

R. v. TAYE FRANCIS

SENTENCING REMARKS

1. On Wednesday 10<sup>th</sup> November you were convicted by a jury of the murder of Khloemae Loy and I must now sentence you.
2. Whilst staying at the Premier Inn in Greenwich on 5<sup>th</sup> July 2020 you stabbed Khloemae to the neck causing a perforating incised wound. You called the emergency services and they responded with some speed but despite all their efforts, she was in cardiac arrest on their arrival and there was little they could do as a result of significant blood loss. Khloemae was pronounced life extinct at 10:22 that morning. She was just 23 years of age.
3. You had been in a relationship with Khloemae for some years. She was 18 when she first met you and it is clear from the statements of her parents that they were concerned about you, your influence on their daughter, and what might happen to her. She had been subjected to violence from you in the past, but despite that the relationship continued.
4. Khloemae's parents have written a victim impact statement. They say this:

*She is missed by her family and friends. We all miss her bubbly personality, she was always the life and soul of the party and she always tried to see the best in everyone. She was like our little china doll. At the age of twenty-three Khloemae had already endured five years of suffering at the hands of Taye Francis when all she did was seek love and commitment from him.*

*Even though Khloemae is no longer here with us she still exists. Taye has taken Khloemae's life but in doing so he has also ruined ours. We no longer have her around. We cannot experience her love and happiness. At twenty-three she never really got to experience life. She didn't get the opportunity to settle down into a comfortable home, she was constantly moving around with him. She didn't get the chance to get engaged, get married or have a baby; experiences that others take for granted. We as her family and friends don't get to share these experiences with her. We should have been helping her to plan her wedding and looking forward to becoming grandparents but instead we have had to plan and arrange her funeral.*

5. At the start of the trial you pleaded guilty to manslaughter and the jury had to consider your partial defence of diminished responsibility. As their verdict shows, they did not accept that defence.
6. It is obvious from the evidence in this case that you have misused or abused steroids over a lengthy period. Four vials of various steroids were found in your possessions along with a large quantity of syringes and hypodermic needles. You have been examined by expert forensic psychiatrists. They agreed that you are someone who suffered from a

severe personality disorder and from the effects of the harmful use of steroids. They agreed that you were paranoid at the time of the killing. Dr Blackwood's clear opinion was that your voluntary consumption of steroids had brought about your paranoid state.

7. In the period from May 2020 leading up to the killing there were a number of troubling signs about your conduct. In my judgment it is clear that searches you conducted on the internet show you were aware of the impact of taking steroids. Many may find it puzzling that the use of steroids is not illegal and yet the supply is. You kept a record on your mobile phone of taking steroids on a regular basis through 2019 and into 2020. Other entries on your phone show you acquiring steroids. Whilst this may have provided you with a physique you desired, it clearly had other impacts on you.

Sentence for murder.

8. In relation to murder, Parliament has said that the sentence for murder must be one of life imprisonment for those aged 21 or over at the date of conviction, and you will receive a sentence of imprisonment for life. The issue for me is the minimum term you must serve before you are first considered for release.
9. When it comes to the minimum term that you will serve, I make plain that I am not ordering that you are to be released at the end of it. Whether you will be released or not at that stage, at any later stage or at all will be a matter for the Parole Board to consider. Only when the minimum term has been served can the Parole Board decide whether it is safe to release

you or not. If the Board does release you, then you will remain on licence and liable to recall for the rest of your life.

10. Having considered the provisions of schedule 21 of the Sentencing Act 2020, and in particular paragraphs 4 and 5, the appropriate initial start point for the minimum term in this case is one of 15 years. I have considered whether the case comes within paragraph 4, but it seems to me that on the facts as set out, the hotel room where you were staying had, in effect, become a temporary home. This is illustrated by the fact that, other than items in storage, you had many possessions with you including a set of knives.

11. Having chosen that initial start point and considering the aggravating and mitigating factors, in my judgment this is a case where the victim was particularly vulnerable due to her age although I accept she was in her 20s, and in the light of other violence to women, I need to be careful not to double-count. With mitigating factors, I accept there was a lack of premeditation, however, there was, on the evidence an intention to kill rather than to cause serious bodily harm. I also accept that on the evidence, at the time you suffered from a mental disorder which lowered the degree of your culpability. Both the psychiatrists in this case agreed that you were suffering from psychosis at the relevant time. I also accept that in relation to non-statutory mitigating features, some allowance should be made for the fact that you made repeated efforts to try and secure treatment for your mental state.

