201.8a *Football offences*

R v Lufudu and Zahed 2018 EWCA Crim 1963 L pleaded to GBH and Z pleaded to ABH. Both received 25% plea credit. At a city sports ground two local teams played an important match in a Sunday league where the result mattered.¹ L and Z played for Sharrow Vale United and V played for Burnsmeer FC. Burnsmeer FC won 2-1. There was a great deal of rivalry and the atmosphere was tense. After the match the situation deteriorated with players arguing fiercely. The referee and the team coaches calmed the situation down. V was outside the changing rooms and V and L exchanged words. L punched V's face hard. V fell to the floor and L's friends helped him to his feet. Z then struck V over the head with a sharp-pointed football pump spike. V felt dizzy. He had a wound to his head and a fractured jaw, and metal plates were inserted to repair it. V was off work for a month with some loss of income. He was not able to eat properly for six weeks and required dental treatment. V also missed some key football matches. L was now aged 23 and was described in glowing terms. Z was aged 26 and was described in positive terms. Both were of good character. The Judge said that when V was being helped to his feet he was particularly vulnerable. Held. There was a degree of provocation [not revealed] and a lack of premeditation. The aggravating factors were the assaults were at a sporting venue and the continuing effect on V. L's injury to V was serious. It was a Category 2 offence. We start at 20 months not 30, so with plea, 15 months. Z used a weapon when V was particularly vulnerable. It was a Category 1 offence. The location and timing were aggravating factors. We move to 14 months, so with plea, **10 months**.

201.18 *Street fighting*

R v Broadbent and Others 2018 EWCA Crim 1495 B pleaded to GBH. B, D and K pleaded to ABH. After a night out, V1 and V2, whom they did not know, were walking home. D, B and K approached them. The defendants were saying things to V1 and V2, who were not aggressive. Despite this, D punched V1 in face. B then punched V2 in the face. V1 was then repeatedly punched by all three defendants until he fell to the ground. A passer-by intervened and there was a lull in the proceedings. However, after V1 got up from the ground looking dazed, the defendants surrounded him again and B was seen to deliver a hard punch to V1, who was knocked to the ground unconscious (presumably the GBH). The defendants ran off but were tracked by CCTV and a police helicopter. In interview, all three defendants denied the offences until they were shown the CCTV. They then all admitted their parts in the incident. V1 suffered a soft tissue injury to his face. His victim impact statement said he suffered anxiety as a result of the attack and is now reluctant to socialise at night. V2 suffered multiple fractures of the left orbit. In his statement he said that the effect of his injuries meant that he missed part of his university education because of the pain, stress, anxiety and depression caused by the assault. His face was now out of alignment due to his eye socket having been displaced. He will have to have surgery to remedy his facial disfigurement. Each of the defendants was of good character and had positive references. D was aged 22 and B and K were both aged 19. The Judge described the incident as "a drink-fuelled, unprovoked attack". The Judge in an e-mail after the hearing said from what he now knew he would have given a full plea discount not 25%. Held. The two offences were both Category 2. The aggravating factors were: location, timing of the offences, the intake of alcohol and the effect on both victims. The mitigation was their good characters. For B, we start at 2 years, so with the plea, **16 months' YOI** not 27 months. For D, we start at 9 months, so with the plea, **6 months** not 39 weeks. For K, we start at 6 months, so with the plea, **4 months' YOI**.

201.19 *Unprovoked*

¹ Some of the facts have been obtained from the Internet.

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