

Victim never the same

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THREE men involved in the alcohol-fuelled street bashing of a then 19-year-old that left him with serious and ongoing injuries have faced court.

The County Court sitting in Mildura heard the victim hadn't been the same since the 2015 attack, suffering from a series of fractures and an acquired brain injury.

Riley Allen, Daniel Adolph, both 25, and Ashley Kempton, 27, all pleaded guilty to recklessly causing serious injury when they faced a plea hearing yesterday.

Prosecutor David O'Doherty told the court the 21-year-old victim Jaidan Brook was walking through the Mildura CBD with a group of friends about 1.50am on July 26, 2015, intending to go to Dom's nightclub.

The victim heard someone yell out to him from behind, turning around to see Allen and Kempton before walking towards them.

An incident occurred in which light punches were exchanged between Kempton and Mr Brook, the court heard.

The victim then backed away from the two men and moved off the footpath, but Allen pursued him and threw a punch to Mr Brook's head.

The court heard Mr Brook continued to retreat, trying to get away from the men, but both Allen and Kempton pursued him with Allen swinging punches at Mr Brook.

Adolph, who had earlier been at the same football function with Allen and Kempton, saw the altercation between the three after moments earlier being kicked out of Dom's.

He ran behind Mr Brook and grabbed him in a bear hug and as he was holding the man, Allen threw a punch to Mr Brook's face causing him to fall to the road unconscious.

The three ran from the scene and Mr Brook was taken to Mildura Base Hospital before being airlifted to The Alfred in Melbourne.

He suffered a cut to his chin that went through to the bone, significant swelling to the right ear canal, which was bleeding, multiple fractures to the side of the jaw and a fracture to the skull with a piece of bone protruding into the ear canal.

He was also later diagnosed with a significant acquired cognitive impairment, the court heard.

In a police interview Allen said Mr Brook first looked at him and Kempton angrily and approached them in a threatening way.

In the interview, Kempton denied throwing a punch at Mr Brook, saying he had a cut on his lip from the man's punch.

Adolph said he became involved because he saw Kempton being hit.

Allen's defence barrister Chris Winneke QC submitted he could be sufficiently punished for the "stupid" and "alcohol-fuelled behaviour" with a community corrections order.

He said Allen was a hardworking man of exemplary character, shown through a number of character references from family, friends, colleagues and members of the community.

His girlfriend, employer and girlfriend's mother all gave evidence that his actions on the night were out of character.

Allen took to the stand to formally apologise to Mr Brook and his family, saying he had since completed alcohol and drug counselling and a men's behaviour change course.

Judge Michael Bourke noted the CCTV footage played to the court seemed to show Mr Brook backing away from confrontation.

"You're acting for a very promising man ... but his victim no doubt ... was a promising young man," Judge Bourke said.

He said he had to weigh up Allen's obvious good character and standing within the community with his offending on the night, the need to deter others and the impact he had on the victim.

The plea hearing for the three men continues today.