

In the Crown Court at Manchester

24 May 2018

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-v-

Zac Bolland

David Worrall

Courtney Brierly

Sentencing remarks of Mr Justice William Davies

Towards the end of November 2017 a feud began between some members of the Pearson family and Zac Bolland and Courtney Brierley. What lay behind the feud has never been made public. Neither I nor the jury heard any evidence to explain it. Early in the morning of 26 November 2017 someone caused damage to a car at the home of Courtney Brierley's mother and to a car owned by Zac Bolland. The damage to the car was caused by fire. The response to those events? Zac Bolland went to the home of Michelle Pearson and her children and smashed the front windows with a hammer. In the exchange of texts which followed that event Bolland threatened to use fire on Michelle Pearson's home with a specific reference at one point to the use of petrol bombs. Michelle Pearson had the good sense to involve the police and the fire service took steps to secure the letter box at her house. Unfortunately her teenage son Kyle and others reacted by going to the Bolland house where they broke windows and injured Courtney Brierley. It is to be noted that Brierley suffered her injury after she had emerged from the house armed with a hammer and chased members of the group who had broken windows.

That flurry of tit for tat attacks went no further at that point. Zac Bolland was arrested for causing the damage. Due to a misunderstanding as to Michelle Pearson's attitude to prosecution the police took no further action. That

prompted Bolland and Brierley to taunt Michelle Pearson from the street calling her a grass.

About a week later Bolland and Brierley were at home together at the Bolland house. Bolland was drunk and had been taking drugs, probably cocaine. In the early hours of the morning he went out equipped with a spray paint can and sprayed “grass” on the front wall of Michelle Pearson’s home. When the paint can ran out, he set fire to a wheelie bin in the front garden. Brierley was aware that he intended to set fire to a bin but she did not accompany him. No-one saw Bolland do this though Michelle Pearson drew the obvious inference and informed the police.

It was following that incident that abusive graffiti referring to Bolland was sprayed around the area. It must have been someone on the other side of the feud though there is no evidence as to precisely who it was.

This is the background to the terrible events of the early morning of 11 December 2017. A series of relatively trivial incidents gradually increasing in seriousness which had no conceivable justification but which could and should have gone no further.

At around 10 p.m. on 10 December 2017 Zac Bolland and Courtney Brierley were at the Bolland house. David Worrall arrived with two other men. Worrall and his companions had spent the afternoon and early evening drinking. Over the course of the next two hours or so all those at the house drank and took cocaine. There was a trip out to buy more drink during that period. At around 12.30 a.m. Bolland, Worrall and the other two men walked the short distance to the home of Michelle Pearson. Worrall had armed himself with an iron bar. Michelle Pearson came to an upstairs window. Whilst the other two men stood and watched Bolland and Worrall demanded that the older Pearson children – Kyle and Lewis – come outside. They wanted to fight them. Bolland told the jury that he wanted to injure them. Michelle Pearson denied that either lad was in the house. Worrall responded by breaking a window in the front door and throwing the bar in Michelle Pearson’s direction. The men then left and went back to the Bolland house.

Once again Michelle Pearson called the police. She explained what had happened. The police were at the house for some time obtaining a statement but they then left. Kyle Pearson – who was at the house – was concerned that one or more of the men would return and break into the house. He set up a barricade of the front door.

Whilst the police were still with Michelle Pearson, Bolland and Brierley went past the house in a car being driven by a girl named Toone. Toone had arrived at the Bolland house some time after the visit to the home of Michelle Pearson by the four men. She had a car. She was to play an unwitting role in what followed. Her car passed the home of Michelle Pearson because Bolland was interested to know what was going on there.

Over the course of the next two hours Bolland, Worrall and Brierley continued drinking. They all took cocaine. Shortly after 4 a.m. there was telephone contact between Bolland, Brierley and Worrall with someone called Gemma Strickland. What her role in the feud was is not clear from the evidence but she had some connection with the young men of the Pearson family and their friends. The upshot of this contact was that Bolland and Worrall now believed that Kyle Pearson and his brother were at the home of Michelle Pearson, 8 Jackson Street in Walkden. The two men became aggressive and hyped up. It was apparent to Toone that they were planning something. That plan unfolded over the next 30 to 45 minutes. Toone heard names but they meant nothing to her. The names included Kyle Pearson. She heard one of the men say “we’ll smash the back window”.

There came a point at which Bolland and Worrall stood. “Shall we do it?” asked Bolland. “Yes I’ll do it” was Worrall’s response. Both men took up weapons – Bolland a machete and Worrall an axe. Brierley also stood. She must have heard the names. She saw the weapons. She also saw Worrall take a petrol can from the house. All three drove with Toone to an all night petrol station where £1.50 worth of petrol was bought by the men. They wore hoods to disguise themselves, something which Brierley told them to do.

The car returned to the Bolland house. Bolland and Worrall went into the house. They made two petrol bombs using a large clear bottle and a smaller beer bottle. Within minutes they returned to the car with the petrol bombs where Brierley had been sitting with Toone. Brierley’s presence had meant that Toone could not drive away even though Toone by now feared the worst. That was deliberate. The car was driven round to one end of Jackson Street. Everyone in the car knew that there were two petrol bombs in the car. Bolland, Worrall and Brierley knew that they were to be used to set fire to 8 Jackson Street.

Bolland and Worrall got out of the car armed with the petrol bombs and with the axe and the machete. They went to the rear of 8 Jackson Street. That always was the plan. The windows at the front of the house were boarded up as a result of the earlier events and could not possibly have been where the petrol

bombs were to be used. Brierley directed Toone to a ginnel through which Bolland and Worrall intended to make their escape.

