



Regina

v.

Paul FITZGERALD

Sentencing Remarks

1. Paul Fitzgerald, the jury have found you guilty of the murder of Richard Huckle, a fellow inmate in HMP Full Sutton, on Sunday 13 October 2019.
2. You are a psychopath and you derive pleasure from fantasising about raping, torturing, killing and even eating others. On this occasion you derived pleasure from acting out your fantasies. You went into Mr Huckle's cell armed with makeshift weapons, a ligature, bandages and other items for gagging and binding Mr Huckle. You intended to rape and kill Mr Huckle and, if possible, to cook parts of him and eat them.
3. You did this for your own pleasure and also to inflict what you called "poetic justice" on a convicted paedophile. You also wanted to draw attention to your mental health issues and to secure a transfer to a close supervision centre. You have revelled in the attention which you received as a result of the killing.
4. You did not just kill Richard Huckle. You bound his arms and feet and gagged him. You raped him. You penetrated his anus with the handle of a kitchen spoon, perforating his rectum. You strangled him, using so much force that your hands still require treatment. You smashed his face onto the floor 6 or 7 times. You punched him. You broke his jaw. You stabbed him in the neck. You inserted a home-made weapon up his nostril so that it penetrated the bone and went over three inches into his brain.
5. This went on for over an hour and a quarter, at the end of which Mr Huckle was either dead or dying. Describing the events afterwards, you said, "I got carried away by how much fun I was having doing what I was doing to him."

6. I have to impose a sentence of life imprisonment. However, I also have to decide the minimum term which you will serve before you are eligible to be considered for release by the Parole Board.
7. It is important that you, and everyone concerned with this case, should understand what a minimum term means. A minimum term is not a fixed term after which you will automatically be released. It is the minimum time which you will spend in custody before your case can be considered by the Parole Board. It will then be for the Parole Board to say whether or not you will be released. If they do not, you will remain in custody.
8. If and when you are released, you will still be subject to licence. This will remain the case for the rest of your life. If for any reason your licence were to be revoked, you would be recalled to prison to continue to serve your life sentence in custody.
9. The seriousness of your offence is particularly high, because it involved sadistic conduct. The law says that the starting point is a minimum term of 30 years. I have to consider whether I should adjust that figure up or down, so I have to consider all of the aggravating and mitigating factors.
10. The aggravating factors are the significant degree of planning involved, the mental and physical suffering inflicted on Mr Huckle before his death, the fact that the murder involved sexual activity, namely the rape and the penetration with the spoon handle, the fact that the offence was committed inside a prison, the fact that you were taking the law into your own hands and your criminal record, which includes violent and sexual offences, although nothing approaching the seriousness of the present offence.
11. You have convictions for:
 - (1) indecent assaults committed in 2004 and 2006, when you were 13 and 15 respectively;
 - (2) battery and criminal damage committed in 2007, when you were 16;
 - (3) assault occasioning actual bodily harm, which was committed in 2008, when you were 18, with intent to commit a sexual offence and while in possession of an offensive weapon, a metal fork, in a public place and in breach of a sexual offences prevention order; and
 - (4) false imprisonment, committed in 2016, when you were 25. This last offence was also committed in a prison cell, where you attacked, detained and threatened to stab a female prison officer.
12. There is only one mitigating factor, namely your mental health and, specifically, your psychopathy and, overlapping with that, your anti-social personality disorder, both of which appear to have been the product of the physical and sexual abuse which you experienced as a child. Those conditions constitute a mitigating factor insofar as they lowered your culpability. Your gender identity disorder and features of emotionally unstable personality disorder were not relevant to your offending.
13. I will make a small reduction to the sentence which I would otherwise have imposed in the light of your mental health conditions, because they were the source of the urge to

kill which motivated you, but I am sure that you could have resisted that urge if you had chosen to do so, just as you have resisted it for the whole of your adult life.

14. Your claim that you were alerting prison officers to your urges in order to enlist help in resisting them does not sit well with your evidence that you did not tell the prison officers that Mr Huckle was your intended victim, because you knew that, if you did that, they would stop you. I am sure that you made a conscious and deliberate decision to kill Mr Huckle. As you yourself said in the days after the murder, you committed murder in cold blood.
15. I have taken account of all of the aspects of your offending, while seeking to impose a minimum term which is no more than is just and proportionate.
16. I have also taken account of the fact that you have not spent any time in custody on remand because you are currently serving another sentence.
17. I have to make an order that you pay a victim surcharge. The order will be drawn up in the appropriate amount.
18. Paul Fitzgerald, I impose on you a sentence of life imprisonment.
19. I fix the minimum term which you will serve in custody at 34 years.

Mr Justice Lavender

24 November 2020