



# Courts and Tribunals Judiciary

REX

-v-

JAKE HILL

TIA TAYLOR

and

CHELSEA POWELL

Sentencing Remarks of the Honourable Mrs Justice Cutts DBE

At the Crown Court in Truro

On the 12<sup>th</sup> day of April 2024

1. On Saturday 29 April last year, the Eclipse nightclub in Bodmin was open as usual for those who wished to enjoy a good time. It was, up until closing time, an uneventful evening. Groups of friends were there to mingle and to socialise. These included Michael Allen and others from his rugby club, all of whom had attended a rugby club dinner earlier in the evening. They also included you, Tia Taylor, and your friend Tessa Saunders who went on an impromptu night out. There you met Jake Hill and Chelsea Powell who had come across each other earlier in the evening in Wadebridge and who had decided to continue their evening in the Eclipse.
2. All in the Eclipse had a good time. However, as people started to leave, violence erupted in the road outside. That violence had nothing to do with any of the three of you. There was absolutely no reason why you could not have followed the example of Ms Saunders and another in your group, Robert Centini, not getting involved and headed for home. All three of you have responsibilities, all of you have young children. You had every incentive to leave those intent on a fist fight to it.
3. You, Jake Hill, did not. Within seconds of seeing the disorder, you ran towards it and became involved in it. Within minutes if not seconds, as seen extensively on CCTV footage in the trial, four people had been stabbed, two of them seriously and Mike Allen had been fatally wounded.

4. I am to sentence you today for the murder of Mr Allen and for wounding each of those four individuals, Liam Phillips, Ryan Burger, Rhiannon Thompsett and Stefan Williams, with intent to do them grievous bodily harm.
5. You, Tia Taylor, ran after Jake Hill as he made his way towards the disorder. As Hill engaged with Michael Allen you ran over and launched an attack with your fists on Mr Allen. I am to sentence you today for his manslaughter following your guilty plea during the trial at the close of the prosecution evidence. That night, you went on to lie to the police about Hill's whereabouts, committing an act tending and intending to pervert the course of public justice. You pleaded guilty to that offence at an earlier point in the trial and I must sentence you for that offence today.
6. You, Chelsea Powell, were acquitted of the murder and manslaughter of Mr Allen. Following your conviction by the jury, I am to sentence you for an offence of perverting the course of public justice when you lied in a statement to the police about what had happened.

### **Facts in detail**

7. Michael Allen's death and the wounding of four other individuals all came about Jake Hill because of your decision to carry a knife on the evening in question.
8. This is a paradigm case of the dangers of carrying knives. Experience shows that, whatever their initial intention, those who carry knives are quick to use them and with devastating consequences. There is no justification for carrying any type of knife in a public place. The knife you carried was particularly dangerous. It was a hunting knife with an extremely sharp cutting edge and a serrated area along the top of it. You had absolutely no reason to be carrying such a knife. You do not hunt. You have no need of a knife of this sort. You were a carpenter at the time, but this was not the reason for having this knife. You may have used it, as you told the jury, in the days before the incident, to cut insulation but this was not its purpose. You had been a carpenter for some time and had had no need of a knife such as this before.
9. On the evidence before the jury, you bought the knife a few days before you used it to such devastating effect. I do not consider that you gave any real explanation for its purchase. You were to tell the jury that it was because you liked the look of it. Yet you did not merely look at it. You carried it with you on the 29<sup>th</sup> April.
10. I reject your evidence that you carried it only because your grandmother did not want you to leave it in the house. You were spending the day with your partner and young son in the presence of other children. You could easily have hidden the knife in your room at your grandmother's house before you left to meet with them. You chose to take it with you and, rather than clipped to your belt around your trousers as you had carried it before, you chose to wear it on a belt diagonally across your chest where it was reasonably easily seen and easy to produce if necessary. Whilst I do not find that

you specifically wanted the knife because you were going to the Eclipse nightclub, I am of the view that at the very least you liked the feel and image of being a hard man. In that you were wholly misguided. By the very carrying of that knife with the attitude you had, you created a very dangerous situation. Further, in wearing it in the way that you were, with easy access to it, I conclude that you intended to have it available for use as a weapon should the need arise.

