

Violent and prolonged domestic assault involving strangulation, threats to kill, and significant injuries; high risk of further domestic violence.
Defendant sentenced to 2½ years' immediate imprisonment and ordered to pay £725 compensation.

[2025]GRC101

ROYAL COURT

FULL COURT

19 December 2025

**Before: Catherine Maureen Fooks, Judge of the Royal Court
and Jurats: Claire Helen Le Pelley, Stuart Michael Crisp,
Tina Jane Le Poidevin, Simon Ernest Bodkin, Ian Michael Brown,
Kay Parnwell and Sally-Ann David.**

THE LAW OFFICERS OF THE CROWN

- v -

WAYNE BROOKS

Advocate P F Cobb appeared for the Crown

Advocate S E Steel appeared for the Defendant

Judge of the Royal Court

Background

Mr Brooks, you are here today to be sentenced on one matter and that is of assaulting Kim Varney between 3 and 5 April 2025 at her home. Assault is a Common Law offence with no maximum penalty.

The facts are as set out in the Prosecution Outline and you accept that you are to be sentenced on those facts and not the alternative account which you gave to the writer of the Social Enquiry Report. You and your victim had been in a relationship for about 5 years before moving to Guernsey in March 2024. You split up shortly afterwards but were on good terms. Your victim remained in your jointly rented property. You went to the property in the early evening of 3 April 2025, where you and your victim chatted amicably over an alcoholic drink. You helped with some cleaning before being joined by your landlord and his partner and more alcohol was consumed. They left. You and your victim talked and then argued. She asked you to leave repeatedly, but you did not leave. You then threw her to the floor and, whilst she was on her back, you placed your knees on her arms, preventing her from moving and placed both your hands around her throat. At least three times you squeezed her throat until she was gasping her breath, released your hold and then tightened it again. You also took hold of her hair and banged her head several times against the floor with force, causing pain. Whilst sat astride her you slapped both sides of her face hard repeatedly using alternate hands causing significant pain. She said that she was crying and imploring you to stop. You told her at least twice that you were going to end

her life. She said that she could not get through to you – your eyes were just black like the devil. After several minutes, you got off her and sat on the floor, hanging your head. She managed to get up and go out where she found some refuse contractors. One described her as visibly shaking, still crying, and covering her face with her hands. He noted that her face was hot to the touch, clearly swollen, with obvious bruising. He was shocked. We have the photographs of the extensive injuries in the bundle and note the hospital doctor’s description of extensive bruising, swelling, tenderness and reduced jaw movement. We also note that your victim says that some of her hair had been pulled out.

At interview, you admitted slapping your victim hard in the face and restraining her by placing a hand on her neck but claimed that both were in self-defence as she had grabbed your testicles. That is not the basis on which you will be sentenced. At interview, you blamed your victim for your behaviour.

We have heard your victim’s Impact Statement. She describes anxiety, nightmares, panic attacks and living in constant fear that you will end her life. She does not feel safe. The attack and her injuries impacted on her work and family relationships. It has taken a big toll on her mental health.

You are a 48 year old non-local man. After school, you qualified as a welder and have worked in the building trade since you came to Guernsey in March 2024. You were in a relationship. You have two teenage children who live in England. We are not asked to take any specific account of the impact on them of your being imprisoned as you have not been seeing them.

You have previous convictions, the only relevant ones being in the Guernsey Magistrate’s Court in March 2024 for an assault on a friend during an argument over your victim and for disorderly behaviour (on arrest), committed on the day of your arrival in Guernsey for which you received 80 hours Community Service Order on each, concurrent, as a direct alternative to 2 months’ imprisonment.

You have been remanded in custody since 7 April 2025. You asked this Court to adjourn the sentencing hearing set for September 2025.

Sentencing Considerations

We set the initial starting point in this matter before aggravating and mitigating factors at 2½ years. There are aggravating factors in your case as follows:

- 1) this was a sustained, prolonged and violent attack;
- 2) there were blows to the head, holding down the victim and strangulation – the most dangerous behaviour;
- 3) there was the threat to kill;
- 4) this is a domestic assault which occurred in the victim’s home where she was entitled to feel safe;
- 5) you have a previous conviction, a recent one, for assault;
- 6) there is the impact on the victim.
- 7)

We set the revised starting point, before consideration of plea and personal mitigation at 3 years and 9 months.

