



JUDICIARY OF
ENGLAND AND WALES

IN NEWCASTLE CROWN COURT

Sentencing remarks of

The Honourable Mrs Justice Foster DBE

The Queen

-v-

Robert Askew

1. You may remain seated until I invite you to stand. Robert Askew you have been found guilty following trial of three offences committed on 24th April 2021. These were the Murder of David Teague, and the False Imprisonment and Assault of Chloe Richardson.

1.0 The facts

1.1 The murder of David Teague

2. David Teague was only 33 when he was brutally murdered by you, Robert Askew, a man he had thought of as his friend.
3. David Teague was the partner of an old friend of yours, Lisa. David and Lisa had been together for two years. She has described him as the love of her life. He also leaves three children behind him, his heart-broken mother, and siblings. In moving statements David's mother has spoken about the agony of burying the youngest child of the family, his oldest brother of David's kindness, his thorough gentleness and unwillingness to respond if others offered him violence. This brother, who has been coping for the family, believes they will never get over the loss. He gives examples of "the placid lad who just wanted to be friends with everyone" and speaks of the burden he will always carry because he felt unable to protect David from this awful death.

4. The phrase “brutally murdered” is an over-used cliché but in this case the words are all too apt. In the course of a number of hours during 24th April 2021 you, Robert Askew by your own, eventually unequivocal admission, inflicted upward of 60 injuries on David Teague with a machete and a kitchen knife and possibly other implements such as a pair of scissors.
5. I am sure of the following background which is relevant to all three offences of which you have been convicted.
6. The post mortem evidence and the evidence of Chloe Richardson, Lisa’s daughter, trapped and forced by you to witness the death, make it clear that your killing of David Teague was protracted and deliberately humiliating. You taunted him and threatened him, inflicting, as time went on, ever more serious wounds, reaching a point, when, on your own confession to the DART support worker in prison, you said **“Then I thought fuck it, so I stabbed him in the head.”** This was how you described your thoughts at the time. Indeed you agreed as much at an early stage of the case, only later, in the witness box, seeking to avoid the consequences of this and many other early partial admissions made by you.
7. You gave as a reason for the attack that you became concerned about the cannabis crop, which you grew in some quantity at your house. David mentioned it, and it worried you, you said. You scuffled. Even if true, this was no basis at all for any of the violence you meted out to him.
8. Your detailed interviews with the police, approximately 100 pages of which were before the jury, took place shortly after your arrest at the scene. I have read the transcripts carefully. They contrast markedly with the evidence you gave in Court when you were seeking to persuade the jury that a partial defence of diminished responsibility was available to you, alternatively that the prosecution could not show that you had not lost control. The jury rejected both partial defences. Your evidence to them was largely of a loss of memory, and that you “must have” lost control, whereas to the Police you recalled many details of what you did, and your purported reasons for it. You told the Police that you had hit David with the machete on his legs and arms, his head, and his knees, and you had hit him multiple times. You admitted you had used your feet against him. To the Police you said that afterwards you were going to hide the knives.
9. The effect of your brutality was inevitably to cause David Teague serious loss of blood. This was the likeliest cause of his death, together with the vomit he inhaled and his probable collapsed lung. After what I am sure was several hours of torment, these were the factors that killed him.
10. The post-mortem materials showing David Teague’s six broken ribs and extensive internal bruising make clear you also kicked and stamped on him.
11. In the run up to Saturday 24th April 2021 and on that day you voluntarily consumed alcohol, cocaine, and Amphetamines in significant quantity which produced in you a drug induced psychosis on April 24th. I am sure that you did swallow spoonfuls of

Amphetamines in the early hours of the morning of 24th April 2021 taken from a bag of the drug you brought to your friend's house. That, together with the Amphetamines taken in the 2½ days before the murder - as you confessed to Dr Stoddart - acted with the cocktail of other drugs and alcohol in your system. You took them well knowing that Amphetamines would seriously adversely affect your behaviour and very likely make you psychotic and violent. You knew this because that very thing had happened three times in the past as recorded in your medical records. The records show not only that each psychosis had precipitated an admission to a mental hospital, but also you expressly acknowledged you were well aware of the likely consequences of taking Amphetamines and you knew to avoid doing so for that reason.

