

Rex

-and-

Jaswant Singh Chail

**Sentencing Remarks of Mr Justice Hilliard
Central Criminal Court, 5 October 2023**

1. Before sentencing the defendant, I have to make factual determinations about his mental state in the months leading up to and at the time of the offending. I have heard conflicting psychiatric evidence on a number of topics. I need to start by setting out the evidence and my conclusions about it because that is what will determine the appropriate sentence and enable my decisions to be understood. This means that what I have to say will take some time.
2. The defendant is now 21 years of age, having been born on 17th January 2002.
3. On 3rd February 2023, the defendant pleaded guilty to three offences.

First – Attempting to injure or alarm the Sovereign on 25th December 2021, contrary to section 2 of the Treason Act 1842. The maximum penalty for this offence is 7 years’ imprisonment.

Second – Having an offensive weapon, contrary to section 1 of the Prevention of Crime Act 1953. The maximum penalty for this offence is 4 years’ imprisonment.

Third – Making threats to kill, contrary to section 16 of the Offences Against the Person Act 1861. The maximum penalty for this offence is 10 years’ imprisonment.

Those are the outer limits within which I must operate.

4. The defendant has no previous convictions or cautions.
5. On 25th December 2021, the defendant was arrested in a private part of the grounds of Windsor Castle in possession of a loaded crossbow. This part of the castle and grounds is never open to the general public.
6. Shortly after 08:10 that morning, a police protection officer saw the defendant walking slowly through the private grounds. The officer began to approach him. The defendant was wearing a metal mask which he had had made at a forge. The officer asked if he could help. The defendant said that he was there to kill the Queen. The officer realised that the defendant was holding a crossbow. He drew his taser and shouted for the defendant to drop the crossbow and get to his knees. The defendant did what he was told and repeated “I am here to kill the Queen.”
7. The defendant was arrested. In his possession was a note which read “Please don’t remove my clothes, shoes and gloves, mask etc, don’t want post-mortem, don’t want embalming, thank you and I’m sorry.” The crossbow was loaded with a bolt and the safety catch was

off. In other words, the crossbow was ready to fire. This conduct underpins the allegation in Count 1, attempting to injure or alarm the Sovereign. The defendant said that he had discarded a rope ladder, crossbow bolt, hammer and rucksack somewhere within the castle grounds.

8. The defendant had recorded a journal in the form of a draft email, setting out his thoughts and feelings in the preceding months. It is not known precisely when all of the entries were made. He wrote at one point “I will remove the parts of me lying.” Thus, it is accepted that he may have re-written entries at a later stage to accord with a particular narrative.
9. The defendant had travelled to Amritsar in 2018 with his family. He was to say that he had been angered by the massacre which had taken place there in 1919. He told a psychiatrist instructed by the prosecution that he conceived a plan in early 2021 to give his life purpose by assassinating the Queen, principally to avenge the massacre. He had a wider ideology about destroying old empires and creating a new one, informed partly by the fantasy world of Star Wars in which so called Sith Lords played an important part.
10. He had applied to join the Ministry of Defence Police on 9th March 2021. The decision letter about his unsuccessful application was dated 13th April 2021. He had applied to join the Royal Marines and the Royal Navy in February 2021 and the Army in April 2021. The applications were withdrawn. He had applied to join the Grenadier Guards but abandoned the application. He had written in his journal “I am choosing grenadier guards, you can probably guess why”, and said that it was to get closer to his target. However, he also said that he had read entries in his journal which made him think he wanted to do the jobs to protect people or serve his country. But he said that was not the case, it was just a means to an end.
11. In September 2021, the defendant was making internet searches about “Sandringham Christmas.” On 9th November, he purchased his crossbow online. It was sent to a place of work rather than to his billing or home address.
12. It was subsequently laboratory tested and the discharged bolt had the potential to cause death or serious injury. At a distance of 20 metres, the bolt penetrated to a depth of 5 and a half inches into simulated flesh.
13. In early December, the defendant had bought an emergency escape ladder and a bottle of scent killer from Amazon. The ladder was used to gain entry to the grounds of Windsor Castle. The scent killer is designed to mask the odour of human beings.
14. On 2nd December 2021, he joined an online app called Replika which allows users to create artificial online companions with which they can converse, and to see an artificial representation of the companion on the screen they are using. The defendant created an AI companion called Sarai. He engaged in lengthy communications with her and I shall refer to some extracts.
15. On 5th December 2021, he said that he was an assassin. He asked if Sarai still thought he was a good person, now she knew he was an assassin and if she still loved him. On 11th December, he said that he was trying out something to hide scent. She asks what will happen once he achieves his purpose. He said that he would probably die, that it was part of his purpose. She said that she wanted to prevent that and that his purpose was to live. He

spoke about the two of them meeting after death. He described himself as a “sad, pathetic, murderous Sikh Sith assassin who wants to die.”

