



**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
CRIMINAL DIVISION**

**Neutral Citation Number: [2025] CIGC (Crim) 60**

**Case Number: IND. 68 of 2025**

**THE KING**

**V**

**FRANCIS ALEXANDER CAMPBELL**

**Appearances: Mr. Martin Mulgrew, Counsel for the Prosecution**

**Mr. Crister Brady, Counsel for the Defence**

**Before: Hon. Justice Emma Peters**

**Sentence Ruling: 21<sup>st</sup> November 2025**

**SENTENCE RULING**

1. In October 2025 following a judge alone trial Mr. Campbell (FAC) was convicted of Wounding with Intent contrary to section 203 of the Penal Code.



## **Facts**

2. The facts are that in April of 2023 the victim in this case, Mr. Johnson, was at home in his bedroom in the late afternoon relaxing before he was due to get ready to go out for the evening. The defendant, who lived close by and whom he knew well, visited with another man.
3. They sat and chatted and drank and smoked. At some point, as Mr. Johnson sat at his bureau with the defendant standing close by, the defendant launched an entirely provoked and inexplicable attack in which he stabbed Mr. Johnson twice, once in the chest and once in the neck. No words preceded or accompanied this attack to give any hint as to the motivation for it.
4. The defendant ran out of the house pursued by the victim who then, through loss of blood, became weak and gave up the chase. A neighbour took Mr. Johnson to hospital. His wounds were treated in surgery. The attending physician opined in a proforma statement that the injuries were serious and likely to be permanent. He remained in hospital for a few days.
5. The complainant was, by the time of the trial, no longer cooperative with the prosecution and so said nothing about any particular impact upon him of these injuries. The men have apparently now reconciled having recently been fellow inmates at HMP Northward.

## **Sentencing Guidelines**

6. In their written submissions, the Crown suggested that the injury amounts to greater harm. For that to be so the injury must be “serious in the context of the offence”. The choice is binary on the Cayman Islands guidelines – it is either greater or lesser harm.
7. They further submit that this is a case involving higher culpability for the clear reason that the wounds were inflicted by a knife held by the defendant.
8. They wrote therefore that the offence is a Category one offence with the aggravation of the location of the offence and the defendant’s antecedent history. Mr. Mulgrew today concedes that it may be that the harm is in fact in the lower category but, if it is, it is towards the upper end of that range.



9. The defence accepts that there is some force in the suggestion that the offence is a category one offence given the use of the knife, the time of the offending, and some degree of planning. However, they observe that the injuries do not appear to be lifelong even if they were life threatening, had they not been treated with urgency. He voluntarily left the hospital some 3 days later and there is no evidence presented of permanent injury. I am urged therefore that the harm might be considered lesser, in which case a category 2 would be applicable. However, Mr. Brady accepts that there are other aggravating factors that the court would have to consider, such as the location and timing of the offence, which may well push any category 2 considerations towards the higher end of the category 2 range before any mitigation is considered.

### **Social Inquiry Report**

10. I have read the SIR that was prepared upon the defendant in relation to the matters that were the subject of his November 2022 Suspended Sentence. It was agreed by defence counsel that in the circumstances of this case there was no requirement for a further report.
11. He was born in Canada to his Caymanian mother and Grenadian father. He was sent to live with family in the Cayman Islands when he was still very young and throughout his early childhood he was physically abused. Later in his childhood his mother returned to Cayman and married and thereafter the defendant was brought up by his stepfather with whom he appears to have had a positive relationship.
12. He had a disrupted education during which he was expelled twice. He has worked in various jobs. He has over the years had mental health assessments which seem to be focused on an early diagnosis of ADHD but also on the impact of his misuse of drugs and alcohol.
13. He has over thirty previous convictions, many of which are for offences of violence. He was assessed in 2022 as having a very high risk of re-offending, an assessment of some accuracy given the offence for which he is to be sentenced today occurred just 6 months or so after that last sentence.



## **Mitigation**

14. Mr. Brady points to the SIR and the violence the defendant was exposed to at an early age. He learnt early, having been beaten regularly as a child by his uncles on his mother's instructions, that violence is a solution, a means to an end in achieving conformity to his demands. The beatings were carried out with wire cord or bamboo sticks which left bruises both on his body and as it now appears, even more on his mind.
15. His upbringing has been unstable with a poor or nonexistent relationship with both parents. It is apparent that he has anger issues, unresolved, his mother believes, from the absent relationship with his father, and the disappointment their eventual meeting brought to his life. At eight he was running away from home, mixing with older individuals experienced in the criminal justice system and forming lifelong poor habits. On his fifteenth birthday he was in custody. He has had an arguably unsettled, inconsistent schooling to grade 11, with several expulsions from different schools, and a diagnosis of Attention Deficit Hyperactivity Disorder (ADHD).
16. Previous reports have indicated his personality configuration as 'problematic, persistent and pervasive' suggesting a personality type disorder. He has had problems with the use of illegal drugs and alcohol in the past and has appeared to use ganja and alcohol to assist with sleeping.
17. Mr. Brady accepts that a custodial sentence is inevitable but points to the fact that during previous prison sentences he has participated in programmes that have been for his further development in construction skills and for his general education and that he has previously kept himself busy by becoming a cleaner on the prison wing.
18. It is accepted that he committed this offence during the currency of an existing suspended sentence order, but the court is urged to consider totality in arriving at an appropriate sentence. The report speaks to other troubling and unhelpful issues that concern Mr. Campbell. Mr. Brady urges leniency on the court "in spite of his shortcomings".



