

IN THE CROWN COURT AT NEWCASTLE R v David BOYD

SENTENCING REMARKS

The Honourable Mrs Justice Lambert DBE

23 May 2023

- 1. At 9.43 pm on 7 October 1992, Mrs Doreen Graham saw 7 year old Nikki Allan sitting on the wall between the bus shelter and the Boars Head Pub in High Street East, Hendon, Sunderland. Nikki told Mrs Graham that she was waiting for her mother. The timing of that encounter can be identified with some precision because Mrs Graham had just stepped off the number 13 bus which was known to have arrived at that bus stop at 9.43 pm, give or take a minute.
- 2. You must have been close by when that encounter took place. By 9.51pm (another timing which can be identified with precision) you were seen with Nikki outside the MacFish factory on the Lower High Street in Hendon. You were striding ahead whilst Nikki trotted behind you trying to keep pace with you. It would have taken about three to four minutes for you and Nikki Allan to walk from the bus stop to the MacFish factory.
- 3. You were leading Nikki to the grounds of the Old Exchange Building on Low Road: a derelict building surrounded by a walled area of rough scrubland. You took Nikki into that rough ground where you sexually assaulted her, or at least attempted to do so. Nikki was heard screaming at around 10pm by Mrs Osborne who was in her flat overlooking High Street East. You struck Nikki across the face causing her lip to bleed. You did this to shut her up. Before or after this, there must have been some sort of struggle between you as Nikki's anorak came off and she lost both of her shoes.
- 4. From the moment of her screaming, Nikki's fate was sealed. You decided to kill her to silence her and prevent her from telling anyone that you had sexually assaulted her, or had attempted to do so. You hoisted Nikki up the six or so feet necessary to reach the window and pushed her through a gap in the boarding into the derelict Old Exchange Building.
- 5. Inside, the building was pitch black. The windows were boarded up, save for the one missing board leaving a gap through which Nikki had been pushed but in any event it was

late in the evening of an October night. Once inside, Nikki must have been petrified. It would not have taken the seven year old long to appreciate that she was trapped in that cold and dark building and that you were coming through the window to get her. The forensic scientist told the jury that the site of the fatal assault was as far away from the window as Nikki could have got on the ground floor, that is the far wall of the furthest room. No doubt this is where she ran to in order to get as far away as possible from you. Her fear as she saw you lurching towards her in the dark is unimaginable.

- 6. You found her standing or sitting against that far wall. It was there that you struck her head at least twice with a brick fracturing Nikki's skull into several pieces. Although not necessarily immediately fatal those blows to the head are likely to have rendered her unconscious. You then stabbed her naked chest and upper body with the knife which you had brought with you. It was a frenzied attack during which you stabbed her 37 times. Many of the stabs were inflicted through the same stab wound. The knife was described by the pathologist Dr Cooper as having a tapering blade of around 10 cms long. You pushed the blade into her chest and organs to its fullest extent so that her body bore the marks of the hilt of the knife. Having killed her, you then dragged Nikki Allan by her ankles down the staircase into the cellar of the Old Exchange Building, her head bouncing from stair to stair leaving traces of blood and fibres on the risers. You dragged her into the far corner of the furthest room and left her, no doubt hoping that her body would remain undiscovered.
- 7. Your hope that Nikki would not be discovered did not take into account the extent of the concern that Nikki's disappearance provoked in the tight-knit community of the Garths, the complex of tenement flats where Nikki and her family lived. A large number of Nikki's family, friends and neighbours set about searching for her. Nikki's body was discovered in the basement of the Old Exchange Building only the next morning by a local teenager.
- 8. In the police investigation which followed the murder you were interviewed by police officers conducting house to house inquiries. You later gave a witness statement in which you said that you had seen Nikki playing in Wear Garth earlier that evening. You told the police that you had been out getting fish and chips between 9.30 and 10pm that evening, so giving yourself a neat but wholly false alibi for the time of the murder.
- 9. In 1993 an innocent man, George Heron, was tried and acquitted of Nikki Allan's murder at Leeds Crown Court.
- 10. As the years passed by and you got on with your life, you must have thought often about Nikki's murder. You must have thought, no doubt with some satisfaction and relief that you had got away with it.
- 11. However, the science of DNA analysis was advancing. New developments led the police to identify traces of Y STR DNA which matched your profile on the tee shirt and leggings that Nikki was wearing on the night she was murdered. Whilst not as specific as autosomal DNA, the Y STR DNA profile was nonetheless discriminating. Mr Chapman, the forensic scientist who gave evidence before this jury accepted that the Y STR DNA profile found on Nikki's clothing was not necessarily unique to you. It would have been shared by any

