



Judiciary of England and Wales

IN THE CROWN COURT AT MANCHESTER, CROWN SQUARE

THE KING

— v —

IAN GARY CONNELL

SENTENCING REMARKS OF THE HONOURABLE MRS JUSTICE ELLENBOGEN DBE

Ian Connell, you may remain seated for now.

1. The jury has found you guilty of the murder of Donald Prentice Patience, fondly known to his friends and family as Prent, whom you also called 'Boss'. Between 19 and 22 August 2023, and, in the opinion of the pathologist, probably on 20 August, you strangled Mr Patience in his home, using sufficient force that you fractured both sides of his larynx. You did not call the emergency services, instead choosing to insert his body inside a duvet cover and to leave it to decompose; spraying it with air freshener, so that you would not be disturbed by the odour; then dragging it from the living room to the foot of the staircase in the hallway where, ultimately, it was found by the Police on 22 August. That

had followed your arrest on suspicion of burglary, in response to a 999 call made by a member of the public, who had seen you breaking into Mr Patience's home. Even at that stage, you did everything that you could to convince the officers that Mr Patience was in Scotland.

2. You are 39 years old and have been addicted to heroin; cocaine; crack cocaine and other drugs since the age of 19. You had a habit which you had no legitimate means of funding, compelling you to seek money from a variety of sources. Having first met Donald Patience in 2020 or 2021, you found in him a source of interest-free, regular funding and you exploited his financial means, generosity and loneliness to the full; according to the unchallenged evidence of a fellow resident of the hostel in which you lived, Muamba House, asking him for money on most days.
3. You maintained that you had loved Mr Patience like a father, or a brother. Whether or not that was ever true, I am satisfied that your affection for him waned as he became increasingly disinclined to lend you the money which you desperately needed to fund your pernicious addiction. In the week preceding Mr Patience's death, you told that same resident of Muamba House, *'He's fucking stopped giving me any fucking money, he's taking the fucking piss. I don't know why.'*
4. On 21 August, in the course of a call made to you by Mr Hampson, another resident of Muamba House, at 6:39pm, you told him that you had killed 'your boss'. Thereafter, and despite the clear evidence of its existence, you denied that that call had taken place, asserting that Mr Hampson was 'delusional'; that you had made any such confession; and that you were the person responsible for Donald Patience's death. You persistently lied to the Police and to the jury, contending that some unknown third party had strangled him.
5. From the evidence at trial, it is clear that, during the evening of 17 August, over a period of approximately four and a half hours, you called Mr Patience on 16 occasions, also sending him four text messages, one providing the bank account details of your then girlfriend, into which he could deposit money for your use, and the others, I am sure, pleading for money. The following day, you made 25 calls to Mr Patience and sent him six

text messages, urging him to contact you. Your calls continued into the early hours of Saturday 19 August. I am satisfied that that level of activity and the content of your text messages reflected your ever-present need for money to buy drugs, consistent with your pawning of a telephone later that morning. Your attempts to contact Mr Patience persisted, before, shortly after 7:15pm, you commenced your journey from Bolton to his home in Radcliffe. You continued to call him whilst en route. Shortly after your arrival at his house, you left to withdraw thirty pounds (which, it would seem, he had agreed to lend to you), from a local cashpoint, within minutes of which you made the first of the numerous calls made to and received from two individuals from whom you customarily obtained drugs. Between 01:05 and 01:35am on 20 August, you called Mr Patience on 14 occasions. The final occasion on which his telephone handset was unlocked was at 01:56 that morning. The last of the regular alarm calls which he had set to ring on his telephone at 10:00; 10:30; and 19:00 each day which was stopped before it would automatically self-cancel sounded at 10:00am on 20 August and was cancelled approximately four and a half minutes later. As Dr Lumb, the pathologist who had conducted the post-mortem, told the jury, his findings were consistent with death having occurred by around that time.

