



Rex

v.

Laimonas PRASCEVICIUS

Rimantas VYSTARTAS

Sentencing Remarks

1. Laimonas Prascevicus and Rimantas Vystartas, the jury have found you guilty of the murder of Andrej Minin on 5 November 2023, when you repeatedly punched, kicked and stamped on him.
2. I have to impose on each of you a sentence of life imprisonment. I also have to decide the minimum term which you will serve before you are eligible to be considered for release by the Parole Board. It is important that you, and everyone concerned with this case, should understand what a minimum term means. A minimum term is not a fixed term after which you will automatically be released. It is the minimum time which you will spend in custody before your case can be considered by the Parole Board. It will then be for the Parole Board to say whether or not you will be released. If they do not, you will remain in custody.
3. If and when you are released, you will still be subject to licence. This will remain 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 continue to serve your life sentence in custody.
4. I am also required to impose the statutory surcharge, if it applies. The order can be drawn up in the appropriate amount.
5. The law says that the starting point in a case like this is a minimum term of 15 years. I have to consider whether I should adjust that figure up or down, so I have to consider all of the aggravating and mitigating factors.

6. As for aggravating factors, this was a prolonged and brutal attack, in his own home, on a man who was both much smaller than you and outnumbered and who must have been on the floor for much of the time, unable to defend himself. Between you, you delivered repeated blows to Mr Minin's head, which I am sure caused the diffuse traumatic axonal injury to his brain which, had it stood alone, might itself have proved fatal.
7. You undoubtedly inflicted mental and physical suffering on Mr Minin, although it may be that he was rendered unconscious part way through. You had both been drinking, which was no doubt the cause of this horrendous incident.
8. I am sure that one of you stamped on Mr Minin's neck with considerable force, which was sufficient to break his neck and kill him. I am sure of this because of the drag marks in the blood in the living room, which indicate that he was dragged to the foot of the stairs, rather than falling down the stairs. However, I cannot be sure which one of you stamped on his neck, so I sentence each of you on the basis that you participated in a fatal assault, but not on the basis that you delivered the fatal blow.
9. Mr Minin sustained 3 cuts to his fingers, but that may have been in a separate incident, since the bloodstains in the house suggest that he may have gone upstairs and come back down again after receiving those injuries. I cannot be sure that you both participated in the incident involving the knife, nor can I be sure which one of you was holding the knife when these injuries were caused. Accordingly, I leave them out of account.
10. As for mitigating factors, you, Laimonas Prascevicus, are a 54 year old man with no previous convictions and you, Rimantas Vystartas, are a 54 year old man with no relevant previous convictions. However, good character is of little significance in a case as serious as this.
11. The offence was not premeditated. Moreover, given the basis on which I have decided to sentence you, I cannot be sure that either of you intended to kill Mr Minin. That is another mitigating factor.
12. Laimonas Prascevicus and Rimantas Vystartas, for the murder of Andrej Minin I impose on each of you a sentence of life imprisonment. In each case, I fix the minimum term which you will serve in custody at 19 years, less the time which you have spent in custody on remand. I am told that you, Laimonas Prascevicus, have spent 177 days in custody on remand, including 29 February 2024, so the minimum term will be 18 years and 189 days. I am told that you, Rimantas Vystartas, have spent 175 days in custody on remand, including 29 February 2024, so the minimum term will be 18 years and 191 days.

Mr Justice Lavender
2 May 2024