



JUDICIARY OF
ENGLAND AND WALES

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-v-

William Edward Owen

Sentencing remarks of the Honourable Mrs Justice Carr DBE

Crown Court at Liverpool

2 May 2014

Introduction

You have now pleaded guilty to the murder of Sharon Hayter and Stephanie Owen. You killed these 2 innocent women in the home in Home Farm Road, Knowsley Village that you shared with them. Sharon Hayter was aged 54 years and your long-term partner of over 30 years and Stephanie Owen was your 29 year old daughter. She was a vulnerable young woman who suffered from diabetes and some learning and physical difficulties.

The Facts

For reasons best known to yourself, in the morning of Saturday 28th November 2013 you carried out a vicious attack on these two women with some sort of heavy instrument. You caused fatal head injuries to each. Neighbours heard screaming from the house at around 7.30am. You were seen to leave the house at around 10am carrying a bag, returning a short while later. You disposed of the instrument used in the attack which, despite searches, has never been found. You told the police shortly after the attack that you had used a hammer, which would be consistent with the medical evidence available as to the injuries inflicted.

At around midday on the same day you approached a community police officer and indicated that you had just killed your wife and daughter. You appeared calm and still, without obvious reaction to what you were saying. You gave the police your house keys and your address.

Ms Hayter was found dead and naked on a chair in the living room, partially covered by a quilt. It is not clear from the forensic evidence exactly where Ms Hayter was when she was assaulted. She had suffered major blunt force head injuries, with 2 scalp lacerations, one measuring 8cms and one 7.5cms in length. Both lacerations resulted in significant underlying skull damage and were the result of an attack of considerable force. The injuries

were consistent with a hammer either inflicting glancing blows or from the use of the shaft of a hammer. The cause of her death was blunt force head injury.

Ms Owen was found in her bedroom, also essentially naked. It is clear from forensic evidence that she was killed on the floor of her bedroom before being moved onto her bed. She had 8 lacerations to the vertex scalp, together with bruising and abrasions. The lacerations were consistent with being struck by the claw of a hammer. Again the cause of her death was blunt force head injuries. They had been inflicted with severe force.

In police interviews and when being medically examined, you admitted to killing the women. You stated that you could not take any more, had killed them and had cleaned up the house afterwards. You referred to the existence of a pact with Ms Hayter to the effect that if anything happened to her, Ms Hayter, Ms Hayter wanted Ms Owen to go with her.

No-one but yourself can say what was going on in your mind that morning. But nothing that the Court has been told about you and your circumstances, whether because of your relationship with Ms Hayter or because you were simply frustrated by your environment or stressed by your daughter's physical difficulties, could possibly justify your actions that day. That applies both to Ms Hayter and Ms Owen but all the more so to Ms Owen.

I am quite satisfied that you intended to kill both these women, however much you may have regretted it later and however much you regret it now.

There is a moving victim impact statement from Ms Hayter's brother expressing the views and despair of the whole family. He describes how his sister was his confidante, someone to whom he turned when he needed her and who was always on the end of the telephone to talk. He talks of his time with his niece and the pleasure of shopping with her, buying her collections of things that she liked, like money boxes. He describes how the lives of his family will never be the same again, and how difficult they find it not to know why you acted as you did.

As to aggravating factors, this was a double murder carried out on two women in their home, where they were entitled to feel and should have been safe. Your attack on each of them involved the use of a weapon of which you essentially accept you disposed, even though you cannot remember doing it. Ms Owen was vulnerable, suffering from diabetes (as in fact did Ms Hayter) but also mild or moderate learning difficulties and a spinal condition which required her to wear special footwear and night splints. She had attended a special school until the age of 19, could read and write but had a younger mental age than average. That said, it is right not to overstate the position. Ms Owen did not need full time physical supervision. She was able to use a computer and telephone and to go out and about, albeit on a restricted basis.

I turn to your personal circumstances. You come from a large family. You did well at school. You went on to have various jobs. You worked in a hospital, as a nursery nurse and in security. You met Ms Hayter when you were both about 22 years old. At the time of the attack you were not under any medical treatment or prescription. Indeed, you have no relevant medical history. Your life at the time was a relatively isolated one. You were the

designated and paid carer for Ms Owen for the last 8 years of her life. I accept that you were a doting and loving father to Ms Owen, as was Ms Hayter a doting and loving mother to her. Your life revolved around looking after Ms Owen and the house and garden. You made sacrifices to care and feed her properly, going without yourself as a result.