11. You had not initially intended to go to the Eclipse. It was when you met Chelsea Powell and those she was with by chance in public houses in Wadebridge on the evening of 29<sup>th</sup> April that you decided to join them and continue the evening there. Realising that you could not take the knife into the nightclub you secreted it in a hedge opposite the entrance. You collected it when you left, wearing it as before. There was no need to do so. You live in Bodmin and could have collected it if needs be the next day.
12. It was with that knife and in those circumstances that you ran towards the disorder with which, as I have already said, you had absolutely no need to get involved.
13. Within no time at all you had pulled the knife from its sheath and used it to stab four individuals in quick succession in what can only be described as a spree of violence. The jury, rightly in my view, concluded that you were not acting in self-defence. I do not accept that self-defence formed any part in your actions. You may have got embroiled in a melee by your own actions but no one else had a weapon. There was pushing and shoving in which you became involved by choice. There can be no justification for pulling your knife and deliberately, as the jury found, stabbing four people. The use of a knife such as that showed a clear intent to cause really serious bodily harm which you did.
  - a. Liam Phillips suffered a significant stab wound in his abdomen below his ribs which required surgery. As his impact statement makes clear, he suffered a high degree of pain and indeed financial loss as he was unable to work. He has physically recovered well but suffered emotionally and psychologically. The effect has been long lasting, affecting his ability to socialise as he fears what may happen if he is out.
  - b. Ryan Burger received a near fatal injury to his thigh, severing the femoral aorta. Dashcam footage shown during the trial dramatically showed blood spurting from his leg. Were it not for the quick thinking of one of the doormen in applying a tourniquet, I have no doubt that you would be facing sentence for the murders of two men. Mr Burger required 9 hours of surgery to use the vein in one leg to mend and repair the other. He spent 9 days in hospital and a considerable time convalescing.

The impact on his life has been severe. He has experienced pain and discomfort, financial loss by not being able to work for some time and significant psychological harm in coming so close to losing his life. He has

needed counselling and the incident has caused him to stop socialising with friends for fear of what may happen.

- c. You stabbed Rhiannon Thompsett in her thigh. You have known her since you were both children and she has struggled to understand why you did as you did. Her injury, although far from negligible, was fortunately not so serious. She has nonetheless experienced considerable pain and found it difficult to maintain her employment in the aftermath of her injury.
  - d. Stefan Williams was stabbed to the chest. Not for any reason connected with you he is lucky to have escaped more serious physical injury. He has been affected psychologically, not wanting to socialise or go out for fear of what may happen.
14. Michael Allen has been described by all who know him as a gentle giant. He was loved and adored by all who knew him. He helped look after his grandmother who lived in the annex behind the house in which he lived. He was adored by his nieces who, with the rest of his family, have struggled to understand and come to terms with his loss. You, Jake Hill, must face the consequence of your crimes by the sentence I will impose upon you. That cannot bring Mr Allen back. For Mr Allen's family his death has been life-changing and they must always live with his loss.
15. His willingness to help others was evident to the end. Mr Allen was not involved in the disorder that night, but it is clear from the CCTV footage that he could see that you were. He saw you with a knife in your hand. It is highly likely that he heard people scream they had been stabbed. He may, although we do not know, have seen the blood gushing from Ryan Burger's leg. Mr Allen did not jump back or run from you. He stepped forward and took hold of you in what I am sure was an attempt to prevent you from hurting anyone else. As he turned you and pushed you towards the hedge bordering the pavement you both fell. It is far from clear, but it would seem you were on the ground together more than once.
16. This was your opportunity to see sense – to release your grip on the knife. Instead, you used it once more, this time to stab Mr Allen to the lower abdomen. On the pathologist's evidence you used at least moderate force. On the jury's verdict, you were not acting in self-defence and you inflicted that fatal wound deliberately. On the evidence I cannot be sure that you had an intent to kill Mr Allen but plunging a knife such as that using at least moderate force into the lower abdomen of another was highly likely to cause very serious injury with a high risk of death. Indeed within a very short time Mr Allen had died.
17. Once you had stabbed him you jumped back but not before you asked another whether he also wanted some, offering violence to him, when he told you to put the knife away.