6. As you demonstrated in the course of your trial, you are a man capable of a sudden flash of temper. I am satisfied (to the criminal standard, being the standard applicable to all my findings of fact) that, having come to rely upon Mr Patience's funding of your addiction, you had become increasingly frustrated and angry at his unwillingness to continue to lend you money as and when you required it. I cannot be sure that, when travelling to Ainsworth Road on 19 August, you had had it in mind to kill Mr Patience, but I am quite satisfied that you were intent on extracting money, to which you had come to believe yourself entitled, from him. When you had obtained no more than thirty pounds, and with no indication of any further moneys in the offing, I am equally sure that you strangled Mr Patience in a fit of rage. Whether or not you were, at that time, under the influence of drugs, by its verdict the jury made clear that it was sure that you had been able to, and did, form the requisite intent for murder. I am satisfied that that intention, albeit formed in anger, was to kill. In so concluding, I have had regard to Dr Lumb's unchallenged evidence that the overall pattern of asphyxial injuries which he observed would have required a tight grip, or considerable and sustained pressure.

Victim Impact

7. Throughout your interactions with Mr Patience during the last few days of his life, you showed a callous disregard for his own vulnerability, welfare and needs. By the time of the events with which your trial was concerned, it is clear that he had become somewhat reclusive and had been battling his own demons. He was an educated and talented man of whose desire for company and friendship you shamelessly took advantage, prioritising your own insatiable need for your next fix. By your act of violence, you have deprived three young children of their much-loved father; three siblings of their brother; and a mother of her son, in their moving words creating a void in their family which will never be filled and a loss which will never go away.

Sentence

8. There is only one sentence in law which I may pass for murder, being life imprisonment. Nevertheless, pursuant to section 322 of, and Schedule 21 to, the Sentencing Act 2020, I am required to specify the minimum term which you must serve before you can be released on licence.
9. I must first consider the seriousness of your offending. I reject the Crown's contention that yours was a murder done for gain, as distinct from one committed in anger at the fact that your source of funding appeared to be drying up. I am satisfied that, as Mr Leach KC submitted on your behalf, the appropriate starting point is that specified by paragraph 5 of Schedule 21, namely 15 years. Having selected that starting point, paragraph 7 requires me to take into account any aggravating and mitigating factors in your case, to the extent not allowed for in my selected starting point. The factors identified, respectively, in paragraphs 9 and 10 of Schedule 21 are not exhaustive. Aggravating factors in this case are your victim's vulnerability, encompassing his compromised physical and mental health and, in that context, the background of your longstanding financial exploitation of him, all of which, as Mr Leach candidly acknowledged, substantially aggravating your offence. From the age of 16, you have collected convictions (amongst others) for violent offending, most notably in August

2004, when, aged 20, you were sentenced to five years in a young offenders institution, with an extended licence period of three years, for wounding with intent to cause grievous bodily harm; and, in 2013, when, aged 28, you were sentenced to 51 months' imprisonment, with an extended licence period of five years, for aggravated burglary and wounding/inflicting grievous bodily harm. I bear in mind both the dates of those convictions and your age at the time of the earlier one. Nevertheless, their existence and the long-standing willingness to use violence which they represent constitute a further aggravating factor. The inhumane disregard with which you treated Mr Patience's body after you had murdered him affords some further aggravation, albeit, in all the circumstances, calling for only modest additional uplift to the starting point. The only mitigation is your lack of premeditation. You have shown no remorse.

10. Having regard to all of the aggravating and mitigating factors to which I have referred, I have concluded that the appropriate minimum term in your case is one of 19 years.

Stand up, please, Mr Connell.

11. For the murder of Donald Patience, I sentence you to life imprisonment. The minimum term which you will serve is one of 19 years. You will receive credit for the 192 days during which you have been remanded in custody, reducing that minimum term to 18 years and 173 days.
12. I emphasise, to you and to the public, that a minimum term is just that; a period which cannot be reduced, to any extent.
13. There is no guarantee that you will be released after you have served the minimum term, or at any time thereafter. If, after that term, the Parole Board determines that you are fit to be released, you will be released. If and when that happens, you will remain subject to licence for the rest of your life, meaning that you may be recalled, to continue your life sentence, if you re-offend or otherwise breach the conditions of your licence. Those are the ways in which a life sentence protects the public for the future.

14. The statutory surcharge will be imposed.

Go with the dock officer, please.

6 March 2024