



JUDICIARY OF
ENGLAND AND WALES

REGINA

-v-

ETHAN STRICKLAND

In the Crown Court at Cardiff

Sentencing Remarks of The Honourable Mr Justice Saini

23 May 2022

1. On 10 June 2021, at around 9pm, Mr Ryan O'Connor, aged 26 years, was murdered and robbed on the Balfe Road roundabout in Newport, South Wales. On 11 and 12 March 2022, you Ethan Strickland, and your co-defendants Joseph Jeremy, Lewis Aquilina, and Kyle Rasis were convicted by a jury at Newport Crown Court of a number offences arising out of the events of that day. You were convicted of Ryan's robbery but acquitted of any responsibility for Ryan's death.
2. On 13 April 2022, I sentenced your co-defendants who were found guilty of robbing and killing Ryan. Your sentencing was delayed until today so that I could hear submissions on your behalf from your Leading Counsel who was committed in another trial on 13 April 2022. I also needed to receive a pre-sentence report on you. I have received a detailed and helpful report from the Probation Service.
3. You are a young man, now aged 19 but just 18 at the date of the robbery. I have to sentence you for that offence today as well as two unrelated drugs offences, which it is agreed should be dealt with by me. I have earlier sentenced your co-defendant Noreen O'Driscoll in respect of the drugs.

4. I have received very helpful submissions from Prosecution Counsel Mr Wilson and Mr Elias QC and his junior Mr Broadstock. My attention has been drawn to the relevant provisions of the Sentencing Act 2020 (the 2020 Act) and material guideline concerning robbery and drugs offences, as well as the totality guideline.
5. At the sentencing of your co-defendants I heard the moving Victim Personal Statement from Lauren Flood, Ryan's sister in law, on behalf Ryan's family. I will not repeat those remarks but have them in mind. Ryan's loss has left a void in the lives of his family and friends which can never be filled.
6. I will begin by describing the facts leading to the robbery. Where I have made factual findings, they are based on the oral and written evidence provided to the jury and my findings are made on the basis that I am sure of the facts to the criminal standard.
7. On 10 June 2021, Mr Fiteni and Mr Aquilina collected you and Mr Jeremy from your house in Ely. You got into a Fiesta ST stolen earlier that day by Mr Fiteni and Mr Aquilina. Mr Rasis was already in the car. The group of the five of you then travelled towards Newport in the Fiesta.
8. At the time you entered the car, you, Mr Jeremy and Mr Rasis were each armed with horrendous-looking hunting knives. Four of those travelling in the stolen car, including you, had balaclavas. I am satisfied that the purpose of the trip as regards those including you who went armed and with balaclavas was to undertake some form of wrongdoing involving theft or robbery within Newport. This was not an innocent summer evening drive into a neighbouring city.
9. On arriving in Newport, the behaviour of those in the car was such that they were clearly looking around to rob someone. Their unfortunate victim was Ryan, a local man, who had just enjoyed a family meal and was walking home near to the Balfe Road roundabout. Ryan was wearing a Gucci manbag which contained a small amount of money, £40.00.
10. I turn to the murder on the roundabout. Despite the nearby presence of a police car, the driver of the Fiesta, Mr Aquilina and Mr Jeremy left the car and murdered and robbed Ryan. Your knife was not used and you remained in the

car. You did however take over the driving of the vehicle at some point when the group left Newport.

11. Following an extensive and dramatic car chase by the police, you and the other defendants were stopped. As I have said you were the driver in this chase. The police had to deploy a stinger and then two vehicles to ram the Fiesta to get it to stop. The dashcam footage from the police BMW chasing the defendants is terrifying and it is only by chance that you did not kill or injure anyone. Each of the defendants tried to run away from the car once it had been rammed by the police. As you ran from the car, you threw away a green-handled hunting knife. It was found by the police following the chase.
12. As I have stated earlier in the sentencing proceedings, I am satisfied that the jury found Mr Jeremy and Mr Aquilina guilty as principal offenders, as the persons who directly robbed and stabbed Ryan. They found Mr Rasis guilty of manslaughter on the basis that he encouraged or assisted them in this crime. The jury found that you and Mr Rasis were guilty of robbery on the basis that you encouraged or assisted the two principals in the robbery.
13. You now 19 years of age but you were 18 at the time Ryan was robbed and killed. I have, as cogently argued on your behalf by Mr Elias QC, given specific attention to your age in approaching your sentencing.
14. I find that although you did not supply a knife to the murderers, you provided assistance and encouragement to them as part of a plan to rob any unfortunate person who came to the group's attention. Your role was much less central than that of your co-defendants and I must recognise and reflect your acquittal in respect of the killing of Ryan.
15. As to the robbery, it was in my judgment a High Culpability Category 1 Harm robbery within the guideline. That is agreed by your Counsel. That offence has a starting point of 8 years with a range of 7-12 years. As I have said, you went armed with a knife and balaclava. Your particular conduct was not as serious as your co-defendants, and I accept your Counsel's submission that you provided little support in the joint venture, and you did not support any injury being caused to Ryan.
16. I find your conduct falls towards the lower end of the Category 1 range. I agree with your Counsel that the presence of a knife has already been taken into account in categorisation and cannot also be an aggravating factor.

17. As to mitigation, I give substantial weight to your troubled personal background and lack of maturity. The pre-sentence report has been particularly valuable in providing information to me in this regard. I have also considered the psychiatric report. You are a man who is easily led and required the assistance of an intermediary at trial. I accept that you were the most immature and naïve of the defendants. You also have no previous convictions.
18. Having regard to all these matters, I will impose a sentence of 8 years detention in a young offender institution in respect of the robbery count and this takes into account the drugs offences to which I now turn. They will be the subject of concurrent sentences.
19. As to those offences, at Cardiff Crown Court on 14 April 2022 before Mr Recorder Harrison, you entered guilty pleas to offences of Being Concerned in the Supply of Class A Controlled Drugs (between the 30/08/20-13/03/21) and Possession with Intent to Supply Class A Controlled Drugs (12/03/21). The pleas were tendered at the PTPH. You are entitled to 25% credit. I have already outlined the facts when dealing with Ms O'Driscoll's sentence.
20. So far as the Sentencing Guidelines are concerned, on the facts it is agreed that the case falls within 'Category 3/Significant Role', which has a starting point of 4 years and 6 months custody and a range of 3 years and 6 months to 7 years custody.
21. Bearing in mind your age, totality and the mitigation to which I have already referred, following trial I would have imposed a sentence of 2 years concurrent in respect of each of the drugs counts. With your guilty pleas that is reduced to 18 months concurrent. Those sentences will be concurrent to the robbery sentence.
22. So, the sentences imposed are as follows Mr Strickland. In respect of the robbery, I impose a sentence of 8 years' detention in a young offender institution. In respect of the drugs offences, I impose a sentences of 18 months in respect of each count, such sentences being concurrent to one another and concurrent with the robbery count.
23. Mr Strickland you will be released from custody two-thirds of the way through the 8 year sentence and the remainder of the sentence will be served on licence in the community. You must comply with all the conditions of your licence, failing which you will be at risk of recall to prison to serve the remainder of the term in custody.

24. I direct that time spent on remand will be deducted from your sentence.

25. A victim surcharge order will be drawn up. There will be forfeiture of the drugs and paraphernalia. I will adjourn POCA proceedings on the timetable identified by Mr Wilson for the Crown.