



JUDICIARY OF
ENGLAND AND WALES

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-v-

Thomas Mair

Sentencing Remarks of Mr Justice Wilkie

By the verdicts of the jury, Jo Cox was murdered by you on 16 June 2016 and you caused Bernard Kenny grievous bodily harm with intent to do so.

Because of her position as a Member of Parliament, her death was both a personal tragedy and a crime with great public significance.

To her family, friends and colleagues Jo Cox was a wonderful mother, daughter, sister, partner, and companion, her generosity of spirit evident in the selfless concern she had for others even when facing a violent death. Their loss, caused by your actions, is and will be, almost unbearable.

But because she was a Member of Parliament, the reason you murdered her, your crime has an additional dimension which calls for particularly severe punishment.

She was just 41. before being elected as an MP she had already demonstrated herself to be a credit to herself, her community, and her country in the work she performed for Oxfam and other organisations devoting herself to seeking to better the lot of those less fortunate than her.

She had only recently embarked on her role as an MP but had already shown herself to be passionate, openhearted, inclusive and generous as well as highly effective.

The tributes to her from across the political spectrum were spontaneous, sincere and fulsome. The fundamental importance to our democracy for Members of Parliament to be able to perform their duties and meet their constituents safely and fearlessly is reflected in the fact that no respectable political party contested the by-election caused by her death.

In the true meaning of the word she was a patriot.

You affect to be a patriot. The words you uttered repeatedly when you killed her give lip service to that concept. Those sentiments can be legitimate and can have resonance but in your mouth, allied to your actions, they are tainted and made toxic.

It is clear from your internet and other researches that your inspiration is not love of country or your fellow citizens, it is an admiration for Nazism, and similar anti democratic white supremacist creeds where democracy and political persuasion are supplanted by violence

towards and intimidation of opponents and those who, in whatever ways, are thought to be different and, for that reason, open to persecution.

Our parents' generation made huge sacrifices to defeat those ideas and values in the Second World War. What you did, and your admiration for those views which informed your crime, betrays the sacrifices of that generation.

You are no patriot. By your actions you have betrayed the quintessence of our country, its adherence to parliamentary democracy.

You have not even had the courage to admit and acknowledge what you did. You have, instead, forced the prosecution to prove this case in detail, withholding your agreement to anything which would have lessened that task, thereby adding, I have no doubt deliberately, to the anguish of Jo Cox's family and the witnesses to these awful events forced, as they have been, to relive them.

By contrast your second victim on that day, Bernard Kenny, acted instinctively and courageously trying to save a person he saw being attacked and by so doing was seriously injured himself. The ongoing cost to him is evidence from his Victim Personal Statement. His actions on that day are deserving of the highest praise and commendation.

As you know, the only sentence I can pass on you for murder is one of life imprisonment, and I do so.

I also have to consider whether to fix a minimum term or, by not doing so, to impose a whole life sentence which would mean that you would, in all likelihood, die in prison.

I have to consider schedule 21 of the Criminal Justice Act 2003. There is no doubt that this murder was done for the purpose of advancing a political, racial and ideological cause namely that of violent white supremacism and exclusive nationalism most associated with Nazism and its modern forms. That is one of the indices of an offence of exceptionally high seriousness for which the appropriate starting point is a whole life term.

This was a brutal, ruthless example of such a murder committed with determination and persistence. You armed yourself with a handgun and a vicious dagger designed to kill. You attacked Jo Cox repeatedly with both of them. You repelled an attempt by Mr Kenny to stop you in a similarly ruthless manner and, when it appeared, after your first assault, that Jo Cox might survive, you returned to inflict further fatal blows upon her. Your choice of weapons, a firearm and a knife places your offending even, without the political dimension, in categories having starting points of 30 and 25 years

In addition, as an aggravating feature, there was a substantial degree of premeditation and planning. You had, over a period of weeks, researched your intended victim, you had researched the firearm which was modified to become a hand gun. You made inquiries about its ability to inflict fatal injury and you sought instruction on how to use it in that modified form. You informed yourself about previous murders of civil rights workers and a past assassination of a serving MP. You contemplated the aftermath, researching lying in state arrangements. You even researched matricide knowing that Jo Cox was the mother of young children. You planned your escape from the scene by adopting a form of disguise to put off those searching for you and, in the course of your escape, you reloaded the firearm ready for any eventuality. Finally, as the jury has decided, you fully intended to kill Jo Cox.

You are aged 53 and have no previous convictions both of which I must take into account. I must consider whether the seriousness of this offence, though categorised as exceptionally high, in fact requires a whole life sentence or whether I should fix a minimum term which

would hold out the possibility of release on licence when you are very old to permit you to die in the community.

I have considered this anxiously but have concluded that this offence, as I have described it, is of such a high level of exceptional seriousness that it can only properly be marked by a whole life sentence. That is the sentence which I pass.

You will, therefore, only be released, if ever, by the Secretary of State exercising executive clemency on humanitarian grounds to permit you to die at home. Whether or not that occurs will be a matter for the holder of that office at the time.

On count 2: that offence is inextricably linked with the count of murder and, on grounds of its exceptional seriousness, I pass the same sentence, life imprisonment and I make a minimum term order of 15 years less time on remand being one half of 30 years.

On count 3: that offence was committed in order to facilitate the commission of the murder of Jo Cox. Within the guidelines, it is of high harm and high culpability and the circumstances take it above the sentencing bracket. The sentence is one of 20 years imprisonment concurrent.

On count 4: the maximum sentence for this offence is 4 years imprisonment and I pass that sentence to run concurrently with the other sentences.

The Hon Mr Justice Wilkie

23 November 2016