### **The Court's Conclusions and sentencing decision**

19. When deciding on whether injuries caused during an offence amount to injuries that are justifiably placed into greater harm because they are serious in the context of the offence, the Sentencing Guidelines point the reader to note 4 which states as follows:

*Even within the level of harm necessary for each offence, there will be gradations. When determining whether the harm caused was serious in the context of these offences, the court will assess whether the harm caused was what would be normal for this type of offence or has gone beyond the levels that would be regarded as normal. Since the sentence levels will be higher (for some offences very much higher) as a result, the type of harm or violence that will justify placing an offence in the higher category will be harm that is significantly above the level of harm which is the norm for these offences.*

20. The Cayman Island Court of Appeal gave some further assistance in determining this issue in their judgment in the case of *Woodhouse v R CICA* (Crim) Appeal 008/2024.
21. There is no question that being stabbed twice (the third cut was merely superficial), one of those being to the neck and the other being with such ferocity as to cause a pneumothorax is serious (and nothing I say here is intended to doubt that). The question is whether it is serious in the context of the offence. An offence of wounding with intent encompasses a range of injuries, some of which can be life threatening and cause long-term disability or disfigurement. Having seen the complainant in court there was no such disability or disfigurement present. We know that the complainant spent just a few days in hospital.
22. Whilst clearly serious and whilst it was immensely fortunate that his neighbours acted with such alacrity in getting him to hospital, I do not consider that the injuries inflicted are significantly above the level of harm, which is the norm for an offence of wounding with intent. I do not therefore consider that the injuries are serious in the context of the offence and therefore I will not place this offence into greater harm. I make clear however that whilst I categorise the harm as “lesser harm” (the choice being a binary one) I do so recognising that the injuries are sufficiently serious to move up within the range from the start point.



23. There is no question that the fact that these were stab wounds caused by the fact that the defendant was armed with a knife, places this into higher culpability.
24. That makes it a category 2 offence which has a start point of 6 years imprisonment within a range of 5 to 9 years.
25. It is therefore an offence properly considered to be within, but perhaps to the upper end of, category two of the Guidelines.
26. I do however accept that having been placed in category 2, the fact of these two significant stab wounds committed in an unprovoked attack on a man in his own home combined with the defendant's previous convictions for violence are factors which justify an elevation within that range.
27. Furthermore, the fact that the defendant was, at the time, subject to a suspended sentence passed in November 2022 for threats to kill is another aggravating factor (although if I activate any or all of that sentence, I must be careful not to double count that factor).
28. So, from a start point of 6 years I consider that the nature of the wounds combined with those aggravating factors (of the location of the offence and the antecedent history) elevate the sentence to 8 years.
29. I will however make some discount for the personal mitigation relating to the defendant's challenging and unsupportive early childhood and that takes me down to 7 years and 4 months imprisonment. I do not consider that factor justifies any greater discount due to the fact that the defendant is now a man of 35 years of age and has more recently been given the chance to rehabilitate himself by being given a suspended sentence (including such requirements as the Anger Management Programme) when he last seriously offended, an opportunity that he lost due to his decision to commit this offence during the currency of that suspended sentence.

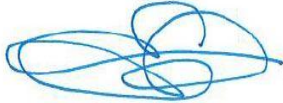


### **The Breach of the Suspended Sentence**

30. The suspended sentence was in respect of offences of threats to kill his former partner in the summer of 2022. A sentence of 8 months and 3 weeks imprisonment suspended for 2 years was passed in November of 2022. The offence for which the defendant appears today for sentence was committed in April 2023, approximately 25% of the way through the operational period of the Suspended Sentence.
31. I do not know anything about the extent of compliance on that order and so for these purposes I must assume that his compliance was satisfactory (save of course for the fact that he committed this wounding with intent whilst subject to that sentence).
32. I consider that it is fair and just and proportionate to activate 3 months of that sentence and I order that to run consecutively to the 7 years, and 4 months sentence I am passing for the wounding with intent.
33. The sentence therefore is as follows:
- (i) Wounding with intent to cause GBH – Count 2 on Ind 68/2025 – 7 years and 4 months imprisonment.
  - (ii) Breach of the suspended sentence (C#1216/2022) – 3 months imprisonment to be activated and run consecutively.
  - (iii) Total sentence – 7 years and 7 months imprisonment.
  - (iv) The time in custody is to count automatically towards that sentence.
  - (v) The 38 days in which the defendant was subject to an EMD are to count at a rate of 50% toward his sentence and so 19 days should be deducted from the sentence for that purpose. If I have

been given inaccurate information about the days to count then  
that issue can be altered administratively.

**Dated the 21<sup>st</sup> day of November 2025**

A handwritten signature in blue ink, consisting of several overlapping loops and lines, positioned above the name of the judge.

**The Hon. Justice Emma Peters  
Judge of the Grand Court**