18. You stayed at the scene for only a few minutes. In that time others were trying to help those injured in the carnage for which you were responsible. Eager to escape responsibility you ran from the scene. You knew that you had caused serious injury to others, observing that you were responsible for “stabbing all these people”. CCTV footage shows you, not far away, calmly returning the knife to its sheath on the belt across your chest. You showed not a shred of remorse then. You have shown not a shred of remorse since. In the long period in which you were giving evidence in the trial I detected absolutely no regret on your part.

*Tia Taylor*

19. As I have already said, you Tia Taylor (rather than following the advice and example of your friend Tessa Saunders) ran after Jake Hill towards the disorder. Other than the fact that you had been drinking a lot of alcohol, an aggravating rather than mitigating factor, your decision to get involved is completely inexplicable.

20. An important question in your case is whether you knew that Jake Hill had a knife when you joined into the attack on Mike Allen. Although you were very close to him at the time he inflicted the non-fatal injuries, I cannot be sure that you did. You met Hill in the Eclipse that night when he had already concealed the knife in the hedge. Although you knew each other, there is no evidence that he routinely carried a knife let alone that you would have been aware of that fact. Footage of him collecting the knife does not lead to the safe inference that you were aware of its presence at that time. The non-fatal injuries were inflicted in close succession and in circumstances where those injured did not immediately realise that anyone had a knife or that they were injured. The scene was loud and chaotic. I sentence you on the basis that you did not know of the knife at the time of your involvement in the assault of Mr Allen.

21. Nonetheless you willingly and aggressively joined into that assault intending, as you accept by your guilty plea, to cause him some harm short of really serious bodily harm. I accept that was initially because you saw Mr Allen take hold of Hill but, as you accept by your guilty plea, your actions were not in lawful self-defence or defence of another. You can be seen on the footage raining blows onto Mr Allen’s back when he was on the floor including after Jake Hill had moved away. A doorman witnessed you kicking him whilst he was on the ground.

22. You knew by the following day, when Mr Allen’s death became known that you had played a role in it, saying as much to a friend. You should have accepted responsibility immediately and pleaded guilty to manslaughter as soon as the opportunity arose.

23. That night, as your group moved away from the scene, towards your house where earlier you had agreed to continue socialising, you and Jake Hill were aware of the risk that Hill at least would be arrested. Rather than seeming to be horrified by what had happened, you, Taylor, told him that he would have to clean the knife when he got

to yours. You Hill told the rest of your group they should keep their mouths shut.

24. Within a few hours armed police were at your door. Body worn footage was shown to the jury of police calling for you to come outside. Instead you, Hill, concealed the knife in an extractor fan in the kitchen and hid yourself in the loft with Ms Taylor's knowledge and consent. When you emerged from the house with your two very young children, you Tia Taylor told the police that Hill was not there, lying to them and thereby attempting to pervert the course of justice, hoping no doubt that Hill would not be arrested for the serious crimes he had committed. Your dishonesty set no good example to your children. It is a good job that they are more honest than their mother and your toddler told the truth – that he was hiding in the attic. You, Hill, were then arrested.

### *Chelsea Powell*

25. In the days and weeks that followed the police were investigating what had happened and taking witness statements from those who had been at the scene. It goes without saying that this was a case of the utmost seriousness and every witness had a duty to assist the enquiry and tell the truth.
26. You were one of those who was asked to provide a witness statement. You lied through your teeth in what you told the police. You did not tell them of the presence of your brother or his friend who were potential witnesses. On your own evidence you were aware that Jake Hill had become involved in a violent altercation with Mr Allen and that he had stabbed a number of individuals. You told the jury that he had said so whilst still on the scene and looking at Mr Allen who was by then unconscious on the ground. You omitted in that statement any mention that he had the knife. On the evidence I am sure that, by the time you gave this statement you were aware of that fact. Whether this was to protect yourself or, more likely, Jake Hill is not certain. What is certain is that you impeded the ability of the prosecution in their investigation of this serious case. Fortunately, others told the truth and the impact of your lies in consequence did not have the impact they may otherwise have had.