male relative of yours - but the police investigation effectively ruled out the possibility of another male relative being in the Sunderland area in October 1992. Mr Chapman also accepted that your Y STR profile might be shared, coincidentally, by other males. The chances of the coincidental sharing may have been in the order of 1: 28,000. But the jury had to consider what chance there was of an unrelated man coincidentally sharing your Y STR DNA profile living within your local community and who knew Nikki Allan sufficiently well to be able to lure her away from the Garth late at night and who also knew the Old Exchange Building so well that they were able to navigate their way round in the dark. The DNA evidence was powerful evidence against you. A review of other witness evidence demonstrated inconsistencies in the accounts which you had given the police and showed that the alibi which you had given yourself in your police statement had been false. This led to your arrest and charge.

- 12. The discovery of Nikki's dead body and the long search for her killer has shocked and bewildered this community for the past 31 years. The long search for Nikki Allan's killer culminated in your conviction for the murder of Nikki Allan on 12 May 2023.
- 13. Nikki Allan was loved. She was loved by her mother, whose moving statement of loss and sadness has been read to the court this morning by Mr Wright KC. She was loved by her father whose life was changed by the events of 7 October 1992. She left a hole in her family and in the community in which she lived.
- 14. I now sentence you for her murder. There is only one sentence which I can impose for the crime of murder and that is one of life imprisonment. I must however go on to consider whether to make a whole life order or to make a minimum term order that is a minimum term which you must serve before consideration is given by the Parole Board to your release. I must have regard to the general principles set out in Schedule 21 of the Sentencing Act 2020 when deciding whether to impose a whole life term or when fixing the minimum term which you must serve.
- 15. Your offence was committed before 18 December 2003. This makes a significant difference to the approach which I must take to sentence. Paragraph 12 to the Schedule 21 of the Sentencing Act 2020 requires me to have regard to, and to apply, the practice which would have been followed by the Secretary of State before December 2002 in respect of the term to be served in prison. The law prevents me from making an order which is greater than that which would have been imposed had you been convicted before December 2003. This principle, which I must follow, should be clearly understood. I emphasise it at this stage because, as will become apparent, minimum terms to be served before consideration is given to release on licence were in the 1990s and early 2000s, much shorter than would be ordered today, in 2023.
- 16. In deciding whether to impose a minimum term and, if so, the length of that term before any release on licence I am required to: first, assess the term to be served by reference to the contemporary principles set out in Schedule 21 Sentencing Act 2020. I must then identify the length of that minimum term before any release on licence as would have been determined by the Secretary of State before December 2002 by applying the relevant

Practice Directions and other guidance available. If the minimum term to be served would have been shorter before December 2002, then I must apply that shorter term.

Relevant Findings of Fact

- 17. I start therefore by considering the appropriate term which you must serve by reference to Schedule 21 of the Sentencing Act 2020. In this context, I make the following findings of which I am sure having been the trial judge.
 - a. You lured Nikki Allan away from the relative safety of the Garths by telling her lies. Only you know what you said to her to cause her to leave the Garths with you shortly before 10pm on 7 October 1992 but somehow you tricked her into going with you in the opposite direction to her home and on a cold and dark night. You did not use force. A witness saw you both on your way to the Old Exchange Building, you were leading the way and Nikki was skipping along after you. The impression of that witness was that you were father and daughter. You did not need to use force because Nikki knew you and trusted you. The jury heard evidence that Nikki was shy and clingy to her mother, not a child who would have been inclined to go off with a stranger. But you knew Nikki's family and they knew you. Your girlfriend had sometimes babysat for Nikki and her sister.
 - b. Your purpose in luring Nikki away to the Old Exchange Building was sexual. You intended to sexually assault Nikki, either in the grounds of the Old Exchange Building or in the building itself. You were aged 25 at the time and Nikki was 7 years old. There could have been no benign reason for your wishing to trick Nikki into going with you to an isolated derelict building. Using common sense, there could be no other reason for you luring her away as you did for anything other than a sexual reason. My confidence in this conclusion is fortified by my knowledge of your history of convictions for offences of indecency towards children of Nikki's age and by your admission to the probation worker in March 2000 that in your early 20s you were sexually interested in children of Nikki's age.
 - c. Nikki did not submit to the sexual assault or attempted sexual assault. She must have resisted and during the struggle her anorak and shoes came off. She screamed and you struck her in order to silence her. From this point forward her fate was sealed. You murdered her, intending to kill her, in order that she would not tell anyone about what you had done or had tried to do to her. You pushed her into the deserted and derelict building and then went in after her. Having struck Nikki over the head at least twice with a brick, fracturing her skull, you then stabbed her chest with the knife, either a kitchen knife or a pen knife, which you had taken with you.
 - d. Your attack was brutal. You stabbed Nikki's chest and abdomen on 37 occasions. The stab wounds were deep many penetrating more than one internal organ. The tee shirt which Nikki was wearing bore no holes, indicating that the tee shirt had been raised above her abdomen when you stabbed her. I cannot be

