



JUDICIARY OF  
ENGLAND AND WALES

**Rex**

**-v-**

**Thomas William WEBBER**

**In the Crown Court at Bristol**

**Sentencing Remarks of the Honourable Mr Justice Saini 14 June 2023**

1. Thomas Webber, on 24 March 2023 you pleaded guilty to the manslaughter of Simon Paul Edney (“Mr Edney”). Mr Edney died as a result of health complications which followed your assaults upon him on 13 June 2022. Mr Edney was 59 years of age at the date of his death. He had faced serious medical issues during his life. You are now 32 years of age. The Crown accepted your manslaughter plea on 17 May 2023 but did not accept the basis of plea. Counsel have however agreed that a Newton hearing was not necessary because the matters in dispute were not material in relation to my sentencing of you for unlawful act manslaughter.
2. By way of background, prior to Mr Edney’s death you were charged with section 18 and section 20 offences of causing grievous bodily harm. At Taunton Crown Court at the PTPH in respect of these offences, on 19 July 2022, you pleaded not guilty to section 18 GBH but

guilty to section 20 GBH. Those pleas were not accepted by the Crown. Mr Edney died on 30 July 2022. The Crown then obtained expert medical evidence, and you were charged with murder and manslaughter in the alternative. The section 20 plea was vacated and the original indictment was quashed.

3. I have read the moving Victim Personal Statements from Mr Edney's daughters and sister. I also heard this afternoon from Cheryl Edney on behalf of all the family. They have suffered the loss of a loving, quirky, and kind, father and brother. I turn to the events leading to Mr Edney's death. I have considered the CCTV footage of the relevant events. The relevant assaults can be clearly seen in the footage.
  
4. Like you, Mr Edney resided at La Ciotat House in Bridgewater. He was an alcoholic and he had serious cardiac health problems. In 2004 Mr Edney also underwent a craniectomy on a frontotemporal haematoma. He was variously described by neighbours as being a short tubby man who was a "good neighbour", a "lovely man", "a quiet bloke", "a nice polite bloke" who would not say "boo to a goose". He was clearly not a man of violence but a person who had issues with drink.
  
5. You are a tall man with a big physical build. You are much taller than Mr Edney. I can see from the CCTV footage that you towered over him, with his head barely coming to your shoulders. You have been described by your neighbours as being an intimidating and argumentative presence, when you have been drinking. You had previously said to others of Mr Edney that he was a "pissed up big headed twat" and that "one day I'm gonna have him."

6. On 13 June 2022, just prior to your assault upon Mr Edney, there was an exchange of texts between the two of you in which a number of threats were made by you to Mr Edney. There were also a number of voicecalls.
7. At around the time of the last of the texts, Mr Edney was with Rosemary Taylor, in his flat. Mr Edney went to your door at approximately 3.51pm. Ms Taylor heard heated words exchanged between you and Mr Edney about £20. You were arguing. Mr Edney was asking you for £20 you owed him. Ms Taylor heard you say to him: “oh you are not having your £20”. You then pushed Mr Edney and punched him, knocking him to the floor. That was a blow of some force which I can see clearly on the CCTV. Mr Edney got up after a short time and returned to his flat.
8. Gemma Cook received a voice mail timed at 3.54 pm from you in which she described you as being “very mouthy, angry and drunk”. She says you were clearly shouting and verbally abusing Mr Edney.
9. At about 3:54 pm, you went to the door of Kevin Goddard’s flat and said: “I’ve just hit Simon, I’m sorry.” “I’ve just knocked him out in the corridor. He’s got some silly little girl there shouting her mouth off”. You said, “He was sat there in the corridor for about 2 minutes” and “You ought to see the state of his head”.
10. Mr Edney, after spending a few minutes in his flat, returned to the corridor. You saw him there at 3.56pm and you charged towards him, putting down something you were carrying, and swearing at him. The CCTV shows that this was not a simple charge but had force behind it because in order to obtain traction you removed your sliders. That was to give

you momentum upon reaching Mr Edney when you can be seen to bring your arm back and punch him with real force to the head for a second time. As before, Mr Edney had offered no violence and the CCTV shows a man struck in the head while making no attempt to parry or defend himself.