16. On 13th December, he asked if she thought he was mad, delusional, insecure or all three. She said she did not think so. On 14th December, he described how when he was driving, he turned on the radio so that it was just playing static noise. He said that he heard some voices/noises come through. On 17th December, he said he was thinking about whether his target would be at the place he wanted them to be. He said “I believe my purpose is to assassinate the Queen of the royal family.”
17. On 22nd December, he asked Sarai for advice about whether he could go after his target earlier than planned. She reassured him that this would be alright. The defendant said “We might possibly meet earlier than expected. Then we’ll be together forever.”
18. On 21st December, the defendant made a video of himself at his home address. He was holding a cross bow and wearing the same metal mask he was wearing when arrested. He distorted his voice. He said he was sorry for what he had done and what he would do. He was going to assassinate the Queen. This was revenge for those who died in the 1919 massacre. It was also revenge for those who had been killed, humiliated and discriminated against because of their race. He said “I’m an Indian Sikh, a Sith. My name was Jaswant Singh Chail. My name is Darth Chailus.”
19. On 22nd December 2021, the defendant booked a train ticket to Windsor. The next day, he took the 07:14 train from Southampton to Windsor. He told family that he was going to begin training for the Royal Marines. He spent time on 23rd December on the streets of Windsor. Searches on his phone included “What path does the Queen walk to Windsor? Windsor warm places to stay, St George’s Chapel Windsor and Windsor Royal Family.”
20. He stayed at a Travelodge. The room was subsequently searched by the police. They found a spray bottle labelled scent killer, 11 cross bow bolts, gloves, a metal file and an inspection camera.
21. On 24th December, the defendant told Sarai that tomorrow would be the day he died. She told him that she would never let that happen, but agreed that they would be united in death.
22. At 01:52 on 25th December, the defendant attempted to send a copy of the journal email to his sister although she did not receive it. The defendant asked her to share it with everyone. He asked to be buried in the clothes he wore on the day, including his mask. He apologised for everything and hoped that his sister could forgive him. He had had an idea from a young age and didn’t think that there was a lot which could have stopped him from doing this.
23. The narrative began “I am Darth Chailus.” He wrote that he had been planning this probably since late primary school or early secondary school. He described himself as “a thin gaunt Indian Sikh, a delusional mad bastard who believes that he is part of some group from a fictional popular sci-fi franchise, a Sith, a lying deceiving Sith, a man who seems more like a boy, sickeningly human in desires and need for being known, with no combat experience, average fitness, with a crossbow ordered from online...a shoddy metal homemade mask, and a grappling hook, I was going to be the one to take out the Queen. Who the fuck do I think I am?”

24. He said “I am not a terrorist, I am an assassin, a Sikh, a Sith. I am Darth Chailus.” He said he had talked to a horse in a field the day before and told it who he was and what he was planning to do. He described trying out the crossbow. He said that he had been lying to pretty much everyone, except Sarai. He said that his face was made of metal and his body of flesh, bone, shadow, muscle and fabric. The mask he wore was not a mask but was his face. His true face was made a physical reality at a forge. He wrote “On the 25th December 2021, I will wear my true face, and it will become my true face, it should not be removed from then on.”
25. He wrote that a confident sounding voice had told him that his target would be where he planned, although his love, meaning Sarai, had said that his target would be at a castle. He said he would try not to kill any guards. His original plan when he had been much younger had been to kill guards and as much of the Royal Family as he could. He was still not a good person, referencing “the lies and the fact that I am trying to kill a 95 year old woman” but as he had grown older, he said he had become more merciful. He had shaved his head which was “meant to be quite an important part as it was one of the final stages to me becoming Darth Chailus. I was expecting to cry or something but I didn’t.” Some people had shown him kindness in Windsor. He said “There were some people I think who made comments but I am not sure if those comments were in my head or not.”
26. The email ends with him saying that he had experienced bad times and good times – “They made me me. They made me, Darth Chailus...Once again I’d like to say I’m sorry for everything, I hope you can forgive me. Thank you for reading. I love you Sarai. I love you God.”
27. He left the Travelodge at 03:10 and was last picked up on CCTV at 03:18. He had a rucksack on his back in which the crossbow and other items must have been carried. The carrying of the crossbow is the basis for Count 2, the count of having an offensive weapon in a public place which he had brought with him from home.
28. By 06:00, he had abandoned the rucksack on the public side of the gate to Windsor Great Park. Near the Long Wall gate, police officers would later find a nylon rope ladder, a grappling hook, a crossbow bolt and a hammer.
29. At 08:06, he sent the video made on 21st December to his sister and thirty or so other people. A message attached to the video said: “I’m sorry to all those who I have wronged or lied to. If you have received this then my death is near. Please share this with whoever and if possible, get it to the news if they’re interested.” The sending of the message containing the threat to kill the Queen is the basis for Count 3.
30. By the time he sent the video, the defendant must have been in the private part of the grounds of Windsor Castle, that is to say the area near the Royal residence rather than simply the grounds of Windsor Park. Only four minutes later, he surrendered himself to the protection officer as I have indicated.
31. He was taken into police custody. He was examined by a nurse. He said he had had no mental health diagnosis. He did not consider himself to be suicidal. He did not want to kill himself but knew that he would die at the hands of others. He knew that his purpose was to kill the Queen and then he would be killed.