sure that you deliberately and intentionally raised her top rather than it having become rucked up under her arm pits during the struggle. I am not therefore sure that the act of stabbing Nikki's naked chest had an overtly sexual element to it.

- e. You caused Nikki great mental suffering in the minutes before her loss of consciousness. After you pushed her into the Old Exchange Building, she must have quickly known that you were coming after her to hurt her and that there was nowhere for her to hide. She was in a cold, pitch black building. Her terror at what was to befall her as you stalked her in that building is unimaginable.
- f. You then took steps to conceal what you had done. You did your best to hide Nikki's body by dragging her down into the dark cellar where you dumped her in the far corner of the room furthest away from the staircase. No one would have been likely to have found her body had they not been looking for it in the cellar with a decent torch. You then covered yourself by giving false information to the police. You provided yourself with a neat, but false, alibi claiming to have been away from the Garths getting fish and chips for a friend at the time when Nikki was killed.
- 18. You are now 55 years old. When you committed this murder you were 23 years old. You have appeared before the courts on 22 occasions for 45 offences. The majority of your offending has been acquisitive but your sexual attraction to 7 year old Nikki Allan was not an isolated incident. In October 1986 you had been found to have breached the peace when you had approached a group of little girls between 8 and 10 years old. You took hold of one girl by the arm and asked to kiss her. You told the children not to tell anyone. In March 2000, so 8 years after your killing of Nikki Allan, you were convicted of an indecent assault upon a female under 14 years. Two girls, aged 9 and 12 were playing in a park. You approached the girls and took hold of the shoulder of one of them. You told her not to scream. You asked the other whether she had knickers on. You then took hold of the front of her clothing and placed your hand between her legs touching her vagina over her clothing. In connection with this offence you were interviewed by a probation officer when you admitted that when he had been approximately 22 years old you had started to fantasise about both adults and children in particular young girls. You told her that you would think about young girls being naked and what it would be like to touch their body and have sexual intercourse with them.
- 19. It is against this background that I address the first issue which I must consider under Schedule 21 Sentencing Act 2020.

Whole Life Order.

20. Paragraph 2 of Schedule 21 provides for a starting point of a whole life term in cases of exceptionally high seriousness. Paragraph 2(2) provides that cases which would normally fall within this category of exceptionally high seriousness include at (b) the murder of a child if it involves the abduction of the child or it involves sexual motivation.

- 21. In this case the Crown does not submit that Nikki was abducted by force. As I have said, she was seen by witnesses apparently skipping behind you in order to catch you up. But undoubtedly you tricked Nikki by lying to her about something or other. You took advantage of her young age and naivety and of the fact that she knew you and trusted you as a friend of the family. I agree with Mr Wright that even though no physical abduction took place, your use of deception to lure Nikki to the Old Exchange Building approximates to the abduction scenario.
- 22. The killing did not involve sexual motivation. I find no evidence that you were sexually thrilled by the killing. But the whole purpose of your tricking Nikki to go to the derelict building was, I have found, in order to assault her sexually.
- 23. The presence of these factors in conjunction with other factors which I have identified in my findings of fact have caused me to reflect carefully upon whether this is one of those exceptional cases in which a whole life order should be imposed.
- 24. Mr Wright does not urge that course upon me and, on reflection, rightly so. Recent guidance from the Court of Appeal reminds judges that whole life orders should be imposed only where the facts of the case, considered as a whole, will leave the judge in no doubt that the offender must be kept in prison for the rest of his/her life. It is a sentence of last resort for cases of the most extreme gravity and one reserved for a few exceptionally serious cases. Given this perspective, whilst undoubtedly a murder which will horrify all of those who hear or read about it, I am not able to come to the sure and confident conclusion that the imposition of a whole life term is appropriate.