By way of mitigation, I take into account the following factors :

- a) you are a 55 year old man of positive good character with no previous convictions and who was a dedicated carer of your daughter;
- b) there is no evidence of any premeditation;
- c) your family circumstances suggest prolonged stress in your life arising out of what was a stormy relationship with Ms Hayter and the pressures of caring for Ms Owen;
- d) finally, your age. Any sentence that I can properly impose for offences of this nature will mean that you leave prison, if you do, an elderly man. But it is suggested that in the circumstances of this case I should not remove all hope of you leaving prison one day.

I also take into account the fact you turned yourself into police very shortly after the attacks and effectively confessed. You gave accurate information to the police, enabling them to find the women.

Finally, you pleaded guilty, albeit only on the first day of trial. Mr McDermott QC presses upon me the submission that this was not a cynical last-minute plea. He refers to the fact that this is a case where, given your lack of memory, a decision could only be taken after detailed consideration of complex medical evidence relating to possible psychiatric defences. Your lawyers were still considering that evidence and advising you until very late in the day. It is said that there is no suggestion that your lack of memory is a ploy and there is expert forensic psychiatric evidence which indicates that there may be genuine, conscious or unconscious, reasons for memory loss.

I accept that this was not a cynical last minute plea. But the fact nevertheless remains that you maintained a full denial to these charges until the start of trial. You did not at any earlier stage offer a plea of guilty to manslaughter. Following a defence statement in March 2014 which essentially put the prosecution to proof of all matters and raised possible issues of loss of control and diminished responsibility, as recently as 7th April 2014 you put in a full supplemental defence statement. That statement was lodged following what you said was an improvement in your memory of the details in respect of the deaths. In that statement you positively denied killing Ms Owen, stating that you believed that Ms Hayter had done so instead. That positive denial makes your assertion that you had no meaningful memory a difficult one.

In those circumstances, whilst I will give you some credit for your guilty plea, it will be for 7.5%, which would equate to a discount of 15% if this were a determinate sentence. That discount takes into account what has been said in relation to your difficulties in recollection and the fact that a full analysis of the possibly psychiatric issues arising was required.

Sentence

I am obliged by law to sentence you to imprisonment for life on each count of murder of which you now stand convicted. I then have regard to Schedule 21 of the Criminal Justice Act 2003 and to the Sentencing Guidelines for a reduction for a guilty plea.

Given that this was the murder of 2 persons involving the use of a weapon, I have no doubt that the seriousness of this offence is particularly high. This produces a starting point of 30 years. The fact that this was a double murder leads me to adopt that higher starting point. I therefore do not apply this factor again when adjusting the starting point for the other aggravating and mitigating factors identified above.

Having regard to all the aggravating features (other than double murder) and all the mitigating features in your case, I consider an appropriate minimum term on each count of murder to be 25 years. Although there may be differences on the facts between the two counts, the same term on each is appropriate to reflect your overall criminality.

I consider it appropriate to make a reduction for your guilty plea. I apply a 7.5% discount by way of credit for your guilty plea. I also give credit for the time spent in custody on remand.

I therefore fix the minimum term which you will serve in custody, before the Parole board may consider your possible release, on each count at 23 years and 1 ½ months to run concurrently. But for your plea of guilty I would have fixed the minimum term at 25 years. Time spent on remand in custody, which is now 154 days, will be deducted from this minimum term, producing the final minimum term.

In my judgment this minimum term accurately reflects the seriousness of the offences taking account of the statutory starting point, all relevant aggravating and mitigating factors and your guilty plea. It means that you will be more than 75 years old before you can be considered for release. This is something that I have taken into account in reducing the minimum term.

It is important that you – and everyone concerned with this case – should understand what this in fact means. The minimum term is not a fixed term after which you will automatically be released but the minimum time that you will spend in custody before your case can be considered by the Parole Board. It will be for the Parole Board to say at that time whether or not you will be released. If it remains necessary for public protection, you will continue to be detained after that date. If and when you are released you will be subject to licence and this will remain the case for the rest of your life. If for any reason your licence were to be revoked, you would be recalled to prison to continue to serve your life sentence in custody.

Finally, the surcharge provisions apply to this case and the order will be drawn up accordingly.