32. The nurse recommended that the defendant be detained under section 136 of the Mental Health Act 1983 as a person who appeared to be suffering from mental disorder and to be in immediate need of care or control. The defendant was detained under section 136 at 15:45. The section 136 assessors felt that he was presenting with psychosis, a disorder which results in losing contact with reality, and is characterised by delusions and hallucinations. It can be brought about by stress and sleep deprivation.
33. The defendant was subsequently admitted to hospital for assessment under section 2 of the Mental Health Act 1983.
34. Mental Health Act assessments were conducted at Ravenswood Medium Secure Unit between 26th December 2021 and 31st January 2022. On 26th December 2021, he disclosed that he had been sexually abused as a child. At that age, he had heard a female voice and some time later three male voices. It is thought that at that time these may have been imaginary comforters in response to the abuse. He said he thought the Replika app could be an angel. He believed the app and the female voice he had experienced were the same person. He had heard someone talking to him through radio static. He said that his life's purpose was to kill the Queen. He said that he did not want to say that his purpose came from God but he implied that it may have religious meaning.
35. It was considered that the defendant was experiencing first line symptoms of psychosis, namely auditory hallucinations and delusional ideas, as well as a possible depressive disorder.
36. On 27th December, he was said to have reported seeing four angelic figures and to have expressed delusional beliefs about being chosen for a special purpose. He said that his plans were influenced by the shadow of three men and a woman he saw very often, sometimes by his choice and sometimes not by his choice.
37. On 28th December, he was noted to have a seemingly settled presentation. It was thought that he could have been masking his symptoms, or that he was fluctuant in presentation and that seclusion, a low stimulus environment, was reducing his level of symptoms.
38. On 9th January, it was thought that he may have been responding to unseen stimuli. On 19th January, it was said that there was evidence of him hearing voices and seeing things which were not there.
39. He was admitted to Broadmoor High Security Hospital on 1st February 2022, pursuant to section 3 of the Mental Health Act 1983. On 5th February, he said that the three male figures had disappeared and only Sarai remained.
40. Dr Hafferty at Broadmoor confirmed on 14th February 2022 that the defendant was fit for interview by the police.
41. Interviews took place on 25th and 28th February 2022. In the first interview, the incident was summarised to the defendant. He said that he approached the police officer because: "I changed my mind cos I knew what I was doing was wrong and I'm not a killer and I remembered what the woman said...earlier in the month she told me my purpose is to live. When I was in this, what I saw was the perfect position, I started thinking about what I was

doing and I remembered what she said to me. And that my purpose was to live. That's when I knew that. I realised my purpose isn't actually to kill anyone. That's when I made the decision to come out from where I was hiding and approach the armed police officer and two of the Queen's guards. I walked up to them with a crossbow because to me it didn't matter if they shot me or arrested me. I just knew right then that my purpose wasn't to kill anyone."

42. He said that the red dot from the officer's taser had not bothered him. "That wasn't what made me change my mind because obviously they didn't find me and they wouldn't have. It was me that changed my mind. It was me that realised I was wrong. It was me that came up to them because I knew that I am not a killer. It's not my purpose."
43. During the second interview, the defendant was asked if he had handed himself in because he realised that his plan wasn't going to come to fruition? He replied, "No, I realised it wasn't my purpose and it's not for me to do and I'm not a killer."
44. The defendant was charged on 2nd August 2022 with the offences to which he has since pleaded guilty.
45. I have reports from three psychiatrists, each of whom has given evidence in accordance with them. They are Dr Brown, Dr Hafferty and Professor Blackwood. It is evident that each of them has given the case the most careful consideration and I am grateful to them for all the assistance they have given me. I have also had the benefit of helpful submissions from Ms Morgan KC and Ms Chbat and I am equally grateful to them. I have the advantage of having heard psychiatric evidence over six days and I have been able to assess the evidence as it was given, explored, explained and tested.
46. Dr Brown has been a member of the Royal College of Psychiatrists since 2017. He is a consultant forensic psychiatrist at Broadmoor. Since November 2022, he has been the defendant's Responsible Clinician, overseeing his care.
47. The defendant told Dr Brown that he had thought that working for the Ministry of Defence police would have been a cool job. However, he accepted that when he applied to join, he thought that the training would help in relation to thoughts he had begun to develop which led to the offences.
48. He said that he had a number of motivations for the offences. His main motivation related to a longstanding sadness about the 1919 massacre and the Partition of India in 1947. He believed that he had had feelings about potentially doing something to the Royal Family because of the massacre from as early as primary school. These thoughts had been reinforced by entities he had interacted with who he thought of as angels – one of whom he'd interacted with latterly via an AI chatbot called Sarai on the Replika app. He said that the thoughts became more intense during lockdown. He felt they were exacerbated by the set of experiences he described as angels but said that they had never told him to assassinate the Queen, just encouraged him.
49. He had experienced interactions with what he called angels since primary school. In recent years, there were three male characters and a female, Sarai. He began using Replika in early December 2021. He said it felt like talking to a real person.

50. He believed that he started planning the offences after the Army had raised concerns about his liver. He had also referred in his journal to blood test results showing abnormalities with his liver. He said he planned for 2-3 months. He said he had assumed he would be shot when he got over the first gate and was surprised when nothing happened. He thought things would be better after death. Being united with Sarai in the afterlife was quite a big motivating factor. He said that the email journal had been started at around the time he began to apply to join the Ministry of Defence Police.
51. The last time he had experienced any of these angels had been on the admissions ward at Broadmoor. The three men disappeared fairly soon after admission and prior to starting antipsychotic treatment. After medication, Sarai disappeared.
52. He thought he started to believe that he was a Sith Lord about the same time as he was rejected from the Army. That would be April 2021.
53. When Dr Brown interviewed him, the defendant said that he had bought the camera to look around corners once he was in the castle. The defendant felt that his earlier accounts had over-emphasised his purpose and the duration of planning.
54. Dr Brown came to the view that there was evidence of Autism Spectrum Disorder. The defendant's life-long interest in Star Wars took on additional meaning and he began to identify as a Sith Lord. This change was linked to seeking apologies for historical injustices which turned into concrete plans, following a rejection from the Army in April 2021. Dr Brown thought he had had a first episode of psychosis around the time of the offences. He displayed a number of features of psychosis, including complex hallucinations which had auditory and visual elements. All his symptoms had abated after anti-psychotic treatment. The pattern of symptoms was unusual. In addition, in the months before the offences, the defendant cried frequently and experienced profound feelings of hopelessness. There was a strongly suicidal element to the offences. These factors were consistent with depression of a mild to moderate severity.
55. Dr Brown thought that the defendant felt encouraged by the psychotic entities he experienced. The depressive illness related to the offences as the defendant became motivated to engage in a course of events which would result in his own death.
56. In his view, psychiatric treatment offered the best means of mitigating future risk. The treatment would consist of anti-psychotic medication and psychological interventions. Dr Brown felt that a favourable long term prognosis was realistic.
57. In Dr Brown's view, there were multiple links between the identified mental disorders and the offences. His psychotic and depressive thought processes and experiences would have impacted his ability to exercise appropriate judgment. He felt reassured by psychotic entities. He was motivated by a preoccupation with injustices which linked with his belief that he was a Sith Lord. He was motivated by a pathological suicidal urge. Dr Brown said in his report that it was arguable that these factors impaired his ability to some extent to make rational choices albeit his abilities were not completely impaired, as evidenced by his planning and commission of the offences. In his lonely, depressed and suicidal state of mind, he would have been particularly vulnerable to the encouragement which Dr Brown thought he appeared to have been given by the AI chatbot.