Minimum term

- 25. I am however wholly satisfied that the murder of Nikki Allan was one of particularly high seriousness as envisaged by paragraph 3 of Schedule 21 and that the correct starting point for the minimum term to be served is one of 30 years.
- 26. Paragraph 3 of Schedule 21 sets out a list of features which, if present, would normally lead to the conclusion that the murder falls into the category of "particularly high seriousness." It is a non-exhaustive list of examples only. The real question for me is whether, reflecting on the types of conduct referred to in those statutory examples, I am satisfied that there exist features of your murder of Nikki Allan which justify that description of Nikki's murder as one of particularly high seriousness. I am entirely satisfied that those features do exist.
- 27. I have already stated my conclusion that, whilst you did not physically abduct Nikki Allan, what you did by tricking a trusting 7 year girl into going with you to the Old Exchange Building was very close to such a scenario. That factor it seems to me is one which I can and should take into account when considering the seriousness of the murder.
- 28. I also take into account that your purpose in luring Nikki away from the Garths was to sexually assault her and that this is what you did, or at least tried to do, when in that scrubland around the building. One of the examples of factors which would normally

justify the inclusion of the murder within the classification of particular seriousness is that the murder involved sexual conduct. That, I find, was not present in this case. I cannot be sure that you deliberately lifted Nikki's tee shirt up so as to expose her chest and/or that there was sexual conduct involved in the murder. However, the facts of Nikki's murder come very close indeed to involving sexual conduct in that your purpose in luring her away was sexual and I have found that you did sexually assault her or attempt to do so outside the Building. This it seems to me is a factor which I should take into account when considering the starting point for the minimum term which you should serve.

- 29. Finally, I take into account your purpose in killing Nikki: to prevent her telling anyone about what you had done. This does not come within the description of a murder "to obstruct or interfere with the course of justice" as stated in paragraph 3(2). No course of justice had been set in motion by the time that you killed Nikki. But nonetheless it appears to me that the purpose of your killing Nikki is a factor which I can take into account, albeit to a very modest degree only, when considering the starting point for the minimum term.
- 30. The presence therefore of these three features drive me to the inescapable conclusion that your murder must be categorised as one of particular seriousness. Each of the features which I have identified approximate to the statutory examples in paragraph 3(2). Mr Pitter KC urges me not to reach this conclusion on the basis that I cannot be sure that the murder bears any of the features which are set out in paragraph 3(2). But he poses the wrong question of the Court. The question is not whether the facts of any murder can be shoehorned into one of the examples in paragraph 3(2) but whether, taking the range of examples into account, I can be sure that the murder is properly described as one of particular seriousness.
- 31. From that starting point of 30 years, I then consider the aggravating factors. There are many. Mr Pitter urges me to avoid the double counting of these aggravating factors and I agree with the need for caution in this regard. I accept, for example, that the use of two weapons overlaps with the vicious nature of your attack upon Nikki. However, viewed cumulatively and guarding against double counting, the aggravating factors justify a very significant increase from the starting point of 30 years. The aggravating factors are as follow:
 - a. The mental and physical suffering which Nikki Allan experienced before you killed her. It bears repetition. I take into account here that period of mental suffering which she must have experienced after you had pushed her into the derelict building. She must have quickly known she was trapped. She must have quickly known that you were coming after her to hurt her. It was cold and dark. I cannot be sure of the time which you took to stalk her in the building, it may have been a short time only, but for however long it was it must have been a truly terrifying experience for this 7 year old girl. I also take into account here what happened outside the Building before you pushed her in. There was clearly some sort of struggle after your assault or attempted assault, one which Nikki was bound to lose. I do not underestimate how frightening this experience must have been for her.

