



JUDICIARY OF
ENGLAND AND WALES

IN THE CROWN COURT AT NOTTINGHAM

FRIDAY 7 JULY 2023

MRS JUSTICE TIPPLES DBE

REGINA

-v-

JAMIE EDWIN BARROW

SENTENCING REMARKS

1. This is a case to which the victim surcharge of £228 applies.
2. Jamie Barrow I have to sentence you for the murder of Fatoumatta Hydara, the murder of Fatimah Drammeh, the murder of Naeemah Drammeh and for arson being reckless as to whether the lives of the neighbouring residents of 23 Fairisle Close would be endangered. You were convicted of those four offences unanimously by a jury of this Crown Court on 4 July 2023.
3. Fatoumatta Hydara was a young woman full of compassion and love. She was a caring and devoted daughter, wife, mother, sister and friend. She was 28, married to Aboubbacarr Drammeh, and the mother of two beautiful little girls, Fatimah, who was 3 and Naemmah, who was 1. Their short lives were full of joy and happiness, and they brought joy and happiness to all those who knew and met them. Fatoumatta's husband, Aboubbacarr, was

working in the USA and, at the end of November last year, they were due to attend the US Embassy in London to complete the final stage of a long immigration process, the completion of which would have allowed them all, as a family, to move to America. That never happened because, days earlier, you murdered Aboubbacarr's wife and his young family. The impact on Aboubbacarr has been devastating. His loss has been immeasurable. Yet his dignity throughout this trial, in this court today, has been truly remarkable.

4. Likewise, Fatoumatta's mother, Aminatta Dibba, has said that Fatoumatta was "a light for her", and now that she is gone her world is "dark and empty". She adored her grandchildren and all that they brought to her life. What you have done has had a lasting impact on Aminatta and her whole family, the extent of which they, as a family, are yet to fully understand. Aminatta is, and remains, overcome with great emotional and psychological pain. The lives of all those who knew and loved Fatoumatta, Fatimah and Naemmah will never be the same again.

Facts

5. I now turn to the facts of this case. I must sentence you on the basis of the jury's verdicts and I must be sure to the criminal standard as to the factual basis on which to pass sentence. The facts in relation to the last moments of the lives of Fatoumatta, Fatimah and Naemmah are distressing.
6. They all died from smoke inhalation from the fire you lit, with petrol, inside the entrance to their flat at 23 Fairisle Close at 3.13am on Sunday 20 November 2022. Fatoumatta and her two small children were asleep in their beds, in their own home. You knew they were all at home asleep, and you knew they would have no chance whatsoever.
7. Seconds after you lit the fire you heard the fire alarm in the flat go off. You did nothing. Seconds after that you heard Fatoumatta screaming from the flat. You did nothing. Rather, you stood and watched the fire take hold. And you stood there watching the fire develop and spread for five minutes, which was an enormous length of time in the circumstances. In that time, the smell of the fire was spreading to nearby houses. Those who were awake at a party nearby smelt it. They, and other neighbours, could then see the smoke billowing out of the property. 999 was first dialled at 3.17am.

8. You heard the noise and commotion as people were rushing to the scene to help and it was then, when you heard that noise, that you grabbed your dog, and fled the scene so that no-one would find you. You returned just over ten minutes later, pretending you had no idea about what had happened.
9. By that time fire-fighters were on the scene. You knew that the lifeless bodies of Mrs Hydera and her two daughters were brought out of their flat. Police and ambulance services were also very soon on the scene. There was nothing that could be done to save the lives of this young family, who had been your neighbours for several years. The two young girls were declared dead shortly after they arrived at hospital. Mrs Hydera died the following morning.