12. You had spent much of the early hours of the morning with David Teague up the road in Esh Winning, at the home of Lisa. The plan after that was to go down to your house and pick up some speakers. David was with you and went down to your house as did Chloe. She had been ready to leave but saw your attitude change not long after arriving at your house - as soon as you had (at least one) line of Cocaine.
13. You stated Chloe was looking at you in a funny way; you accused her and David of having people in your house and making a fool of you. You claimed you saw shadows and images. You pushed David onto the couch. You had a long machete-type blade, picked up from somewhere in your dining room, and you walked into the kitchen coming out with a silver kitchen knife as well. You taunted David, jumping on him, at first without cutting him, then you drew the curtains shut, saying he would be chopped up by you. Thereafter you opened the curtains with words to the effect of **"Fuck it ... Everybody that walks past will ... see what I'm going to do to you."**
14. At points David cried out that he was being stabbed, he begged that an ambulance be called. He even offered at one stage to cover up your crime by pretending to the emergency services if they attended that he had had a motorbike accident. Eventually, he begged you just to finish him off and end his suffering.
15. Two friends of yours turned up at your house arriving towards 4 or 4.30 in the afternoon. On your own case the violence against David Teague had lasted since around lunchtime, David was probably at the point of death if not dead by this time. It follows your brutal attack had lasted for several hours. The striking bloodstaining evidence in the kitchen shows that, injured and bleeding profusely, David had tried to escape but he could not, because he was prevented by you.
16. When your two friends arrived and saw what you had done, I am sure, having heard Chloe's evidence, that one of them, not Craig Dixon, offered you a cover up plan, suggesting moving the body and disposing of evidence. To his credit, Craig Dixon made clear to you that that could not happen, that the right thing had to be done. The police and ambulance service were summoned.

1.2 The false imprisonment and assault of Chloe Richardson

17. Chloe was witness to all this brutality, describing how you stabbed David and slashed at his back and, not being able to bear watching, how she heard the cracking sound your attack made on his body. She saw you kick his head. When she remonstrated you said, chillingly, that your plan was not to kick his head off, but to chop it off and that when you did so, it would come her way, and hit her. You told Chloe to watch. She could not; she begged you to allow her to get him help. She saw David, after what seemed to her hours and hours of your chops and cuts at him, bleeding from his arms, legs, head and back. You threatened Chloe with similar extreme violence.
18. You took the door handle from the back door, which was broken, meaning neither could escape. You also had the door key. Chloe meanwhile had been pushed onto a chair and into the corner and you threw chairs towards her, so she was trapped, pushing a large table into her, pressing harder and harder when she tried to escape. Every time she tried to move, you warned, David would get another chop.
19. The emotional impact upon Chloe has been vividly recalled in a brave statement she has made to the Court, read on her behalf today.
20. Chloe went to reach for her mobile phone - which had no battery in it, disabled by you. You swung the machete at her to chop her hand, but she pulled her hand back. She recalled in her evidence the terrifying moment you jumped on the table with the machete cutting her leg. This action constitutes the offence of assault occasioning actual bodily harm of which you have also been convicted. You told her she was lucky it was just her leg.
21. Your friends found you with the machete in one hand and the kitchen knife in the other. Chloe, desperate to be released, was pulled out of your house through a small window. She was shocked and hysterical, and she ran away - scared that you might chop at her other leg.
22. Turning to the process of deciding upon appropriate sentences for you for each of these offences. I turn first to the count of Murder, but this factual background is relevant to all three of the charges and to their seriousness, and thus the appropriate sentences for each.

2.0 The sentences

2.1 Murder

2.1.1. Minimum term

23. The law prescribes a sentence of life imprisonment for the offence of Murder. That is the sentence I impose. It means that you will remain in prison now, and that you will continue to be liable to imprisonment for the rest of your life.
24. I am required to determine the minimum number of years you will serve before your release can be considered pursuant to S.321, S.322 and Schedule 21 to the Sentencing

Act 2020. I have taken into account the factors set out in determining the minimum term you will serve and the seriousness of the offence.

