

R. v DEAN BONESS AND OTHERS

Rights Act 1998. In considering the order made against the appellant Boness, the Court accepted that the appellant had consistently engaged in antisocial behaviour over a period of approximately three years. He was a persistent prolific offender. His anti-social behaviour included threatening behaviour, vehicle crime and offences of dishonesty including burglary. He was sentenced to a custodial sentence of three years' detention and was thus subject to a period on licence subject to recall or return to custody. It was far from clear that it was necessary to make an order in respect of the appellant. Considering the detailed terms of the order, some of the terms were unnecessary or unclear. The order would be quashed. In the case of Bebbington and others it was not necessary to make an order in respect of all but two of the appellants in view of their antecedent history. So far as the other two appellants were concerned, all the prohibitions would be quashed except the prohibitions relating to attending football matches played at the home ground of Chester City, and orders would be added in both cases restricting the appellants concerned from entering a specified area in the vicinity of Chester railway station on any day on which Wrexham were playing a regulated football match away from their home stadium, during a period commencing three hours before the beginning of that match and ending six hours after the beginning of that match.

H13 Cases cited:

McCann v Manchester Crown Court [2002] UKHL 39; [2003] 1 A.C. 787; [2003] 1 Cr.App.R. 27 (p.419), *Lonergan v Lewes Crown Court* [2005] EWHC 457; [2005] 1 W.L.R. 2570; [2005] A.C.D. 84, *Kirby* [2005] EWCA Crim 1228; [2006] 1 Cr.App.R.(S.) 26 (p.151), *Hall* [2004] EWCA Crim 2671; [2005] 1 Cr.App.R.(S.) 118 (p.671), *Williams* [2006] EWCA Crim 1796; [2006] 1 Cr.App.R.(S.) 56 (p.305)

H14 References: orders under the Crime and Disorder Act 1998, *Current Sentencing Practice* H 10

H15 Commentary: [2006] Crim.L.R 160

H16 *J.G.J. Sharp* for the appellant Boness.

G.P. Hennell for the appellants in Bebbington and others.

M. Sullivan and *J. Rees* for the Crown in the appeal of Boness.