DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Ireland	2016	Ireland / Court of Appeal / DU 580/14 / The People at the Suit of the Director of Public Prosecutions v. Aaron Shattock	https://www.courts.ie/acc/alfresco/435d1ccc-68b4-4006-896e-2435237c0217/2016_IECA_82_1.pdf/pdf#view=fitH	Racial or ethnic origin	IECA, Court of Appeal	This case relates to the conviction of a man for an assault on another man perceived to be a third country national or migrant following altercation in which the victim and his friend had been tainted with racist language. The assault resulted in the victim sustaining a serious injury to his eye resulting in loss of sight in that eye. The case was an appeal against the severity of a sentence of three and a half years imprisonment with the final eighteen months suspended for assault causing harm. During the altercation, the term 'Paki' was allegedly used by members of the assaulting group though not necessarily the appellant.	The court reduced the original sentence of 3.5 years with the final 18 months suspended to 3.5 years with the final two years suspended.	The Court noted that mitigation in this case was so extensive that the sentencing judge remarked that the appellant had "perfect mitigation".	There are no key concepts clarified by this case. From the report it cannot be determined if the racist element within the case was considered by the Court when sentencing. The Court of Appeal said very little regarding the racist element, except to observe that the appellant was not the initiator of the racial abuse.	"Although the court accepts that the appellant did not intend the outcome and was not the initiator of the racial abuse that formed a backdrop to this attack, this was a case that required to be marked by an immediate prison sentence."

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