### **Sentence**

#### ***Jake Hill***

1. I turn to your sentences. Jake Hill, for the murder of Michael Allen there is only one sentence prescribed by law and that is imprisonment for life. That is the sentence I will shortly impose upon you. However, I am required to determine the minimum period you should serve in prison before you are eligible to be considered for release on parole.

27. It is most important that you and everyone concerned with this case should understand what in fact this means. The minimum term is not a fixed term after which you will automatically be released but the minimum time that you will spend in custody before your case can be considered by the Parole Board and it will be for the Parole Board to say at that time whether or not you will be released. If they say you should not you will remain in custody. If and when you are released, you will be subject to licence and this will be the case for the rest of your life. If for any reason your licence were to be revoked, you would be recalled to prison to serve your life sentence in custody.
28. In coming to the appropriate minimum term, I must first decide where this case falls within Schedule 21 to the Sentencing Act 2020. There are no factors which would place this case within paragraphs 2 or 3 of the schedule. I am satisfied, however, that you took that knife to the scene of the murder intending to have it available as a weapon should the need arise. Therefore, by paragraph 4 of the schedule the starting point for the minimum term for the murder of Mr Allen is one of 25 years' imprisonment. I accept the submission that you did not intend to use the knife until you saw the violence outside the club and will make some modest allowance to reflect that fact.
29. None of the aggravating factors in paragraph 9 to schedule 21 apply in his case. That is not to say that there are no aggravating features. This was an offence which took place in public at night and in the context of ongoing disorder. You, Hill, were under the influence of alcohol. You sought to conceal the knife afterwards and hid from the police in Tia Taylor's loft.
30. You are now 25 years of age. You have previous convictions, including in 2016 when you were sentenced to three years detention in a young offender's institution following your guilty plea to an offence of attempted robbery and possession of an airgun with intent to cause fear of violence. You were cautioned when a youth for possession of a lock knife. These offences show your previous association with weapons and are an aggravating factor in this case. When assessing the extent of that aggravation, I bear in mind these were nearly eight years ago when you were very much younger.
31. I find mitigating factors in the lack of premeditation and the fact that you had an intention to cause serious bodily harm rather than to kill, although the nature of the weapon and the site of the wound made death virtually inevitable.
32. I take into account all that your counsel has said on your behalf. You are still a relatively young man who experienced a difficult childhood with parents who were sadly both addicted to class A drugs. You lost your mother not long before the 29 April 2023. You were not without prospects. You had trained to be a carpenter and were in work at the time of the offences. You had a young son and had learnt that weekend that your partner was pregnant again. This should have been the focus of your life, not carrying dangerous weapons on public streets and using such a knife on others.

33. Inevitably, by reason of the sentence I must pass today, your son will grow up without your presence or support. Others in your family who love you will inevitably miss you in their lives. That is the consequence of your own behaviour in April last year.
34. Balancing such aggravating and mitigating factors as exist in this case, were I sentencing you for the murder alone I would have imposed a minimum term of 23 years' imprisonment less the time you have served on remand.
35. But I am not sentencing you for the murder alone. I must also sentence you for four offences of wounding with intent to cause grievous bodily harm. I approach your sentence by increasing the minimum term to reflect that further offending.
36. Insofar as the sentencing guidelines for those offences are concerned, I agree with the prosecution that each of counts 4, 6, 9 and 11 involve high culpability on your part by reason of the use of the knife. Count 4, the wounding of Liam Phillips, falls within category 2 harm as grave injury was caused. Count 6, the wounding of Ryan Burger, falls within category 1 harm as life-threatening injury was caused. Counts 9, the wounding of Rhiannon Thompsett and count 11, the wounding of Stefan Williams both fall within category 3 harm.
37. These categorisations would individually result in considerably higher sentences than I will impose in this case. That is not to understate the severity of your offending but because I must take account of totality and the fact that the entirety of the uplift will have to be served before you become eligible for parole.
38. Jake Hill for the murder of Michael Allen I sentence you to life imprisonment. You will serve a minimum term of 28 years' imprisonment less the 348 days you have served on remand. That comes to 27 years and 18 days before you are eligible to apply for parole. Thereafter it will be for the Parole Board to decide when, if ever, you should be released. If you are ever released, you will remain on licence for the rest of your life.
39. On count 4, I impose a sentence of 7 years' imprisonment. On count 6 – 12 years imprisonment, on each of counts 9 and 11 – 5 years' imprisonment, all to run concurrently with each other and with the sentence of life imprisonment on count 1. If the surcharge applies it can be drawn up in the appropriate amount.