25. It is necessary to set the minimum term that must be served before you can be considered for release. You will not be entitled to release from prison during the minimum term. Once you have served that term you will not automatically be released. You may be released only on licence and only if and when the Parole Board is satisfied that it is safe to do so. If you are released then you will remain on licence for the rest of your life and you may be recalled to prison in the event that you breach the terms of your licence or commit any further offences.
26. I have read the Sentencing Notes from Prosecution and Defence counsel for which I am grateful, and for the statement from your sister: it is careful, loving, and supportive of you, whilst recognising your heinous crimes. I acknowledge your counsel's observations which were measured and realistic.
27. I have carefully considered the provisions of the Sentencing Code and paragraph 2 of Sch.21 reflecting the potential for a minimum term to be significantly increased in a case of torture, statutorily raising the general starting point well beyond 15 years. Although there are features of your attack on David Teague that reflect a deliberate prolongation of suffering, in my judgement, having regard to the relevant case law (*R v Bonmallie*, and *R v Boland and Tinsley*) this was not a case properly described as of wholly exceptional brutality. The appropriate starting point on this account is therefore 15 years under the Sentencing Code Sch.21 para.5.
28. I am satisfied that you did take the knife from the kitchen of your house to the dining room, but this is not a case of taking the weapon to the scene. I do not increase the starting point on account of the kitchen knife beyond 15 years.
29. Both the Prosecution and the Defence agree 15 years is the appropriate starting point.

2.1.2. Aggravation and Mitigation

30. The figure of 15 years is however only the starting point, I must bear in mind the features of the case that aggravate it and also any that may mitigate the offence.

Statutory aggravation

31. There are two potentially relevant statutory aggravating features namely:
 - a. The lengthy suffering inflicted on David Teague before his death as I have detailed above, see paragraph 9(c) of Schedule 21 of the Code. This is a very seriously aggravating feature of the murder.
 - b. The involvement of Chloe which falls under paragraph 9(e) being the use of duress or threats against another person to facilitate the commission of the offence - however this element is recognised in the separate offences charged against you.

Non-Statutory aggravation

32. There are further aggravating features which serve to increase the minimum term of your Murder life sentence.
- a. The weapons - use of a machete and a knife to assault the victim; they reflect the extreme violence you used to cause considerable suffering, over the time during which the injuries were inflicted.
 - b. Your intoxication - you were intoxicated through drink and drugs and in particular as I find, your voluntary consumption of Amphetamines knowing the likely consequences to you of significant violence, as illustrated by three occasions of detention under the Mental Health Act.
 - c. The fact that David Teague was vulnerable due to his own intoxicated state, of which you would have been aware.
 - d. Your previous convictions - you are currently 35 years old; you were 34 at the date of the offences. You have 57 previous convictions in respect of 119 offences. Many relate to intoxication and to drugs. None is as serious as the Murder and False Imprisonment here. You have both old and recent convictions for possession of weapons (a knife in 1999, crowbar in 2000, unknown weapons twice in 2015, knives in 2016 and 2019. There are a number of 5- or 6-year-old convictions for violence - including against police and emergency workers in 2020 and 2021). In my judgement those in respect of weapons including knives in 2016, 2019 and the 2020 and 2021 assault are relevant and aggravate this offence of Murder.
 - e. At the time of the commission of these offences you were subject to a Suspended Sentence Order of 12 weeks imprisonment suspended for 12 months imposed for Criminal damage and assault on an emergency worker on 11 January 2021 to both of which you pleaded guilty.
33. These features together constitute very significant aggravation.

Mitigation

34. There are features of you and your offending which I must consider in mitigation of the offence of Murder. First, it is plain you were a very troubled child. There is considerable evidence of worryingly disturbed aggressive behaviour from a young age and behavioural difficulties persisting through schooling. I accept, as Dr Stoddart set out, these early difficulties were the foundation of a significant childhood conduct disorder which has developed into an adult personality disorder. Your sister's statement is quite consistent with this.