Background

10. You lived at 19 Fairisle Close and had done so since 2015. You kept a motor bike in your yard, and you had done a course in motorcycle maintenance. You had become very good friends with Jessica Yates, and you would regularly get drunk with her. By October 2022 you wanted a relationship with her. She was not interested, which you were not happy about. In early November your 7-year old son had had a fall, and ended up in hospital, and he then stayed with you for two weeks. By the second week you were struggling to look after him, and he returned to his mother on about 14 November. In the days after that, you tried again to pursue Jessica, but it was clear she was not interested.
11. You have had problems with your mental health for many years. In 2013 you were first diagnosed with a personality disorder. You have Emotionally Unstable Personality Disorder of both sub-types: Borderline Personality Disorder and Impulsive Personality Disorder. Your personality disorder is moderate to severe. You have difficulty with managing your anger, and in the past you have engaged in violence with others and self-harmed. You also have Dissocial Personality traits which are difficulties in maintaining relationships with others and a low tolerance to anger. You also meet the criteria for mental and behavioural disorders due to alcohol use, which is harmful use, but not dependence. These disorders do not affect your cognitive ability. You took anti-depressant and anti-psychotic medication, citalopram and quietapine. The quietapine was prescribed to reduce

your anger, and your urges to harm yourself and others. It was you who decided to stop taking quietapine in summer 2022, and that had an adverse effect on your mood and sleep.

12. You also have an interest in and considerable experience of fires. You have often sat and watched fires burn and develop, and you set your first fire when you were 14 or 15.
13. I am sure that shortly after 4.30pm on Saturday 19 November you heard Mrs Hydera and her children arrive back at their home. They had been staying with Mrs Hydera's parents for a couple of days, as she needed to attend some medical appointments, and she needed help with the children.
14. You could always hear Mrs Hydera and her children if they were at home in their flat, as their flat adjoined your living room wall. Late that afternoon the little girls, Fatimah and Naeemah, were lively and excitable as they were playing with, and arguing over, new toys their grandmother had given them. Their mother, Mrs Hydera, was wondering how she was ever going to get them to settle, and ready for bed. You heard those children having fun and playing and, at 5pm, you started drinking.
15. Shortly after 6.30pm you went out to buy six cans of lager and, having done so, you returned to your flat and drank them. You went out again shortly before 11pm and bought a further four cans of lager. You knew that, if you drank between six and eight cans of beer that would get you into a good mood, and anything else was excessive and that would change your mood.
16. When you returned to your flat shortly after 11pm you spoke to Jessica. You were slurring your words, and she could tell you had been drinking. You tried to flirt with her. She told you again she was not interested and that made you upset. You then spoke to another friend, Luke, and told him your head was going. You were listening to depressing music, self-harming and exchanging messages with Jessica. You were in a particularly dark and depressed state. You were badly impacted by Jessica's rejection of you. You were very angry, you had urges to harm others and you continued drinking.
17. By the early hours of 20 November 2022 you had drunk ten or eleven cans of beer. Your consumption of all that alcohol was entirely voluntary. The alcohol you drunk disinhibited you and made you more impulsive. I am sure, based on the evidence of Dr Furtado, the

forensic psychiatrist who gave evidence at trial, that your voluntary consumption of alcohol was the main reason for what you then did. I am also sure, based on Dr Furtado's evidence, that you were well aware that drinking alcohol was the last thing you should have done, in the mental state you were in on 19 November 2022, and in the early hours of 20 November 2022. I am also sure that, based on the evidence of Dr Furtado, that the disorders he diagnosed in you were all present in the early hours of 20 November. However, I am sure those disorders did not impair your ability to understand the nature of your conduct, or the consequences of your actions; they did not impair your ability to form a rational judgment; and they did not impair your ability to exercise self-control.