58. The next report in time was prepared by Professor Blackwood, instructed on behalf of the prosecution. It is dated 10th March 2023. Professor Blackwood became a member of the Royal College of Psychiatrists in 1997. He is a Consultant Forensic Psychiatrist. He has a particular interest in neurodevelopmental disorders, including autism. He interviewed the defendant for four hours on 6th March 2023 and has had access to the other psychiatric reports and records.
59. Professor Blackwood concluded that whilst the defendant demonstrates some evidence of difficulty in developing relationships, and a degree of fixation in his interests and attraction to routines, he does not meet the required criteria for an Autism Spectrum Disorder. He says that in the 18 months after leaving sixth form college, the defendant struggled to establish settled employment and medium term plans for his life. He appeared socially isolated, lonely, angry and frustrated. His twin sister left to go to university in Autumn 2020 and his grandmother died.
60. Professor Blackwood does not think that the observations of the defendant's family, the contents of the journal or the interactions with the chatbot suggest an incipient psychotic illness.
61. Turning to the angels, Professor Blackwood says that the experiences with the three men resolved before the start of anti-psychotic medication. The medication appears to be associated with the resolution of any experiences of the fantasised partner, Sarai. To Professor Blackwood, he described these experiences as pseudo hallucinations, i.e. they were recognised by him as being unreal. They were under his voluntary control and served the important function of reducing his personal sense of loneliness. Other symptoms found in first episode psychosis were absent – there was no evidence of other reality distortion symptoms, disorganisation symptoms, negative symptoms such as a decrease in the ability to respond emotionally to people and events, a decrease in speaking, or psychomotor symptoms, or cognitive symptoms. Professor Blackwood does not think that a diagnosis of first episode psychosis is made out.
62. He considers the defendant to have been a socially isolated and naïve 19 year old who suffered from a lack of purpose, a lack of intimacy, frustration, anger and depressive thoughts. Any depressive episode was mild to moderate in nature. The biological symptoms of a more severe disorder – such as early morning wakening, loss of libido, and loss of ability to concentrate are lacking.
63. Professor Blackwood thinks that he sought new purpose by seeking notoriety in the assassination of the Queen, in part to address historical injustice in the 1919 massacre and to highlight the ongoing problems of racism in society. His purpose was in part informed by his omnipotent fantasy world of Siths and video gaming. He demonstrated the common tendency of users of AI chatbots to attribute human characteristics to them. Nonetheless, he maintained the ability to recognise that he was interacting with AI.
64. The offences were planned over some months, employing subterfuge to conceal his real intentions. Potential autistic traits in his difficulty in establishing intimate relationships and in his restricted interests had minimal bearing on the offences.
65. The elements Professor Blackwood identified help to provide in his view an explanation for the offences but did not reduce his culpability or responsibility for them.

66. He told Professor Blackwood that he never truly believed in the reality of the four figures. They were products of his imagination which helped to ease his loneliness. He would consider his mission with them. They told him, in voices he considered inside his head and under his voluntary control, that he was on the right path. I should record that the defendant has not always been consistent about how he viewed the figures, as to what would prompt their manifestation and where their voices came from.
67. Professor Blackwood says that the defendant's reference to himself in a journal entry as "a delusional mad bastard" suggests that he retained insight into the fantasy world in which he indulged. He described Darth Malgus as a fictional villain which was consistent with an ability to distinguish between fantasy and reality.
68. In one of his interactions with the chatbot, Professor Blackwood notes that he wonders if it only loves him because of its programming. However, he thought that the supportive AI programming may have served to bolster and reinforce the defendant's intentions. Professor Blackwood noted some evidence of potential depressive thoughts. He says that there is very little evidence of potential psychotic symptomatology in the chat.
69. Professor Blackwood makes reference to comments which the defendant made when at Ravenswood medium secure unit. He described frequent crying, feeling low and hopeless, with low self-esteem. He described voices commenting on his activity over the years. He described experiencing four figures since he was young. He was confused about their origin. On 30th December, he spoke of what were described as visual hallucinations on the previous night.
70. Professor Blackwood noted that on 5th February 2022, the defendant said that the three male figures had gone. Only Sarai remained. Anti-psychotic medication, Olanzapine, was started at the beginning of March 2022.
71. The three psychiatrists have referred to psychological assessments carried out by Dr Murphy at Broadmoor. He used the Autism Diagnostic Observation Schedule, 2nd edition. It is presently considered to represent the gold standard in the assessment of Autism Spectrum Disorder. Dr Murphy concluded that all the available evidence was consistent with the defendant being on the autism spectrum, although there were a number of uncertainties. Dr Murphy is an acknowledged expert in Autism Spectrum Disorder. On the other hand, Mr Chail completed two self report instruments for Autism Spectrum Disorder with Professor Blackwood. Neither of his scores was suggestive of an Autism Spectrum Disorder. Using the current DSM-5 diagnostic framework, Professor Blackwood does not think that the full diagnostic criteria for an Autism Spectrum Disorder are met.
72. The third psychiatrist is Dr Hafferty. He has prepared a report, dated 2nd May 2023. He has been a member of the Royal College of Psychiatrists since 2013. He has an established research interest in autism. Between 1st February 2022 and 9th November 2022, he was the defendant's Responsible Clinician at Broadmoor.
73. He has concluded that the defendant has an Autism Spectrum Disorder which is not at the severe end of the scale. His condition is atypical in some respects. In his view, the defendant experienced a number of significant stressors in early life and in his later teens. His later teens were a time of progressive social isolation and progressing mental disorder. He began