Mental Condition

35. It is urged upon me, and I accept, that there is material from the two psychiatrists who gave evidence to the Court of a recognised mental disorder, namely borderline

personality disorder which, to a degree, but a very limited one, offers some mitigation to the offence of Murder. The mitigation is so limited because, in my assessment of the evidence, I am sure that in the course of your long ill-treatment of David Teague on 24th April your responsibility for his suffering was not perceptibly diminished or curtailed by any mental condition. Your cogency and clarity as reported by Chloe bears this out, as do your police interviews which evidence your ability to think rationally and coherently at material points in the course of the offending. Your description of your actions when speaking later to the various professionals is consistent with this.

36. I accept there is an element of your mental disorder that exacerbates your anger, but the evidence of the psychiatrists was unequivocal and consistent: that, if Chloe's evidence of your psychosis was reliable, it was your intake of Amphetamines that caused your behaviour on 24th April 2021; your behaviour on that day is not explained by any mental condition, it was voluntary intoxication. In the words of the psychiatrists: without the intake of Amphetamines you would not have behaved as you did. I am sure that is the case. The degree of mitigation is therefore small. I have considered the Guideline but do not accept your culpability was reduced by reason of your disorder.
37. For the same reason even though I accept it is proved that you experienced a psychotic episode, I am sure that you had regained the presence of mind to be very well aware of what you were doing to David Teague for much of the course of your long, vicious assault on him, yet you did not stop. You considered how the violence might end and chose to go on and kill him. You thought about concealing the weapons immediately after and engaged in a discussion about disposal or moving of the body at or shortly after the time of death. I am unable to accept, as urged by your Counsel, that your mental disabilities cast any meaningful doubt on the reality of your intention to kill. I accept that you have been shocked by your actions when faced with them, that however, is different.
38. I accept also that there is an element of remorse and some insight now into the gravity of your offending. I note that in respect of many of your previous convictions, you entered guilty pleas and in this case you accepted to the Court on the first day that you had inflicted the fatal wounds on David Teague - albeit in the face of overwhelming evidence. I do not disregard that. However, having seen you give evidence, I am clear some of the stated remorse was expressed for the purpose of seeking to secure some credit.
39. I take all of these matters into account. In my view the aggravating features greatly outweigh the mitigating features such that there must be a very substantial increase in the minimum term above the starting point of 15 years.
40. I will turn to the offences against Chloe before dealing with your final sentence.

2.2 False Imprisonment

41. There is no specific guideline from the Sentencing Council in respect of an offence of False Imprisonment so the framework for my consideration is the General Guideline Overarching Principles in accordance with s.59 of the Sentencing Act 2020.

42. The case of *R v Gibney* indicates the kinds of matters that are relevant when seeking, as the first step, to ascertain the culpability and harm attaching to offences of this type. But it is well-recognised that every factual scenario is different and must be carefully examined. For this reason, I have taken into account the facts of the attack as they are set out above.
43. Particular relevant factors here include:
- a. The length of time which Chloe was detained, which whilst not measuring beyond several hours, was not insignificant; she was released only when your friends appeared on the scene.
 - b. The circumstances of her detention again were not of the utmost severity but nonetheless, were painful, extremely frightening, and importantly, subject to the threat of severe physical aggression, followed-up by actual violence – missing her hand with a swipe of the machete (the later cutting of her leg is the subject of a separate offence and not taken as an aggravating factor here).
 - c. The effect on Chloe - she was hysterical and ran away once released.
 - d. Of their nature, these were very distressing events and must have been terrifying to her. Her lucid victim statement about the lasting effects upon her mental health underline their seriousness.
44. The context of the whole of Chloe’s imprisonment was the perpetration of the horrifying attack on David Teague, her mother’s partner. Both culpability and harm were high in my judgement. Even taking into account an element of impairment to your mental health, the aggravating features very strongly outweigh the mitigating factors.
45. There are no relevant previous convictions which relate to this offence.
46. This Count is a specified violent offence by virtue of Schedule 18 of the 2020 Act and the dangerousness provision might apply to you. It is not suggested in submissions that these provisions should apply to you in this context, and I do not apply them in this case. I have the benefit of a considerable body of up-to-date psychiatric evidence, both written and oral, about you and your history, no more is required for sentencing purposes. I do not take from that evidence that, on account of this particular offending, you pose a significant risk to members of the public occasioned by the commission of further specified offences. In any event, in the present context, the element of risk to the public will be catered for by the nature of the mandatory life sentence I must impose in respect of your conviction on the Count of Murder.
47. These observations apply equally to the section 47 offence to which I will now come.
48. Were I to be sentencing you for the offence of False Imprisonment alone I would sentence you to **6 years’ imprisonment**.

