

COURT OF APPEAL

6TH JULY, 1987

BEFORE SIR GODFRAY LE QUESNE, Q.C., (President)
JOHN DESMOND AUGUSTINE FENNELL, ESQ., O.B.E., Q.C.
JOHN MARTIN COLLINS, ESQ., Q.C.

Appeal of BRUCE ANDREW HANTON against the sentence of
6 years imprisonment imposed on him by the
Royal Court (Superior No.,) on the 30th March, 1987

Advocate J.G.P. Wheeler for the Appellant
The Crown Advocate, Advocate Miss S.C. Nicolle

JUDGEMENT

The President: We have considered very carefully the matters which have been put before us fully and with great care by Mr. Wheeler on this appellant's behalf. Having done so, we come to the conclusion that the sentence imposed by the Superior Number of the Royal Court cannot be disturbed.

It is right to acknowledge that an attack had been made on this appellant by Marquer. It is also necessary to bear in mind that, according to the accounts of events which was put before the Court, that attack had come to an end or had at least reached a period of intermission before the appellant acted as he did. Marquer was apparently standing going through some papers, the appellant was gathering up his belongings, when in the adjoining room he saw this hammer. He picked it up, returned to the room where Marquer was, and in an act, which appears to us clearly to have been an act of revenge struck Marquer on the head from behind.

Having felled him to the floor, he then stood over him and continued to strike him a number of further blows with this hammer, a four pound hammer. It is no exaggeration to describe this attack as murderous, and it is clear that it was totally beyond comparison with the attack which had previously been suffered by the appellant himself.

The Superior Number said in passing sentence that they had taken account of all the matters which have been urged upon us, and we see, from the sentence which they passed, no reason to doubt that they did so. Faced with an attack of this seriousness, we consider that, making due allowance for all the matters which were urged upon the Royal Court and have been urged upon us, the sentence of six years cannot be said to be wrong in principle. The Appeal must therefore be dismissed.