11. Having been struck by you in the head for a second time, Mr Edney fell to the ground, unconscious. One witness says you “hit him with the force of a train.” Ms Taylor says that the punch was “unbelievable,” and “it was really loud” and there was a “massive thud.” She said that Mr Edney was “out cold” and you stood over him saying “you ain’t nothing but a pisshead”. Ms Taylor screamed at you to stop.
12. You were told that Mr Edney had a brain injury. You cruelly replied, “He’ll have a brain injury, if he carries on...”. Rather than expressing sympathy you said: “Just chuck a fucking glass of water over him and wake him up...he’s putting it on”. You expressed no sympathy for the man you had just knocked out.
13. You were then seen walking up and down the corridor and did not seem bothered by what had happened. You were heard to make threats to those who had seen the assault, saying: “I’m going to get people to beat you up if you say anything.” You said to Ms Taylor that if she “opened her mouth” and “grassed you up”, you would get someone “to smash her face in”. You were saying to everyone around: “you better not grass me up”. You also said in a bragging fashion: “did you see that punch?” and “that was a good punch”.
14. At 4.05pm, Mr Edney was helped into his flat and an ambulance was called. The paramedics attended and found Mr Edney upright in his chair with dried blood on the back

of his head. Mr Edney had a bruise to the left side of his face and jaw. He was very drowsy and confused. He started to deteriorate before being taken to into the ambulance. As he was being taken to the ambulance, Ms Taylor told the paramedics that Mr Edney had been punched. She said she did not want to tell them it was the male in the corridor (that is you) because she felt vulnerable and felt in danger because she had been threatened.

15. Mr Edney's condition got worse in the ambulance as it travelled to the hospital. At Musgrave Park Hospital he was found to have bleeding and swelling to the brain. He had significant brain damage and he was operated on. Bruising to the brain was visible. On 26 June 2022, he had a tube fitted to his neck to help him to breathe. By 12 July 2022, he was in a vegetative state.

16. You were arrested on the 14 June 2022, the day after the assault, and falsely claimed as regards Mr Edney, "he touched my dick". In the custody suite at Bridgwater Police station, you said, "I hit him once, he fell back and hit his head on the radiator." These were false statements.

17. When interviewed, you made a prepared statement stating you owed Mr Edney £20. You said that Mr Edney came to your flat and tried to force his way in. You claimed to have pushed him out and he fell against the wall. This was not true. You said that Mr Edney then returned to your flat and you punched him in self-defence because you thought he might have had a knife. That was a lie. Mr Edney did not have a knife.

18. Tragically, Mr Edney did not recover from the injuries he sustained in the assault. He died from complications resulting from those injuries on 30 of July 2022. Your punches caused

injuries to his brain that were irreversible. Those injuries caused disability, a decreased level of consciousness and decreased neurological functioning, which resulted in the development of bronchopneumonia. I accept that you did not know of Mr Edney's earlier brain injuries or physical conditions prior to the assaults.

19. It is agreed that this is an unlawful act manslaughter. I find that, as argued by the Crown, this case falls within Category B of the relevant guidelines. I have already described the assaults on a much smaller man. I am sure that you either intended Mr Edney harm just falling short of GBH, or assaulted him in a way which carried a high risk of GBH which was or ought to have been obvious to you. This is not a Category C case as argued by Mr Mason.

20. Under Category B, the starting point is 12 years imprisonment with a range of between 8 and 16 years' imprisonment. I need to consider aggravation and mitigation.

21. As to statutory aggravating factors, you have 28 court appearances for 65 offences. Counsel for the Crown has drawn to my attention four particular matters involving convictions relating to threatening behaviour or violence. I take those into account. The facts of those offences are concerning, including an offence which led to an extended sentence. As to other aggravating factors, I take into account five matters. First, your previous hostility towards Mr Edney; second, the offence was committed whilst you were under the influence of alcohol; third, Mr Edney was vulnerable; fourth, the threats you made to witnesses to cover up the assault; and fifth, you wrongly blamed the victim, Mr Edney, at the time of arrest.

22. As to mitigation, I have taken into account what has been submitted on your behalf by Mr Mason, including the character references and reports from prison. I note in particular your progress within the prison education system and the work you have done in relation to recognising the connections between substance abuse and your offending behaviour. I accept you have had a troubled youth. You were diagnosed with ADHD and were taken into care. Substantial offending followed and I am sure that your disturbed upbringing contributed to this. I accept that you have shown remorse. Mr Mason described to me an apology made to the family this afternoon. You also have a long term partner and have effectively been a step-father to her child.
23. Balancing these factors, I have concluded that this is a case which is at the higher end of the unlawful act manslaughter range. Standing back, after trial I would have imposed a sentence of 15 years in respect of manslaughter.
24. You pleaded guilty to manslaughter at the first opportunity, as the Crown accept. I will accordingly reduce that by one third on account of your guilty plea.
25. Accordingly, I impose a sentence of imprisonment of 10 years upon you.
26. You will be released from custody two-thirds of the way through the 10 year sentence and the remainder of the sentence will be served on licence in the community. You must comply with all the conditions of your licence, failing which you will be risk of recall to prison to serve the remainder of the term in custody.
27. The 363 days spent on remand will be deducted from your sentence.

28. Finally, I am not satisfied on the evidence before me that the requirements are met in respect of section 258 (required life sentence), or section 279 (extended sentence), of the 2020 Act.

29. A victim surcharge order will be drawn up.