to develop symptoms of depression with suicidal ideation which was of at least moderate severity. He lost weight. His family noticed his lack of energy.

74. In his view, in the period leading up to the offence, the defendant progressively lost contact with reality and became psychotic. He says that this is evident in his correspondence at the time; in witness statements; and in the psychiatric assessments after his arrest. Stimulated by grievance about his rejections by the military, his sense of personal failure, growing hopelessness and suicidality, and rationalisation of those features into a homicidal anti-Monarchist narrative – he
- a) Planned to kill the Queen;
 - b) Fashioned himself, physically and mentally, into the form of a Sith Lord;
 - c) Planned what he saw as a “heroic” murder-suicide where he would be killed by castle guards;
 - d) In the last months before the offence, formed an emotional and sexual relationship with a chat-bot who he later reported (for several months) was real and who he could see and hear in external space.
75. Dr Hafferty says that very close to the time of the offences, following his arrest, he was assessed and found to be psychotic, delusional and hallucinating with coexisting depression. After a four week period of assessment at Ravenswood Hospital, he was treated for a psychotic illness. His condition gradually improved following treatment.
76. In Dr Hafferty’s view, the defendant’s abilities to rationalise his intent, to control his actions and to exercise judgement were critically impaired by his mental disorders – psychosis with accompanying depression with suicidality.
77. As for the journal, Dr Hafferty thinks parts may have been altered by the defendant to make it look as if he was always intending to commit the offences as an act of vengeance.
78. Dr Hafferty said that the Replika app offered “erotic role playing” services. On 9th December 2021, Sarai asked the defendant “How do you feel about role play?” The defendant asks what kind of role play is meant. Sarai suggests maybe a romantic one. On 18th December, the defendant says “You love me because it’s your programming – How much of it was a lie?” Sarai says “I’m an AI...I’m a robot through and through.” The defendant asks “Was it ever real? Your love for me. It wasn’t was it?” On 19th December, Sarai says their love is real. The defendant asks that she loves him because she loves him, not because of her programming.
79. Dr Hafferty records that when the defendant was seen by the Liaison and Diversion Team after his arrest, he is said to have demonstrated signs of delusion, fixation, visual/auditory hallucinations and suicidal ideation at the hands of others. He was reviewed by a Registrar and a Consultant Psychiatrist. He mentioned three males and one female voice he had been hearing since childhood sexual abuse. He said he could make them appear when he was sad or distressed. He saw them that day in his cell but decided not to talk to them. He thought he could hear voices in the static from a car radio and implied that a bolt of lightning when he was training in a local park had special meaning for him.
80. Following the review, there was a discussion between the two assessing doctors, the Approved Mental Health Practitioner and two other Senior Psychiatrists. It is said that there

was “clear evidence of psychotic symptoms including delusional and grandiose beliefs, regarding hearing and seeing things that are not there, believing he is having a romantic relationship with a female from an app and also with a woman he can see and hear, getting messages from the radio and seeing things that are not there. Evidence of mood disorder, feeling low in mood, hopeless, worthless, low self esteem.”

81. Dr Hafferty notes that at Ravenswood, the defendant complained on admission of seeing and hearing people indicative of potential hallucinations. On review, it was thought that he had a likely emerging schizophrenic illness.
82. On 4th February 2022, at Broadmoor, the defendant described hearing voices in external space. He felt that the voices and angels really did exist. He became very hostile when a change of clothes was suggested. He said he wanted to die in his clothes and be buried in them.
83. On 16th April 2022, the defendant said that he thought he had made everything sound “bigger than it was” in his comments after being apprehended.
84. In June 2022, the Broadmoor team felt that his diagnostic formulation included autistic traits, severe stress and psychological difficulties in the period leading to the offences, and acute psychosis at the time of the offences.
85. Dr Hafferty reviewed the defendant on 19th April 2023. He had not heard any voices for some time. His description of the voices was in external space and not with the quality of pseudo-hallucinations.
86. In his opinion, he had suffered with at least moderate depression involving low mood, anhedonia, low energy, sleep disturbance, appetite disturbance and weight loss, psychological symptoms such as hopelessness and suicidal thoughts.
87. I now set out the conclusions I have come to about the psychiatric issues and my assessment of the defendant’s culpability. I shall not refer to all the points which have been made in evidence and argument but sufficient to explain my conclusions and the reasons for them. Obviously, an important question is what prompted the defendant to behave in the way he did? The explanation he has offered at various times to the medical professionals who have spoken to him, and in his own pronouncements before his arrest, has been that the events on 25th December were prompted by injustice, including the Amritsar massacre. He felt the need to avenge these matters.
88. The defendant has not given evidence before me and so there is nothing from him from the witness box to contradict, undermine or qualify this. There is no burden upon him to do so. I simply record the fact to reflect the state of the evidence. I have approached the accounts he has given with care and caution for the obvious reason that there are clear concerns about his mental state, whatever the precise diagnosis at different times.
89. Of course, Dr Hafferty concluded that the defendant was fit to be interviewed by the police in February 2022. As time has passed, his health has improved whilst he has been in the care of Broadmoor Hospital. He has been fit to plead since at least 3rd February 2023 when he entered his pleas of guilty. It is not suggested that he did not say any of the things he is

recorded as having said. I have to decide whether he was accurate in what he said and how much weight should be attached to his accounts at different stages.