Mitigation

Plea

You are not entitled to full credit for your guilty plea because you initially pleaded not guilty in June when a trial was set for October. You changed your plea to guilty in July. Whilst this did spare your victim from having to come to Court to give evidence, we remain of the view that a full one-third discount is inappropriate and we afford you a discount of 25%.

Personal Mitigation

The Court has considered carefully the comprehensive Social Enquiry Report prepared in respect of you. We have also listened to the careful and generally appropriate submissions of your Advocate, whom you instructed, however, to raise points about your relationship with, and the conduct of the victim, which we consider would have been better left unsaid.

We have carefully considered the letters filed by you, including your letter to this Court, a letter of apology to the victim and letters from others, including your current partner and your former partner, who says that violence is out of character for you. You are described as an honest, trustworthy and a good supportive friend.

Whilst you have few previous convictions, we cannot ignore the fact that you started offending on the day of your arrival here and committed this very serious assault just over a year later. We do note your good work ethic and that you had work available on your release, were you able to remain here.

Having said repeatedly in your letter and to others, and again today through your Advocate that you are remorseful, we consider that this is undermined by what you said to the Report Writer, in terms of what happened and your dispute of the facts and what is described as your extensive over-view of the build-up to this incident, in which you paint a picture of yourself as the victim.

We note that in your letter, in which you express remorse, you also refer to “reacting” to your victim, so you are still blaming her and you have filed a letter from your friend which also blames her. In our view, you have not really accepted responsibility for your actions and, whilst you have undertaken courses in custody, your genuine motivation to change remains very much in doubt.

We have taken into account all that you have done voluntarily for the Community Centre and the time that you have given up in the past for football coaching for the under-18s. You are described as having a large, pro-social friendship group.

Your right to remain in Guernsey is effectively at an end, as is your relationship with your partner. This is because of your offending. You have been able to recognise the impact of that offending on your partner, family, children and father. We note that you are willing to pay compensation to the victim.

The Report Writer is concerned about your belligerent behaviour towards the police as part of the disorderly conduct matter last year, as well as this assault and the previous one. The risk of further domestic violence is assessed as high and the risk of harm to others generally through violence is also assessed as present, although the risk of general reoffending is low. You will meet the criteria for MAPPA if you receive a sentence of 12 months or more immediate custody.

This is a vicious and violent domestic assault which clearly crosses the custody threshold. This Court deplores such violence and will sentence with punishment, deterrence and protection of the public at the forefront of its mind.

Sentencing options in your case Mr Brooks are limited, because you cannot remain here legally and there are issues with the transferability and enforcement of non-custodial alternatives but none of that is an issue in your case, as offending such as yours clearly calls for an immediate custodial sentence and one of some length.

We have taken into account the time served on remand.

Sentence

You put your victim through a terrifying ordeal. Her life will never be the same. Your disgraceful behaviour has brought to an end your time in Guernsey. You are a risk to others which you do not yet

accept. You say that this has been a wake-up call and that you have reflected on the person you want to be, but that is not apparent from what has been said by you and on your behalf, even today. Taking into account all that has been said and written, and applying the appropriate discounts and principles, the sentence will be one of immediate custody of 2½ years with effect from 4 April 2025.

Supervision

In accordance with section 1 of the Criminal Justice (Supervision of Offenders) (Bailiwick of Guernsey) Law, 2004, upon release (or completion of any parole period if applicable), you will be subject to supervision by the Probation Service for a period equal to one quarter of the total sentence or the period you would have served had you not received remission, whichever is the shorter. If you fail to comply with the conditions of the supervision, you will be liable to further imprisonment, a fine, or both.

Compensation 1990 Law

In this matter, we make, of our own volition, a Compensation Order with your consent, in favour of the victim, in respect of her losses totalling £725 in relation to ambulance and accident and emergency costs and that we understand can be paid within 7 days.

I conclude by commending the refuse workers for assisting a vulnerable and distressed woman.

The total sentence is one of immediate **imprisonment of 2½ years from 4 April 2025** and a **Compensation Order of £725**, payable within 7 days.

Catherine Maureen Fooks
Judge of the Royal Court

19 December 2025