Once at the back of 8 Jackson Street the kitchen window was broken almost certainly by Worrall with the axe. What is certain is that Worrall then threw one of the petrol bombs into the house. It was the smaller of the two. It ignited but only to a limited extent. Worrall then ran from the garden. As he did so Bolland lit the wick on the larger petrol bomb. Worrall had just left the garden when Bolland threw that petrol bomb into the house. It exploded with considerable force and very quickly the ground floor of the house was ablaze. Bolland joined Worrall in running back to the car.

Toone drove Bolland, Worrall and Brierley back to the Bolland house. Once she had dropped there she immediately drove home. The full enormity of what had happened was apparent to her as she passed the end of Jackson Street where the house already was engulfed in flames.

Brierley got changed and then all three left the Bolland house on foot and went to the address nearby of a friend. Those at that address saw nothing unusual about any of them. The defendants must have known that they had been responsible for setting on fire an occupied house yet they behaved as if nothing had happened.

Worrall tried to telephone Toone to see if she would say anything about what had gone on that night. Bolland gave Worrall some of his belongings to dispose of and Worrall agreed to do so.

Fortunately police enquiries very quickly led to the three defendants and the formidable case against them was assembled.

It is not necessary to describe the course of the fire. It was swift and it was deadly. Four young children died in the house. Michelle Pearson was rescued but she has sustained terrible injuries from which she will never make a full recovery. The statements of Sandra Lever, Michelle Pearson's mother, and Christopher Pearson, Michelle's brother, set out the devastating effect these events have had on the wider family.

Bolland has been convicted of the murder of the four children and the attempted murder of those who escaped the fire. It follows that the jury concluded that he intended to kill anyone who was in the house. He decided to use petrol bombs to carry out his purpose at some point in the early hours of 11 December. This decision was spurred on by the drink and drugs he had taken but he knew full well what he was doing. He organised the trip to the petrol station to buy the petrol. He made the petrol bombs. He threw the larger petrol bomb into the

house when the first one failed properly to ignite. He had plenty of opportunity to think again about his murderous plan. He carried on with it regardless.

Worrall has also been convicted of the murder of the four children. That was on the basis that he intended to cause the occupants of the house really serious harm rather than to kill them. That is clear from the fact that he was convicted of attempting to cause really serious harm rather than attempted murder in relation to those who survived. He joined in with a plan hatched by Bolland. Until this night he had no knowledge of the feud. He did not know the Pearson family. But once the plan had been hatched he was an enthusiastic participant. His lesser intent must have some effect on the level of his culpability. It may be that the jury concluded that his departure from the rear of 8 Jackson Street after the first petrol bomb had been thrown meant that he did not share the intent to kill. However, when a man throws a petrol bomb into an occupied house with the intention of causing really serious harm to those within, the distinction is of limited significance. Once a petrol bomb has been thrown, there is no way of controlling its effect. Worrall certainly knew of the risk of death even if he did not intend it.

Brierley has been convicted of the manslaughter of the four children. She neither intended to kill anyone in the house nor to do them really serious harm. That is apparent from her acquittal on the counts of attempted murder. However, her convictions mean that she assisted and encouraged the attack with petrol bombs on 8 Jackson Street and that she knew the house was occupied. That is the only logical conclusion to be drawn from the fact of the convictions of Bolland and the route the jury were required to follow in order to reach their verdicts. Of course, she did not have the intent required for murder. Yet the risk involved in what she did and what she knew was so high that she must bear a significant level of culpability for what happened.

Though the attack on 8 Jackson Street involved real planning and preparation, it was not substantial planning of the kind envisaged by paragraph 4 of Schedule 21 of the Criminal Justice Act 2003. Thus, this is not a case requiring a whole life term. Equally, it is a very grave case indeed. Four children died a terrible death. Their mother has been grievously injured. The planning may not have been substantial in the sense required by the 2003 Act but it was real and sustained. The appropriate starting point for the minimum term is 30 years. There are multiple aggravating factors requiring a very significant increase from that figure.

In Bolland's case there is no mitigating factor at all other than the very limited benefit to be gained from the absence of any serious offending in the past. In

Worrall's case there is the fact that he did not intend to kill as well as his limited criminal history. For the reasons I already have given I give some but not substantial weight to the lack of an intent to kill.

The sentence required by law for the offences of murder is life imprisonment. That is the sentence I impose on counts 1 to 4 in relation to Bolland and Worrall. In Bolland's case I consider that the appropriate minimum term is one of 40 years less the time spent on remand. In Worrall's case the appropriate minimum term is 37 years less the time spent on remand.

In relation to Bolland and the offences of attempted murder there will be concurrent sentences of 25 years on each count. In respect of Worrall there will be concurrent sentences of 19 years on each count of attempting to cause grievous bodily harm with intent.

Courtney Brierley's role in events for obvious reasons as already set out less than that of Bolland and Worrall. I accept that she was in an abusive relationship with Bolland which must have had some influence on what she did. But she engaged willingly in the plan to set fire to 8 Jackson Street. On that night she was not in the thrall of Bolland. Account must be taken of her age. She was only 20 at the time of these events.

Sentencing for the offence of manslaughter varies hugely. I apply the principles set out most recently in the case of Clayton Williams. Sentence for manslaughter must bear some relationship to the sentence for the offence of murder in the circumstances of the case. For the reasons I have given Brierley's culpability was substantial. The resulting harm was devastating. Although she has qualifying convictions I do not conclude that she comes within Section 224 and following of the Criminal Justice Act 2003. The proper sentence in her case is 21 years detention in a young offenders' institution on each count, those sentences to run concurrently.

Mr Justice William Davis

24 May 2018