18. You were well aware what you were doing and I am quite sure, from what you did, that you wanted to kill Mrs Hydara and her two children. You were very angry, but it is only you who knows why you did this. The reasons are impossible to understand from the evidence.
19. You deliberately chose a slim-necked "Clean N Fresh" bottle from your kitchen, threw the nozzle in the bin in your flat, and put on blue plastic medical gloves. You then went downstairs and outside to your yard from where you took time to siphon off petrol from the fuel tank of your motorbike. I am sure that you filled the bottle with as much petrol as you could. You then went round to the yard outside 23 Fairisle Close, and wedged the letter box in the front door open with something rigid. I am sure that, when you did this, you saw the pushchair by the front door. You then inserted the bottle through the letter box, and poured the petrol into the flat at the very bottom on the stairs, which provided the only access to the living area on the first floor. You used a cigarette lighter to light a tissue in your hand, which you then put through the letter box. There was an immediate fireball, and the fire developed and spread rapidly, with thick toxic black smoke spreading to the upstairs living area of the flat literally within seconds. You knew that by starting the fire with petrol at the only entrance to the flat, in the middle of the night with the occupants fast asleep upstairs, that they would be unable to escape.
20. The speed at which those who lived nearby responded to the fire was extremely impressive. The pushchair outside the burning front door, made it obvious to those first on the scene that there were children in the flat. Those people, who gave evidence at trial, whether in person, or through the statements that were read, were brave individuals desperate to help

and save lives. The fire was too strong and too dangerous, and it was spreading to the flat underneath on the ground floor. Other lives were immediately in danger, and those first on the scene were knocking on doors and windows to wake the neighbouring residents, and get them up and out of their flats.

21. Likewise, the response of the emergency services was equally impressive. Within minutes, firefighters were on the scene, getting the fire under control, and rescuing Mrs Hydera and her children. They were followed by police and ambulance services. The police were instructed to make forced entry if they could not wake the occupants of neighbouring properties.
22. Shortly before 4am you were out on the street with your neighbours. You were completely calm and composed and made out you had no idea what had happened. You were then evacuated to the Clifton Campus of Nottingham Trent University with your neighbours, where the local housing officer spoke to you about the provision of temporary accommodation. Your concern was to find out from the housing officer whether you could make an insurance claim for smoke damage to your flat. You were, by that time, aware that Mrs Hydera and her children, had all been brought out of the flat, were in hospital and were either dead or in a very serious condition. You were arrested later the same day, by police making door to door inquiries. You told them you needed to tell them something about the fire next door.

Sentence

23. Jamie Barrow, I must sentence you for murder on counts 1, 3 and 5.
24. The only sentence I can pass on you is one of life imprisonment. It is in any event the proper sentence for your crime. I also have to set the minimum term that you must serve before the Parole Board can consider you for release. That minimum term will reflect your overall criminality. The minimum term does not represent the time you will actually spend in custody; it is simply the minimum period that you must spend in prison before your case can even be considered by the Parole Board. If they do not order your release, you will remain in custody for the rest of your life. If they do release you, you will be liable to recall to custody for the rest of your life.

25. I must set the minimum term by reference to Schedule 21 of the Sentencing Code as Parliament has enacted. I judge this to be a case which falls within paragraph 3 of Schedule 21 and therefore has a starting point of 30 years. Having identified the starting point, I have to take into account the aggravating or mitigating factors, to the extent I have not allowed for them in my choice of starting point.
26. You are 31 years old and were born on 14 October 1991. You have 3 convictions for 4 offences. There were offences of battery and a public order offence in 2011. The most recent offences were in 2018 which were both for possession of a knife and you were sentenced to six months' imprisonment, suspended for 12 months.
27. As a child you were abused, sexually, mentally and physically and were the victim of neglect. You lived with you mother until you were 8, your grandmother between 8 and 14, and in care homes between 14 and 18. Your son was born in 2016 and, at the time he was born, you were separated from his mother. I have already explained about your mental health.
28. There are a number of aggravating factors.
29. First, you murdered three people. These included two very young children, aged 3 and 1. Taken together, these are a very powerful aggravating factor.
30. Second, you were under the influence of alcohol when you murdered Mrs Hydera and her children.
31. Third, I am sure from Mrs Hydera's screams that you inflicted mental suffering on her in the few moments between when she woke up, and before she became unconscious from the smoke.
32. Fourth, you stood and watched the fire and did not seek any help at all.
33. Fifth, you were also convicted of arson being reckless as to whether the lives of neighbouring residents of 23 Fairisle Close would be endangered.
34. Sixth, you have previous convictions.