12. As paragraph 11 of schedule 21 makes clear, nothing in the schedule restricts the application of s.65 the Sentencing Act 2020: in essence the impact of relevant previous convictions. As Mr Moloney concedes, your antecedents for violence against women in general, and Ms Loy in

particular, comprise an aggravating feature of the case. In my judgment your antecedent history is an hugely significant aggravating feature of this case.

13. There are convictions recorded against you going back to 1998. The most significant convictions are for rape and kidnap in 2002, when you were sentenced to 6 years' detention, battery and other assaults in 2009 and 2012, common assault in 2014, and assault occasioning actual bodily harm in 2017.
14. Looking at the facts of just a few of these offences they paint a very bleak picture. In 2002, the convictions for rape, kidnap and possession of a bladed article relate to an incident in January 2001 when the victim, an ex- girlfriend, was abducted on her lunch break, forced onto a train where she was raped in the toilet, then taken to an address where she was raped again.
15. In April 2015, there is an offence of criminal damage during a domestic incident with another ex-partner. You threatened to kill this former partner with a knife unless she handed over her mobile phone. She handed it over, you deleted threatening messages you had sent her and then bent the phone, throwing it on the floor and causing damage.
16. The conviction from November 2017 dates back to an offence in January 2016 on a further ex-partner. You told the police you had killed your girlfriend leading to a high-risk missing person search. She was found at Princess Royal Hospital where she had attended for treatment following an assault by you causing bruising to her neck, back and left wrist. You pleaded guilty to common assault and, in due course were made subject to a conditional discharge for 18 months.

17. There is a conviction from March 2017 that relates to an incident on 2<sup>nd</sup> February 2017 when you assaulted Khloemae and threw her in a wheelie bin. This was witnessed by a member of the public who called the police. In the course of the trial before me some body-worn footage was played that showed a police officer seeking to take a first account from Khloemae about this incident. Khloemae has an injury to the back of her head and is clearly very frightened of being caught by you talking to the police. You were convicted of assault occasioning actual bodily harm in relation to this incident and sentenced to a term of imprisonment for 20 weeks and made subject to a restraining order preventing you from contacting Khloemae.

18. In the months leading to the death of Khloemae there were a number of incidents where the police were called out as a result of members of the public being concerned about acts of aggression by you towards Khloemae.

19. A document has been compiled from police and other records, setting out in summary form a series of incidents where you came into contact with the police over many years, including where no action was taken, where proceedings were discontinued, and where there proceedings and you were acquitted or convicted. This document runs to some 50 pages and covers in the region of 100 incidents. What this demonstrates very clearly is your violent and controlling behaviour in respect of Khloemae. It also shows violent and controlling behaviour in respect of previous partners, convictions and other violent and aggressive behaviour witnessed by police officers, and occasions where you have been in possession of knives or has claimed to be in possession of knives. There

are also clear examples of paranoid behaviour witnessed by police officers and others. In my judgment all of this behaviour has a significant impact on the appropriate start point for the minimum term in this case.

20. In mitigation on your behalf, Mr Moloney submits that allowance should be made for the mitigating factors set out in his helpful note for sentence. I agree with him on that points he raises.

21. Allowing for the aggravating features identified and allowing for the mitigating features identified, there must be a significant uplift from the initial start point I identified. The aggravating features take the minimum term to 26 years and allowing for the mitigating features identified, there will be a sentence of imprisonment for life with a minimum term of 23 years'. That minimum term will be less the 506 days that you have been on remand. A life sentence of imprisonment with a minimum term of 23 years' less the 506 days.

22. I repeat what I stated earlier that when it comes to the minimum term that you will serve, I am not ordering that you are to be released at the end of it. Whether you will be released or not at that stage, at any later stage or indeed at all, will be a matter for the Parole Board to consider. Only when the minimum term has been served can the Parole Board decide whether it is safe to release you or not. As set out above there are many deeply troubling aspects about you and your behaviour and it may well be the case that it will never be safe to release you. Even if the Board does

release you, you will remain on licence and liable to recall for the rest of your life

23.If the statutory surcharge applies to your cases, then the appropriate orders can be drawn up.

The Recorder of London  
His Honour Judge Mark Lucraft QC  
Central Criminal Court,  
London EC4M 7EH  
December 6<sup>th</sup> 2021.