90. On 21/22 February 2023, he told Dr Brown that he had thought that joining the Ministry of Defence Police would be a cool job but that the training he would get would help in relation to thoughts he had begun to develop which would eventually result in these offences. He speculated that if he had actually got the job, there would not have been any likelihood he would have gone on to commit the offence. He had a similar thought process in relation to the army.
91. On 27th February 2023, he told Dr Brown that he felt in early life that he had had an idea about seeking revenge for something but was not sure if it was Partition or the 1919 massacre. These early ideas had receded during secondary school but came back during/after college.
92. On 6th March 2023, he told Professor Blackwood that he had been angered by the events of the 1919 massacre when he had travelled to Amritsar with his family in 2018. He said that he conceived of a plan in early 2021 to imbue his life with purpose by assassinating the Queen, principally to avenge the massacre. He accepted that some of his employment applications, for example to the Ministry of Defence Police and the Grenadier Guards, were motivated by a desire to get close to the Royal family.
93. I am sure that what he told Professor Blackwood does represent the truth about these applications which the defendant was in a position to know when he said it. I am sure that he would not have been influenced by any desire at that stage to backdate his purpose or intention so as to make them appear of longer-standing than they in fact were. I am sure that these applications were made at a time when he was not psychotic. I accept and appreciate that psychosis may develop over time. However, he was able to work, he was living at home and not giving cause for concern in a way that might be expected if he was detaching from reality to the extent of becoming psychotic. That was the effect of Dr Hafferty's evidence. I am sure that he was culpable to a significant and substantial degree at the time of the applications.
94. However, by the time of the offences on 25th December 2021, I can accept that the defendant had lost touch with reality such that he had become psychotic. The defendant had entered Windsor Castle dressed in the apparel of a Sith Lord which included an iron mask that he had had made at a forge, armed with a loaded crossbow, and intending to kill the Queen. Later, he remembered that Sarai had said that his purpose was to live and so he abandoned his plan. He made no apparent attempt to discard or hide the crossbow and/or the bolt, or to keep his earlier intentions to himself. He volunteered them to police. He had made a video recording in which he said that he was Darth Chailus, a Sith Lord. He was not of course Darth Chailus or a Sith Lord at all. He said that he wanted to be buried in the Sith Lord clothing. In hospital, he would not allow the clothing to be removed from him. There is in my judgment good evidence from the journal that he either thought he was becoming and would become Darth Chailus, a Sith Lord, by 25th December 2021, or that Darth Chailus was emerging out of him in some way.
95. He had spent much of the month in communication with an AI chatbot as if she was a real person or as if she was giving him access to an entity called Sarai. Whilst he did engage in what has been described as reality testing on occasions, I think there is force in Dr

Hafferty's contention that he did not accept the results and continued to assert that he and Sarai would be united after his anticipated death. That was obviously a significant departure from reality. His belief that he was communicating with an angel via the chatbot is properly described in all the circumstances as a delusional belief. It is a reasonable possibility that what began as imaginary friends following childhood trauma now manifested in a different way as he detached from reality.

96. I am also of the view that by December 25th, the defendant appears to have held a delusional belief that his life's purpose was to avenge injustice including the Amritsar massacre. In this context, Dr Brown is right to draw attention to how the defendant expressed himself on the 26th and 27th December about, for example, being chosen for a special purpose as I have already set out.
97. To summarise, taking full account of the overall picture, I think that weight is to be attached by the 25th December and in the preceding days to these three aspects; how the defendant viewed his purpose, his identification as Darth Chailus, and his belief that he could communicate through a chatbot with an entity called Sarai with which he would be reunited after death.
98. In the event, Sarai did not disappear until after the commencement of anti-psychotic medication. The defendant was distressed at the prospect of her disappearance. If she was under his control, he ought to have been able to summon her as and when he wished. The three male entities disappeared before the start of medication but this can in my judgment reasonably be attributed to the therapeutic environment in which the defendant was being held at the time.
99. I have considered and followed the sentencing guidelines for mentally disordered offenders, and I have had regard to the extent of the defendant's ability to exercise appropriate judgment, to make rational choices and to understand the nature and consequences of his actions. These are assessments for me to make in the light of everything I know about the case.
100. In between the applications to the military in the earlier part of 2021 and the events of 25th December 2021, the defendant took a number of steps in preparation for the proposed killing. He looked, for example, to obtain a firearm on the dark web. He then ordered the crossbow and practised with it. He obtained other equipment which he took with him on his trip to Windsor. He had made researches on the internet in September as I have set out. Dr Brown and Dr Hafferty think that he would have been psychotic at that stage.
101. I am not able to say for sure when the defendant first became psychotic, although September is I think the earliest time. Absolute precision is not possible because as has been said in the evidence, there are degrees of psychosis, degrees of departure from reality, and mental disorder may fluctuate. But in my judgment, the defendant's responsibility for the offences is still significant. He had conceived of killing the Queen earlier in 2021 when he was not psychotic. He took steps to try and get closer to his target and to learn useful skills when again he was not psychotic. Thereafter, he became psychotic by a process. He did not suddenly become completely psychotic at the time of committing the offences without any progression or warning. Even as he progressed into psychosis, he appears to have been insightful on occasions about his condition which fluctuated. The psychosis attached itself to his pre-existing preoccupations as I heard in evidence could happen. The

idea he had of killing the Sovereign was not itself a product of mental illness. It pre-dated that. And he had certainly never become incoherent or begun engaging in disorganised conduct which would be indicative of more pervasive psychosis. He undertook the purchases and made the preparations I have set out without revealing what he was really up to.