***Tia Taylor***

40. In your case I have to consider where the offence of manslaughter falls within the relevant sentencing guideline. I have considered your counsel's submission that your culpability falls within the lowest category but do not accept it for the reasons I have already set out. Even if you did think when you ran to Jake Hill's assistance that he was under threat, it is plain from your actions as seen on CCTV that could not have been for more than a few seconds. You did not have a weapon and it cannot be proved



that you knew of Hill's knife, but you enthusiastically engaged on an assault in raining blows upon Mr Allen when he could not defend himself, continuing even when Hill had stopped. Your intent was plainly to cause him some harm. I place your culpability on the cusp of categories C and D.

41. The offence is aggravated by your intoxication at the time of the offence and by your behaviour afterwards in advising Hill of the need to bleach the knife and, later, by lying on his behalf. I take care not to double count that latter factor which is also the subject of count 13. Your guilty plea to manslaughter came late in the trial, after the close of the prosecution case and after your counsel had made an unsuccessful submission of no case to answer. I have considered whether, given the timing of that guilty plea, I should afford you any credit for it. I accept that you need not have pleaded guilty and left your guilt to the jury for them to resolve. In my view standing up to what you had done requires some recognition. I afford you in the region of 5% credit for that plea.
42. Turning to the guideline for offences of perverting the course of public justice I find this offence to fall at the higher end of category B culpability. This is because factors are present in categories A and C which come close to balancing each other out. The underlying offence, as one of murder, is very serious but your actions were equally unplanned and limited in scope and nature as well as unsophisticated. The seriousness of the underlying offence requires an uplift from the overall category in which the offence falls. The offence falls within category 3 harm as, in the event, there was limited impact on or delay caused to the administration and course of justice. Standing back this offence falls in my view to the top end of category 3B. You pleaded guilty to this offence at an earlier stage of the trial. I afford you in the region of 10% credit for that plea.
43. You are considered by the probation service to be at low risk of re-offending. I agree with that. I also consider you to be at low risk of causing another serious harm.
44. You are now 22 years of age. You are a single mother and sole carer to two very young children. Your thoughts should have been with them on the night in question. It is for you to be setting them a good example in life. Instead their mother has a conviction for manslaughter. They have been cared for since your remand into custody by your parents. You intend to reside with your children and your mother upon your release.
45. You are still young and are of previous good character. I take into account all that I have read in the pre-sentence report, the insightful letter from your father and that which has been said by Mr Hughes on your behalf.
  - a. It is clear from the pre-sentence report that you had a difficult childhood which led to a lack of proper schooling. You find yourself a mother and sole carer of young children very early in life and I accept, other than your behaviour on this night, you were doing your best to provide them with the

love and care they need. You have been on remand at Eastwood Park in Gloucestershire. The distances involved have meant that you have seen little of them. They miss you and struggle to understand where you are.