35. Collectively these aggravating factors justify a very significant uplift from the starting point of 30 years I have identified.
36. In mitigation, it is said that there was a lack of premeditation in your decision to start the fire, as your decision was an impulsive and spontaneous one. I disagree. The offence plainly involved planning and thought as to how to set a fire inside your neighbour's occupied flat, which would have fast and devastating consequences. This is obvious from your decision to start the fire inside Mrs Hydera's home at the only point of exit, together with the way in which you did so using petrol decanted from your motorbike as an accelerant, putting on medical gloves and carefully choosing a bottle to fit through the letter box to get the petrol inside the property.
37. In further mitigation, it is said that you suffer from a mental disorder which lowers your degree of culpability. You suffer from Emotionally Unstable Personality Disorder, and a symptom of that is that you act impulsively and do not think through the consequences of your actions. I have been referred to the Sentencing Council's Guideline: *Sentencing Offenders with mental disorders, developmental disorders, or neurological impairments*. I have considered this Guideline very carefully and it makes it clear that I have to decide whether your culpability is reduced by reason of your personality disorder. Culpability will only be reduced if there is sufficient connection between your disorder, and what you did. That sufficient connection does not exist in this case. I am quite sure that you did what you did because you had drunk ten or eleven cans of beer. It was not because you had a personality disorder and there is no reduction in your culpability as a result of it. I am quite sure of that based on the expert evidence that Dr Furtado gave at trial, which I have summarised earlier in these remarks. I do however bear in mind that you have a personality disorder in your personal mitigation, but it can only be taken into account in a very limited way in a case such as this (as set out in paragraph 22 of the Guideline).
38. I do not accept that you have shown any genuine remorse for what you have done. It is correct that you accepted some time ago that you started the fire and, although you did not say so in terms, that is what the police officers understood when they arrested you on 20 November 2022. However, you have sought to minimise responsibility for what you have done. You have throughout this trial maintained that you did not know that your neighbours

had returned home on the afternoon of 19 November 2022 and that that the flat was unoccupied. That was a lie.

39. On Count 7 I must sentence you for arson being reckless as to whether life is endangered. I have been referred to the relevant Sentencing Council Guideline and this offence falls in Category 1B, which has a starting point of 6 years' custody, and with a category range of 4 years to 10 years' custody. This offence was aggravated by the commission of the offence whilst under the influence of alcohol; use of accelerant; multiple people endangered; significant impact on emergency services. Given the sentence on counts 1, 3, and 5 is life imprisonment, I do not consider it is appropriate to impose a life sentence or extended sentence for this particular offence.

40. I also have regard to the principle of totality and whether the total sentence is just and proportionate to your overall offending behaviour. I will pass concurrent sentences on counts 1, 3, 5 and 7.

41. Weighing up all these factors the minimum term on count 1 will be 44 years. From that you must have deducted the number of days you have already spent in custody which I am told is 224 days.

42. The minimum term on count 3 will be 44 years, and the time spent will be deducted.

43. The minimum term on count 5 will be 44 years, and the time spent will be deducted.

44. On count 7 I pass a sentence of imprisonment of 10 years.

45. I direct that your guilty pleas to manslaughter on counts 2, 4 and 6 of the indictment are vacated.

46. I direct that the psychiatric report of Dr Furtado dated 27 May 2023 be provided to the prison.

47. Finally, I would like to extend the Court's condolences to Aboubacarr Drammeh and the whole family of Fatoumatta, Fatimah and Naeemah, great-grandparents, grandparents, parents, brothers, sisters, aunts, uncles, nephews, nieces and cousins and all their very many relations and friends. I commend all of those who sat through this trial in the public gallery

for the composure and dignity in which they did so. I know that will have been an extremely difficult time for each and every one of them, and also for those family members and friends who were not present in court.

48. The response of all those who lived or were nearby in the early hours of 20 November 2022 deserve acknowledgement as does the response from the fire-fighters, police, paramedics and ambulance staff. Likewise, the police investigation in this case deserves acknowledgement. On behalf of the Court, I would like to commend all those people for what they did whether at the time of the fire, or in the investigation which followed. I would also like to thank all Counsel and solicitors involved.

Mrs Justice Tipples

7 July 2023