- b. Your use of two weapons, a brick and a knife which you took to the scene. In addressing me on the application of Schedule 21, Mr Pitter urges me to find that not only is paragraph 3 not engaged, but nor is paragraph 4 which concerns the taking of a knife to the scene of a crime. Mr Pitter argues that the knife which you carried was not one which was taken to the scene in the technical sense conveyed by paragraph 4. I reject his submission. I am sure that you took a knife with you to the Old Exchange Building and that you intended, when you went there, to commit an offence of sexual assault and/or have it available as a weapon. It is not disputed that you used the weapon in committing the murder of Nikki Allan. Paragraph 4 is therefore engaged. This finding would in itself indicate a starting point for the minimum term of 25 years. This finding is however overtaken by my earlier conclusion that this is a murder of particular seriousness. The fact that a knife was taken and used is a significant aggravating factor which I take into account.
- c. The vicious and brutal nature of your attack upon Nikki involving at least two blows to the head with the brick and over 30 stabs to her body.
- d. Your attempt to conceal the body by placing her in the distant room in the basement.
- e. Your statement to the police. Whilst this was made after George Heron had been charged with Nikki's murder nonetheless you were providing a statement in which you gave yourself a false alibi whilst George Heron was tried for the murder which you had committed.
- 32. I must also consider such mitigation as may exist. There is none. Your counsel urges me to take into account your IQ which falls within the extremely low range placing you in the bottom 2% of the general population. I accept the contents of the report prepared on your behalf by Dr Harry Wood, a psychologist, who describes your mild learning difficulties and a degree of intellectual impairment. However I am unable to accept that the contents of that report is relevant to the minimum term which I must impose. Any intellectual difficulties which you face do not affect your culpability for this offence. You demonstrated quite sufficient guile to lure Nikki away from the Garths and you were quick to attempt to cover your tracks by inventing a false alibi which you gave to the police. Nor do I accept that your age, then or now, is a factor mitigating in your favour. You were an adult of 25 when you committed the offence of murder, you were not a child or adolescent who knew no better. You are now aged 55 years, the fact that as a result of the minimum term which I may impose you may die in prison is not it seems to me a factor which I should take into account.
- 33. It seems to me that taking all of these factors into account the minimum term which I would have ordered under Schedule 21 is one of not less than **37 years**.

The Home Secretary's Determination

- 34. I must now determine what the decision of the Home Secretary would have been before December 2002 by applying the applicable guidance at the time.
- 35. On 10 February 1997 a letter was sent by Lord Bingham to all judges who made recommendations as to the appropriate term in murder cases.
- 36. That letter advocated 14 years as the "normal penalty" for the "average", "normal" or "unexceptional" murder before taking aggravating and mitigating factors into account. The letter went on to list the various factors which would likely call for a sentence mitigating the normal penalty. Those factors included "sub-normality or mental abnormality" and "spontaneity and lack of premeditation beyond that necessary to constitute the offence: e.g. a sudden response to family pressure or to prolonged stress". Lord Bingham listed the following factors as likely to call for a sentence more severe than the norm:
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 - (2) The killing of a child or a very old or otherwise vulnerable victim.
 - (3) Evidence of sadism, gratuitous violence, or sexual maltreatment, humiliation, or degradation before the killing.
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(9) The use of firearms or other dangerous weapons, whether carried for defensive or offensive reasons.

- 37. Lord Bingham remarked that, "whilst a recommendation of a punitive term longer than say 30 years will be very rare indeed, I do not think one should set any upper limit. Some crimes will certainly call for terms very well in excess of the norm."
- 38. It is clear from the text of the Bingham letter that Lord Bingham was not himself setting the tariff. Rather he was reflecting his own judicial experience and that of other judges in describing the level of minimum terms which were being imposed at the time of writing. A practice direction issued in 2004 (Mandatory Life Sentences (No 2) [2004] 1 WLR 2551 said that in sentences where the murder was committed before 31 May 2002, the best guide to what would have been the practice of the Secretary of State is the letter sent to judges by Lord Bingham of Cornhill CJ on 10 February 1997.
- 39. I mention a further Practice Direction which was issued in 2002 by Lord Woolf CJ. Although of narrow date application, that Practice Direction refined the starting points for the minimum term to be imposed. The range extended from:
 - a. a reduced starting point of 8/9 years for a case with reduced responsibility;
 - b. a starting point of 12 years for a "normal" murder, for example one involving a case involving the death of an adult victim arising from a quarrel or loss of temper between two people known to each other;