- b. Your parental responsibilities meant that you rarely socialised. Your opportunity to do so on the night of the 29<sup>th</sup> April led to you drinking far more than was responsible. As I have said, this is an aggravating factor in your case, but it is explicable by reason of your life and circumstances.
  - c. It is clear that you are ashamed of your behaviour and I accept you are genuinely remorseful. Your father speaks of you never being able to forgive yourself for the part you played in the moments before Mr Allen's death.
  - d. You clearly have potential. You have used your time in custody to the best possible advantage, working and studying. You are hopeful of gaining a place at university in due course. I very much hope that you do and that you become the role model your children deserve. You have undertaken counselling to try to better understand the choices you made in the early hours of 30<sup>th</sup> April and to try to make sure it never happens again. Your father speaks of how much you have matured through this investigation and trial.
46. Dealing with the manslaughter first of all. I begin with a notional sentence after trial of 3 years' imprisonment. For the aggravating factors of intoxication and advising Hill of the need to bleach the knife, I increase that sentence by 6 months. You have significant mitigation in your good character and the fact that you are sole carer to two young children. I reduce the sentence by 12 months to reflect that and your other mitigation. I afford you in the region of 5% credit for your guilty plea. This means a sentence on count 2 of 28 months or 2 years and 4 months' imprisonment.
47. For count 13, I take a notional sentence after trial of 12 months' imprisonment. I find no aggravating factors. Taking into account the same mitigation and with an eye to totality I come to a sentence of 9 months' imprisonment. I afford you in the region of 10% credit for your guilty plea, coming to a sentence of 8 months' imprisonment. This is to run consecutively to the term already imposed making a total sentence of 3 years imprisonment.
48. On count 2 for the manslaughter of Michael Allen I sentence you to 2 years and 4 months' imprisonment. On count 13, for doing an act tending and intended to pervert the course of justice I sentence you to a consecutive term of 8 months imprisonment, making a total of 3 years' imprisonment.
49. You will not serve the entirety of that sentence. You will serve one half of it whereupon you will be released on licence. If you commit any further offence or otherwise misbehave whilst on licence you will be recalled to serve the rest of that term. If the surcharge applies it should be drawn up in the appropriate amount.

*Chelsea Powell*

50. In your case, I must apply the same sentencing guideline as for Ms Taylor for the offence of doing an act tending and intended to pervert the course of public justice.
51. Applying that guideline, I consider your culpability to be high, falling within category A as the underlying offence is very serious. I do not consider that your conduct was either limited in scope or unsophisticated. You were asked by the police to assist them several weeks after the event. You knew that Jake Hill had a knife and had said to you at the scene that he was responsible for stabbing all of these people. You knew that he had been engaged in an altercation with Mr Allen and that Mr Allen had died. You concealed all of that from the police in the witness statement you gave. As for harm, I consider that the offence falls on the cusp of categories 2 and 3. There was some impact on the administration of justice in that the investigators were deprived of the information that you had as to the actions and words of the man who murdered Mr Allen. Time was expended taking that misleading statement from you. That said, the investigation was fortunately not significantly impeded by your false statement.
52. I find no aggravating factors.
53. I accept that you are at low risk of re-offending and of causing serious harm to others.
54. You are now aged 22 years. Absent a caution administered a very long time ago for a totally different offence you are of good character. I treat you as such. You have further mitigation in that you are the sole carer of two young children who are currently being cared for by your parents. As with Ms Taylor, those children look to you to set them a good example. By the commission of this offence, you have failed them as well as yourself. As I have said, they have been cared for by your supportive parents since you were remanded into custody with whom you intend to reside when you are released.
55. I take into account all that I have read in the pre-sentence report and all that has been said by Mr Henley on your behalf.
- a. You are still very young and find yourself on your own, responsible for others. As with Ms Taylor, I accept that you were doing all you could to care and provide for your children.
  - b. You and they should be able to rely on their father for support but you have been the victim of domestic violence and have obtained a restraining order to prevent him coming to your address.
  - c. You also struggled at school and turned to cannabis use at a young age. I am encouraged to read that you intend to continue your abstinence from that drug upon your release.

- d. You too have used your time in custody productively, undertaking a number of courses and gaining a qualification.
56. In your case, I take a notional sentence of 18 months' imprisonment. I reduce that by 3 months to reflect your mitigation. The sentence of the court is therefore one of 15 months' imprisonment. You must serve half of that sentence before you are released on licence. If you re-offend or otherwise misbehave in the term of the licence, you will be recalled to prison. By my calculation, given the time you have spent on remand, that will result in your immediate release.

## **Conclusion**

57. I wish to pay my condolences to the family of Mr Allen who was plainly a man of exceptional qualities. I thank them for their dignity throughout what I know has been a very difficult time and trial. I very much hope they are able in due course to move forward with their lives.
58. The investigation into this case took considerable care and skill. I wish to commend DI Rosson (the senior investigating officer); DS Holley (deputy senior investigating officer); DC Norrish (the officer in the case) and Mr Cobb (disclosure officer) and DC Critchley for his considerable work on the CCTV evidence which proved of the utmost importance in this case.