2.3 s47 Assault Occasioning Actual Bodily Harm

49. The maximum sentence on Count 3 is 5 years custody. Applying the Sentencing Council's Guideline, the Prosecution submit that the offence falls into category A for culpability given the use of a highly dangerous weapon, the machete, and category 1 for harm involving as it does serious physical injury and/or serious psychological harm with a substantial impact on your victim. I agree. The Defence do not dissent from that analysis.
50. The starting point for such an offence would be 2 years 6 months custody, with a range of between 1 year 6 months and 4 years custody. In this case, I take into account those features of the offence isolated above and reflect that the two recent previous offences with knives are of relevance in aggravating the assault, as are the recent offences of assault. Further, it is the case that the offence was committed whilst suffering the effects of voluntary intoxication.
51. You denied that you assaulted Chloe and, even having regard to your personality disorder, there is no significant mitigation for your offending, and in my view it does not impact your culpability. You attacked her because she was seeking to save David Teague from your attack, to alert the emergency services, and was trying to escape from the horror of your actions.
52. Were I to be sentencing you for this offence alone, it would attract **a sentence of 4 years' imprisonment.**

3.0 Overall Conclusions on Sentence

53. There are three separate offences of which you have been found guilty. They each arise out of the same set of circumstances and are very closely connected, although there are two different victims.
54. I must pass a total sentence which reflects all the offending behaviour, and which is just and proportionate. It is accordingly necessary to consider the principle of totality when I come to decide upon the sentences in this case, that is to say, as enjoined by the Sentencing Council Guideline on Totality.
55. I propose to fix a minimum term for the sentence in respect of Murder that appropriately reflects the whole of the offending and shorter, concurrent sentences in respect of the false imprisonment and the assault.

Please stand up Robert Askew,

- a. in respect of the Murder of David Teague I determine that, taking into account all the matters to which I have referred, the minimum term you will serve in custody before the Parole Board may consider your possible release is 24 years
- b. in respect of Count 2, False Imprisonment of Chloe Richardson, the sentence is 4 years' to be served concurrently
- c. in respect of count 3, Assault of Chloe Richardson, the sentence is 3 years' to be served concurrently.

56. The sentence is as follows: Robert Askew you are sentenced to life imprisonment with a minimum term of 24 years. From that period will be deducted the time spent on remand, namely 199 days.

57. In respect of the suspended sentence, in light of your subsequent convictions for offences committed during the operational period of the suspended sentence order, I make an activation Order under Schedule 16 paragraph 13 of the 2020 Act to the effect that the 12 months of that sentence be served concurrently with the sentence for Murder.

58. The appropriate Statutory Surcharge Order will be drafted.

59. The bayonet and the kitchen knife and the hammer head will be forfeited and will be destroyed.

You may go down now Mr Askew.

60. There are two matters to mention.

4.0 Other Matters

4.1 Craig Dixon

61. Firstly, it falls to me to mention the intervention of Craig Dixon on 24th April 2021. It warrants the Court's recognition. Notwithstanding his own difficulties, by entering the Defendant's property, calling the authorities, and attempting CPR, he acted commendably in circumstances. The Defendant remained armed and potentially dangerous, and the Defendant and another friend were proposing a contrary plan to dispose of evidence and David Teague's body.

62. You did the right thing Mr Dixon. Thank you.

4.2 Chloe Richardson

63. Lastly but very importantly I would like to pay tribute to the courage of Chloe Richardson who was forced to relive the events of 24 April 2021. She acquitted herself with poise and dignity. Thank you very much indeed. You ensured justice was done in this case Ms. Richardson.