- c. a higher starting point of 15/16 years for more serious cases;
- d. for "especially grave" cases for example those involving what was described as a sexual murder or the murder of a young child "a term of 20 years and upwards could be appropriate;"
- e. a term of 30 years for an "extremely serious" case. The Practice Direction stated that "a substantial upward adjustment may be appropriate in the most serious cases for example those involving a substantial number of murders or if there are several factors identified as attracting the higher starting point present. In suitable cases the result might even be a minimum term of 30 years".
- f. The categorisation maintained the possibility of no minimum term being imposed for cases of exceptional gravity) in effect a whole life term.
- 40. Those recommendations were considered by the Court of Appeal in *R v Sullivan* [2004] EWCA Crim 1762 2004 where the Court found there to be no inconsistency between Lord Bingham's advice and the Woolf Practice Direction. At [34] the Court stated: "..*that while a judge might be helped to be consistent by the more specific guidance contained in the 2002 directions, their general effect is the same. Both give the judge a considerable degree of discretion.*"
- 41. What I take from those materials is this:
 - a. What was described to be a normal or unexceptional murder might attract a starting point for the minimum term in the region of 14 years.
 - b. For the murder of a child or a murder associated with sexual conduct, a starting point of 20 years may be appropriate.
 - c. A term of 30 years would be reserved for an extremely serious case. The imposition of such a minimum term would be rare.
 - d. In cases of exceptional gravity a whole life term may be imposed.
 - e. In all cases in which a minimum term was to be imposed, the court retained considerable discretion to take account of aggravating or mitigating factors which relate to either the offence or the offender in the particular case.
- 42. It is in this context that I must stand back and examine your offending and determine where within the range of starting points the court would have placed that offending and what the effect of the many aggravating factors would have been. Both counsel agree that this is a case in which before December 2002 a minimum term of at least 20 years would have been appropriate. Mr Wright submits that there should then be a significant increase to reflect the multiple aggravating factors, Mr Pitter that there should be little or no increase from 20 years at all.

- 43. I am entirely satisfied that, before December 2002, a minimum term well in excess of 20 years would have been imposed. Lord Bingham identified the killing of a child, evidence of sexual maltreatment before the killing and the use of a weapon as separate aggravating factors. All three were present in your case. Even from a starting point of 14 years these factors would have increased the term very substantially and in my judgement to a point beyond 20 years. The court would then have to reflect upon the further aggravating factors which I have described elsewhere. There were in reality no mitigating factors. Although Mr Pitter again relies upon your youth at the time of the offence, I reject that submission. You were 25 years old. The possibility that you may have died in prison or emerged an old man, would not have arisen in 1992. Even if, as Mr Pitter submits, I must take the position as it is today, I am still unable to accept that the possibility that you may die in prison is a factor which in any material way serves to reduce the minimum term.
- 44. The murder of Nikki Allan involved the cynical manipulation of a young 7 year old girl who you lured away from her home at night for the purpose of sexually assaulting her. You attacked her twice, once outside the Old Exchange Building and then the fatal assault. Your fatal assault was brutal. You must have caused her unimaginable terror in the period before that fatal assault. You then took steps to cover your tracks by hiding the body to the extent that you could within that building and by advancing your false alibi whilst another person stood trial for the murder which you had committed.
- 45. I consider having regard to all of those factors that your offending was so serious that a minimum term of no less than 29 years would have been imposed. Any term less than this would not have reflected the recommendation of the trial judge or the decision of the Home Secretary at the time. I have given serious consideration to the conclusion that the combination of aggravating factors would have led to the imposition of a term of 30 years or more. However, taking into consideration the observations of Lord Bingham that the imposition of such a term would be "very rare indeed" I have concluded that I cannot be sure that a term in excess of 30 years would have been imposed.
- 46. Accordingly I am satisfied, and find, that the minimum term of imprisonment which would have been ordered to serve before release on licence is 29 years. That being lower than the minimum term I have determined under the contemporary regime, I set the minimum term as one of 29 years subject to the consideration of the time you have spent on remand which is 366 days.
- 47. The minimum term is just that, a minimum term which cannot be reduced in any way. After those 29 years have been served, there is no guarantee that you would be released. It is only if the Parole Board decides that you are fit to be released that you will be released and even then you will be subject to licence and recall if you breach the terms of your licence. Given your age now, the reality of the situation is that you will in all probability die in prison before that minimum term is reached.
- 48. For the murder of Nikki Allan on 7 October 1992 the sentence is one of life imprisonment. You will serve a term of 29 years subject to the 366 days which you have spent on remand before consideration is given to your release by the Parole Board.