

'Scrap Sky account to pay compensation'



JUDGE told a man who punched and head butted another while his friends held the man's arms behind his back to get his Sky account "scrapped" to pay over compensation.

Tramore man Paul Reid (36), with an address at Pebble Drive, Pebble Beach had a four-month jail term increased to six months with the entirety of the sentence for assault to be suspended for one year.

However, he was given one year to pay his victim €250 in compensation at the District Court appeal at Waterford Circuit Court last week.

Solicitor Kenneth Cunningham told Judge Pauline Codd that his client had accrued thousands of Euro worth of debt including fees related to DNA testing and family law matters.

He said that the "emotional backdrop" to the assault were the issues related to the family law matters, while he handed in documentation proving that his client, a father-of-three, owes over €12,000 in debt.

Judge Codd told the accused, guilty of assaulting local man, Dean Flynn (23), causing him harm, after a night of drinking in Tramore on October 20th 2012, how his actions were "cowardly".

During sentencing last week, the judge noted the significant debts that Reid owes, However, she said "that he has a Sky account so perhaps that can be scrapped" in order to pay Mr Flynn the €250 compensation.

State Solicitor Frank Hutchinson told Judge Codd how Mr Flynn was with friends at about 2.30am after "a disco" in Tramore but ended up chatting over to Reid and his friends.

Mr Hutchinson said that the "chat or conversation took a certain course" and that "one word led to another" with one of Reid's group getting angry as his friends tried to calm him down.

The men "squared up", with Mr Flynn being punched in the face, the court heard. The matter appeared to have settled but about 10 minutes later, Mr Flynn has his hands "pulled behind his back and he was punched and head butted".

Gardaí arrived and found Mr Flynn in a bloodied state, with him telling them how he was punched in the face by the men "a load of times". The injuries to his face included a closed eye, swollen lips, chipped teeth and bruised forehead.

Gardaí identified Reid and friends from CCTV footage, with Reid admitting to "the head butt" along with punching when the man's arms were being held.

Reid received a four month sentence at Waterford District Court, while his two accomplices received suspended jail terms with fines of €500 each. These two men admitted punching Mr Flynn, while it was Reid who head butted him, the court heard.

Mr Hutchinson said that Mr Flynn was "nervous and distressed for some time afterwards".

Mr Cunningham said that his client was involved in a "very tumultuous family law matter", while this was the "emotional backdrop" to the crime.

He said that his client turned up voluntarily at Tramore Garda Station to give his evidence and while he "accepted" his part in the row, "he couldn't" recollect a lot" of it. "He is embarrassed and ashamed of his behaviour," said Mr Cunningham.

In a letter of apology, read out by the solicitor, Reid admitted that "it was stupid...I deeply regret it...I'm sorry for my actions."

He is the primary carer for his mother, the court heard.

Judge Codd said that his actions on the night "cannot be explained by youthful folly" as he is "a relatively mature man" who was pitted against "a younger man". She said it was "most cowardly" for three men to "gang up on one man".

She said that Reid "does seem more culpable" because of the head butt.

Judge Codd increased the sentence from four months to six but suspended the sentence for a period of one year and ordered him to pay compensation of €250 with one year to do so.

From documentation handed into the court she was aware of the man's debts but noted that he "has a Sky account and perhaps that can be scrapped" in order to pay the compensation, she suggested.