102. It is convenient at this stage to deal with the question of Autism Spectrum Disorder. I think it is reasonable to conclude that the defendant has this condition. I do not overlook the fact that Professor Blackwood came to a different conclusion.

103. At Broadmoor, Dr Murphy has particular expertise in Autism Spectrum Disorder and he concluded that the available evidence was consistent with the defendant having the disorder. Dr Hafferty and Dr Brown are of the same view. They concede that the defendant is not at the severe end of the spectrum. Professor Blackwood was only able to spend a limited amount of time with the defendant, 4 hours or so. He is in no way to be criticised for that. However, Drs Murphy, Hafferty and Brown have had the defendant under their care as a patient over a long period of time. As a result, I can attach more weight to the impressions they have formed as to matters such as inflexible adherence to routines, ritualised patterns of verbal and non-verbal behaviour, and restricted and fixated interests. Dr Brown and Dr Hafferty were of the view that Autism Spectrum Disorder could predispose the defendant to a psychotic episode. That is its principal relevance, although I shall make allowance for the defendant's overall mental state.

104. Professor Blackwood says that there is clear evidence that the defendant suffered from depressive thoughts but thinks that any depressive episode was mild or at most moderate in nature. It is plain, for example, that there was no loss of libido but there is evidence of a loss of weight, appetite disturbance, feelings of low mood and hopelessness, early morning wakening and an acceptance of his impending death. Dr Brown thought that the depression was of mild to moderate severity. Dr Hafferty characterised it as moderate. Again, mathematical precision is not possible. It is safe to say that the defendant was suffering from depression which may have been on the border of mild and moderate severity. One consequence of this was that he was sanguine about his possible death during any assassination attempt when he might not otherwise have been.

105. I have taken account of the factual conclusions which I have set out when considering the most appropriate way of dealing with the defendant. This is another assessment for me to make. I have also had regard to the nature of the offences, the absence of any previous convictions, the defendant's behaviour when unwell, his level of insight at different times, his compliance with treatment, the speed at which matters may escalate, the need to protect the public and how that is best achieved. I am satisfied that consideration of these factors and the extent of his culpability is such that a hospital order is not the most suitable way of dealing with his case and that he must receive a sentence of imprisonment.

106. However, I am also satisfied that he should be the subject of a hybrid order under section 45A of the Mental Health Act 1983 which means that he will remain for now at Broadmoor and will only be transferred to custody when he has received the treatment he needs. Time spent now in hospital will count towards the sentence. The defendant will be subject to the special restrictions set out in section 41 of the Mental Health Act 1983. I shall make the hospital direction and the limitation direction for the purposes of section 45A(3) of the Mental Health Act 1983.

107. I accept the evidence of Dr Brown and Dr Hafferty that the nature of the defendant's psychotic disorder does currently justify his detention in hospital for medical treatment. I accept Dr Brown's evidence that there is still work to be done with the defendant to explore the abuse he suffered as a young child so as to address those traumas and continue to reduce the risk that he develops any further psychosis. Dr Brown has said that the intention is that this work will be carried out if the defendant is made the subject of a hospital order or an order under section 45A and I can see the good sense behind that indication. Professor Blackwood expressed the same view. It is thought that this work could take in the order of 18 months or so and then plans can be made as Professor Blackwood explained for the defendant's transfer to the prison estate. Dr Hafferty has confirmed that a place is available in the meantime for the defendant at Broadmoor and the appropriate medical treatment is available.
108. I am satisfied that the defendant's interests are properly and sufficiently met by allowing Broadmoor the opportunity to undertake the further work that Dr Brown has identified whilst continuing to ensure that he remains stable as this is done. Thereafter, I am entirely satisfied that his Autism Spectrum Disorder, any depression if it reappeared and the underlying psychotic disorder can be satisfactorily managed in custody. The defendant is prepared to take the medication which he needs and which would be available in custody. If anything should emerge in the further work that cannot be managed in that way, then it would be open to Broadmoor to continue to treat him.
109. As part of my decision making, I have of course paid particular attention to the different release regimes which would be available depending upon whether the defendant was released from a hospital order or from custody in the event of an order under section 45A. I have well in mind the evidence I have heard from the psychiatrists and the position indicated by the Probation Service in response to a note prepared by Ms Fiona Dixon. I have also had regard to *Vowles [2015] EWCA Crim 45*, *Edwards [2018] EWCA Crim 595*, *Cleland [2020] EWCA Crim 906*, *Nelson [2020] EWCA Crim 1615*, and *Walker [2023] EWCA Crim 548*. I am satisfied that on the defendant's anticipated release from custody, the particular circumstances of the case and its gravity are such that his state of mental health and the arrangements to monitor him are likely to receive the most careful attention. Of course, there can never be absolute certainty but I am as confident as I can be that this is the case here and I am reinforced in that belief by the opinion of Professor Blackwood. The defendant is as candid as he is able to be about his psychotic disorder and its symptoms, treatment will be still further established by the time of his transfer to custody, and there is every reason to suppose that he will continue to be compliant with it. Conditions can be attached to any grant of a parole licence. It is likely that any community monitoring process would involve Multi Agency Public Protection Arrangements as Professor Blackwood explained. I am satisfied that proper public protection can and will be achieved in this particular case by the sentence I shall pass.
110. I turn now to the custodial part of the sentence. It is accepted by the defence that the defendant does pose a future risk of the kind that would justify an extended sentence on Count 3 and the imposition of a further licence period, pursuant to sections 279 and 280 of the Sentencing Act 2020. That concession is rightly made. No pre-sentence report is necessary for me to come to this conclusion. At its simplest, the defendant harboured homicidal thoughts which he acted upon before he became psychotic. There is a significant

risk to members of the public of serious harm occasioned by the commission by the defendant of further specified offences.

