

Leicester Magistrates' Court

R. v. Tom Meighan

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Sentencing Remarks

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1. Mr. Meighan, you have admitted assaulting Ms. Vikki Ager by beating her. I must sentence you on what I have seen on the CCTV recording, what the police observed when they came to your home and what you have told me. Ms. Ager has not made a statement to the police does not appear to support this prosecution. I draw no inference from her choice not to participate further in these proceedings. That choice, however, does not mean I should treat the matter any less seriously.
2. I have been handed a letter written by Ms. Ager by your solicitors. This says that your behavior was out of character. She goes on to relate the impact that her being separated from you has had on her and the family.
3. The video evidence I have seen begins with Ms. Ager picking up a small pallet, and after appearing to use it to defend herself, approaching you and hitting you with it. It is not clear if she did make contact, but if she did hit with you it, that blow did not appear to be hard.

4. The video goes on to show you knocking Ms. Ager over on more than one occasion, dragging her along the ground and putting your hands to her throat. You repeatedly went back to her and she fought you off. You hit her in the face and pushed her into a hamster cage which resulted in some injury to her head. At one point, when she was sitting down, you threatened to hit her with the pallet – it seems you thought better of it and, thankfully – you then threw it down on the hot tub aggressively.
  
5. I accept that you were both arguing, and you had scratches on your face and that Ms. Ager was violent towards you. However, during most of the video evidence she can be seen fighting you off. Even if Ms. Ager’s behavior could be described as provocation, the sentencing guidelines say, as Mr Valli reminds me, that *“provocation is no mitigation to an offence within a domestic context, except in rare circumstances”*.
  
6. The offence is made more serious because:
  - a. it was a sustained attack, the assault continued for a number of minutes during which returned repeatedly to argue with her – it seems the dispute had been going on before what was shown in the video and only ended when the police arrived;
  - b. the offence was committed in a domestic setting – a place in which Ms. Ager should feel safe and is a violation of the trust and security that should exist between partners;
  - c. a child was a witness to this behavior, she must have been very frightened to see and hear what was happening and children who witness this kind of behavior can suffer lasting damage; and

- d. you were drunk at the time.
7. I am not told what physical injuries Ms. Ager sustained, but I have seen the scratches and bruises which the police photographed.
8. Whilst you have not been convicted of any offence before, I am told by the probation service the police have been called to your address before and there is evidence of previous abusive behaviour, but there is no proven evidence of violence which would aggravate the offence and Ms. Ager says that what happened was an isolated event.
9. You were truculent with the police when they arrived but by the time you were interviewed, and the drink had worn off, you were shocked to what you had done and showed remorse.
10. You have pleaded guilty at the first opportunity and you deserve credit for that. You have no previous convictions, that too is to your credit.
11. This offence, in my view, falls in category 1 of the sentencing guidelines. Category 1 with a range of a low-level community order – 26 weeks' custody. It falls at the higher end and crosses the custody threshold. That is to say, I could send you to prison today.
12. Of course, I take account of your personal mitigation, the charitable work that you have done in the past, and your prompt guilty plea. The guidelines say that the fact

that a case may cross the custody threshold, courts can stand back from passing such sentences, particularly where an offender shows true remorse and demonstrates that he wants to address his behavior.

13. Taking that into account I find this an offence for which I can impose a sentence you will serve in the community.

14. Your case will attract much publicity. That is an added punishment for you. That is something that comes with being a public figure. Not only have you hurt Ms. Ager and distressed those around you, you have let down many people – band members and those people who love your music. They will be shocked and disappointed to learn of what you did that night. As this is all a consequence of your offending, none of these facts should detract from the sentence I will impose.

15. I am told you have recognised you have a problem with alcohol and I have read in the report about your efforts to address your drinking. I am told that since this offence you have detoxified in a specialist facility.

16. The probation officer who prepared the report for court says you are unlikely to reoffend should you remain abstinent and do the work the probation service suggest would help you. However, anyone in a close personal relationship with you will be at risk, as will any children who may be affected by witnessing abuse, should you offend again.

17. The report writer proposes I make an 18-month Community Order with requirements of :

- a. 3 months Alcohol Treatment
- b. A minimum of 5 days rehabilitate work
- c. Attending Building Better Relationships programme.

18. I note that you are remorseful and you say you want the help you so obviously need.

If I am persuaded that I can make such an order the law requires me include at least one requirement for punishment, or to impose a fine, unless it would be unjust for me to do so. Whilst the requirements that are proposed in the report are onerous, they are designed to help you and protect others from you.

19. I will make the order that is proposed but will add a further requirement that you undertake 200 hours unpaid work in the community.

20. I must consider any views that Ms. Ager expresses when deciding whether to make a restraining order. I am satisfied in this case that is a case where no order is necessary.

21. The law presumes I should order you to pay compensation for the injuries and harm you have caused. I am told Ms. Agers does not want compensation. What she wants is for you to get the help you need. I will not order you to pay her compensation.

22. I must order you to pay a surcharge of £90.

23. I will also order you to pay the costs of the prosecution of £85.

24. I will order you pay these sums within 14 days.

25. A copy of these sentencing remarks will be made available to the Judicial Press Office.

District Judge (MC) Nick Watson

7 July 2020

**Note: The court made an order under section 45 45 Youth Justice and Criminal Evidence Act 1999 to prevent the publication of the name of a child concerned in the proceedings, details of school she attends or any still or moving picture of her.**