



JUDICIARY OF
ENGLAND AND WALES

REGINA

-v-

TIERNAN DARNTON

Preston Crown Court

12 November 2021

Sentencing Remarks of Mrs Justice Yip DBE

1. Tiernan Darnton, you have been convicted of the murder of Mary Gregory, who died on 1 June 2018 following a house fire which you deliberately started at her home a few days earlier. She was 94 years old. You were aged 17 then and are now 21.
2. Mary Gregory was a much loved mother and grandmother. She remained remarkably independent for her age and lived alone in her own home. She did though have dementia and could be confused. Her death, and the circumstances of it, have devastated the family. You were not related to Mrs Gregory but you lived with her son, who treated you as a stepson, and had been welcomed into the family. You were entrusted with keys to her home and were able to visit when you pleased. Although you professed to have cared for her, on your own admission you behaved selfishly when there, regularly making a mess in her tidy home and causing her upset. On the day before the fire, you had argued and she was plainly annoyed by your presence.
3. Murder had been on your mind for some time. On your own evidence, you were fascinated by serial killers and their crimes. You had dark thoughts. Internet searches which you made before and after you killed Mrs Gregory paint a worrying picture. In April 2018, the month before the fire, you were searching “Under 18 murder” and “How long do murderers serve in prison?” In June 2018, the month after the fire, you searched “I think I might be turning into a serial killer, please help” and in July 2018 “Urge to kill again.”

4. Your opportunity to act on your dark thoughts came when your stepfather was away. In the early hours of 28 May 2018, you went to Mrs Gregory's home and deliberately started a fire in one of the bedrooms. Before doing that, I find that you had dismantled two smoke alarms, unplugged the telephone and placed a coffee table in front of the conservatory doors to impede Mrs Gregory's escape from the burning property. Other evidence of your planning is to be found in the detailed diagram you drew of her home.
5. It is hard to imagine, the horror Mrs Gregory must have felt when she realised her house was on fire and was filling with smoke. Neighbours heard her screams. Despite her frailty, she tried to get out, but she had been trapped. The Fire Service found her near to the conservatory doors, where you had blocked her exit. Her final days were spent in hospital. Quite understandably, her condition in those days continues to haunt those who loved her. The manner of her death was particularly cruel.
6. I reject the suggestion that you believed that murdering Mrs Gregory was an act of mercy. Although you told your friends that you did it to put her out of her misery, your own evidence revealed that you do not truly believe that. You acknowledged, as an aside, "that was a weird thing to say anyway because she died in a fire." I agree. No one could seriously think that trapping an elderly woman in a burning building was an act of mercy.
7. The selection of an elderly, confused lady, who happened to be a heavy smoker, as a victim to enact your murderous thoughts upon allowed you to initially get away with murder. The authorities concluded that this was a tragic accident, probably caused by a dropped or discarded cigarette. A year later, you revealed the truth to a counsellor. A few days earlier, you had searched for "mental health support for murderers." Your unburdening of the truth to the counsellor was plainly traumatic for her. Having done the right thing in going to the police, she has had to suffer the dishonest attempts by you and your stepfather, Chris Gregory, to portray her as a liar although she continued to look for the good in you. Although she detected guilt on your part, throughout the trial you displayed no hint of remorse whatsoever. Any thoughts of admitting what you had done and seeking help for whatever drove you to kill had completely dissipated by the time you were arrested. You were composed and calculating when giving your untruthful evidence to the jury.

8. There are plainly some complexities in your psychological makeup. I have read the report of Dr Matthew Appleyard, consultant forensic psychiatrist, dated 19 June 2021. It is now felt that you may be autistic. You have suffered from depression and anxiety. You found it difficult to fit in and were withdrawn from school at the age of 12, being home schooled until you went to college in 2017. The report states that there is no history of substance misuse, although in evidence you claimed to have had a drug problem and that appears to be supported by your medical records. It was noted that disturbing material had been found in your possession, including plans to stalk and attack women and a kill list containing the names of multiple people. There is no history of psychotic symptoms but you have complained of intrusive and distressing thoughts. There is no evidence of any formal thought disorder. Although not evident at trial, I accept that some of your internet searches suggest that, at times, you have had feelings of guilt or remorse over Mrs Gregory's murder. You have also had suicidal thoughts. In short, while there is nothing to suggest a mental disorder which could be viewed as lowering your culpability, it appears that you have struggled with your mental health and have found it difficult to make sense of your thoughts and emotions.
9. You are still young. You had not reached adulthood when you committed this offence. The law recognises that crimes committed by children and young persons should be viewed in a different light to similar crimes committed by adults. I have your age at the time of the offence firmly in mind.
10. There is only one sentence that the law allows to be passed for murder: that is a mandatory life sentence. For an offender who commits murder when under the age of 18, this is expressed as detention at Her Majesty's Pleasure. That is the sentence I shall pass but I must also determine the minimum term that you must serve before you can be considered for release. So that there is no misunderstanding, setting the minimum term is not the same as stating when you will be released. After you have served the minimum period, you can only be released if and when the Parole Board consider that it is no longer necessary for the protection of the public for you to be detained. If you are released, you will remain on licence for the remainder of your life.
11. Parliament has decided that the starting point for the minimum term for an offender under the age of 18 is 12 years, as set out in Schedule 21 to the Sentencing Act 2020. However, the starting point is not the end point. I must consider the aggravating and

mitigating factors present in this case in order to determine the appropriate minimum term.

12. As I have indicated, you had been thinking about murder for some time. I am satisfied that you intended to kill. The plan of Mrs Gregory's property, the internet searches and the actions you took on the night of the fire all point to a significant degree of planning and premeditation. There is no doubt that Mrs Gregory was a particularly vulnerable victim. There was some abuse of trust in that you were entrusted with access to her home, where she should have been safe and secure, although I will avoid overstating the extent to which you were in a position of trust. I consider that the manner in which Mrs Gregory was killed, being trapped in a fire, did cause her real mental anguish and unsurprisingly caused real physical suffering in the days before she succumbed.
13. Having rejected the suggestion that you believed that killing Mrs Gregory was an act of mercy, I find none of the statutory mitigating factors are present, other than your young age, which is taken into account in the starting point that applies.
14. More generally, your previous good character and your mental health issues offer some mitigation. I acknowledge that the prison environment is likely to be particularly challenging for you.
15. It is apparent that the aggravating factors in this case outweigh the mitigation which is available to you and that will be reflected in the minimum term I impose. Your internet searches, suggesting an urge to kill again and concern about becoming a serial killer, and the materials found in your possession are worrying, but I remind myself that my role is to sentence only for the crime you have committed. In due course, it will be for others to assess whether you can overcome whatever it is that drove your desire to kill. It will be the role of the Parole Board to ensure that you are not released unless and until you no longer present a danger to the public.

The sentence

16. Tiernan Darnton, for the murder of Mary Gregory, you will be detained at Her Majesty's Pleasure. You must serve a minimum of 15 years, less the 248 days you have been remanded in custody. That is the least amount of time you will be in custody. After that time, you will only be released if, and when, the Parole Board decide you are not a danger. If you are released, you will be on licence for the rest of your life.

17. The appropriate statutory surcharge will be applied.