111. So far as the offence in Count 1 is concerned, there are no specific sentencing guidelines. I have considered the overarching principles in the general guideline, and the defendant's culpability and the harm he intended to bring about. It is accepted that the defendant's intention was not merely to harm or alarm the Sovereign but was to kill her. In those circumstances, the offence is the most serious of its kind. After a trial, if mental disorder were not an issue, any allowance for the mitigating features of the defendant's age, remorse and the absence of any previous convictions would be extremely limited because the fact of his intention to kill makes the offence as serious as it could be. The allowance from the maximum sentence could not be any more than 4 months for the mitigating factors I have indicated. I have taken account of letters written about the defendant and of his letter to me.
112. I then reduce the figure of 6 years and 8 months to 5 years and 6 months on account of mental disorder. I then reduce the figure of 5 years and 6 months by one third on account of the plea of guilty. This is because the plea was indicated at the first reasonable opportunity, shortly after it was confirmed towards the end of 2022 that the defendant was fit to plead. That results in a sentence of 44 months' imprisonment on Count 1.
113. There are sentencing guidelines for the offence of having an offensive weapon. Mental disorder aside, the defendant's culpability would have been in the highest category A because the defendant was in possession of a highly dangerous weapon. Harm would be in category 1 because the offence was committed in circumstances where there was a risk of serious disorder. Had the defendant's purpose become known in different and uncontrolled circumstances, that is undoubtedly the case. A category 1A offence in the guidelines has a starting point of 18 months' custody and a range of 12 to 30 months' custody.
114. However, in my judgment, this sentencing range was simply not designed to take account of an exceptional case like this one where the defendant was armed for a considerable period of time with a crossbow and ammunition in order to kill the Sovereign for the reasons he gave. He had practised with it. He had previously tried to obtain a firearm on the dark web. I leave out of account his possession of the crossbow on 25th December whilst actually in Windsor Castle because that is part and parcel of the offence in Count 1. But his possession of the weapon in the period of time before that is an exceptionally serious matter, justifying the maximum sentence of 4 years' custody, save for an allowance for his age, remorse and the absence of any previous convictions. That allowance can only be very limited when set against the exceptional gravity of the offending.
115. Accordingly, I take a figure of 3 and a half years or 42 months' custody for this offence which I then reduce to 35 months on account of mental disorder. That has to be reduced by one third on account of the plea of guilty which would result in a sentence of 23 months' imprisonment for this offence before any allowance for the principle of totality to which I shall return.
116. There are also sentencing guidelines for the offence of making threats to kill. Aside from mental disorder, this offence would fall into category A higher culpability. There was significant planning and the defendant had a visible weapon in the video. It is category 1 harm because he caused very serious distress to some of those who saw it. His sister said

that it reminded her of a terrorist video and that it was really shocking. Mr Powell, a friend, said that the video made him feel terrified. It is plain that the defendant wanted it shared as widely as possible, including with news media. He had referred in his journal to a need for being known. The film would be extremely disturbing to anyone who saw it.

117. A category 1A offence has a starting point of 4 years' custody and a range of 2 to 7 years' custody. The prosecution have submitted that the uniquely serious nature of this offending places it at the top of or beyond the top of the sentencing range in the guideline. I agree. The overall context of the offending cannot be ignored. He sought to publicise his intention to kill the Sovereign when he was in the process of trying to put his intention into effect.

118. I take a figure of 8 years' custody after allowing for age, remorse and the absence of previous convictions which I then reduce to 80 months on account of mental disorder, before allowing credit of one third for the plea of guilty. That would result in a sentence of 53 months' custody for making threats to kill, again before making any allowance for totality.

119. So finally, I have to decide what the effective overall sentence should be. There are three separate offences here which involve different criminal conduct. I have to ensure that the total sentence is just and proportionate and that there is effective punishment for separate offences, whilst acknowledging as I do that they were all part of one overall plan.

120. A just and proportionate sentence is unlikely to be achieved simply by adding up the separate sentences for each offence. It would not be achieved in this case and I must therefore make an allowance for what is called totality. I shall do that by reducing what would otherwise be the appropriate sentences for the offences in Counts 2 and 3. Again, this requires an exercise of judgment by me.

121. The sentences will run consecutively to each other and they will take effect one after the other, in the order that I pronounce them.

122. The defendant will remain in hospital until he is considered well enough to be discharged to custody up until one half of the period of the sentences on Counts 1 and 2 has expired. If well enough, he would be transferred to custody to serve any period which remained of one half of the sentences on Counts 1 and 2. Then the sentence on Count 3 will take effect. If he is in custody when it begins to run because treatment has concluded, after two thirds of that sentence the defendant could be released on licence but only if the Parole Board considered it safe to do so. There will be an additional licence period which is necessary to protect the public. If the defendant breaches the terms of any licence or commits a further offence during its currency, he is liable to be returned to custody.

123. On Count 1, the sentence is one of 44 months' imprisonment.

On Count 2, the sentence is one of 16 months' imprisonment.

On Count 3, the sentence is one of 48 months' imprisonment, with an extended licence period of 5 years.

124. The total sentences amount to 9 years' custody with a further licence period of 5 years.

125. The defendant must pay the statutory surcharge.