



IN THE CROWN COURT AT CARLISLE

R V IRWIN

SENTENCING REMARKS 17 Nov 2024

The Hon Mrs Justice FOSTER DBE

Paul Irwin you may remain seated until I tell you to stand up.

Before proceeding to sentencing there are three matters that I wish to mention

First, I wish to thank all Counsel involved for their diligence on behalf of their clients, the teams sitting behind them and all those supporting them in Court, the CPS and the work done by the Police both today and earlier, and all those in Carlisle Crown Court.

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Second, A special mention should be made of those, in particular the medical staff, who attended and sought to help Tiffany Render on the night of her death, for the efforts they made and their dedication.

Lastly but very importantly, I wish to pay tribute to the dignity and restraint of Tiffany Render's family throughout this difficult trial. Their behaviour has been exemplary.

The Offences

1. Paul Irwin you stood trial before a jury at Carlisle Crown Court between 12 and 22 November 2024. I was the trial judge. On 22 November 2024 you were convicted of the murder of Tiffany Render under Count 1 of the Indictment.
2. In the course of the trial, on Day 6, immediately after your cross-examination, you pleaded guilty to what is known as unlawful act manslaughter, accepting your actions caused Tiffany Render's death but persisting in your denial that you intended to cause her really serious harm. It became Count 3 on the Indictment. However, the Prosecution maintained their case that you had intended to cause really serious harm to Ms Render, and thus were guilty of her murder. By their unanimous verdict the jury have shown they were sure that you did intend her at least really serious harm, and are guilty of her Murder on 22 March 2024.
3. You are also guilty of her Assault by Penetration contrary to section 2 of the Sexual Offences Act 2003 to which offence, Count 2 on the Indictment, you pleaded guilty on your re-arraignment before the jury on the next day, Day 7 of the trial. That offence involved the intentional penetration of Tiffany Render's vagina with your fist with no reasonable belief that she consented.
4. Today it is my duty to sentence you for your offences.

Tiffany and the Impact of Tiffany's death

5. Tiffany Render was a bright, attractive woman, by your own admission more intelligent than you. You and she had a relationship over a number of months before you caused her brutal death. In an affecting statement to the Court,

Tiffany's mother describes her heartbreak at Tiffany's loss. No parent should ever have to go through this, to bury a child, she says. This will haunt her for the rest of her life. Tiffany's wider family are distraught. To them she was a sister, a niece and a cousin for her 34 years. They, who knew her for so much longer than your months with her, describe a woman who was bright, bubbly, clever and loving. She was clearly adored by her family, whose plans for the future, have been devastated. Her sisters' statements are also profoundly moving.

6. That devastation includes for her 7 children who range from 14 down to two years old now left without a mother. Some therefore, too young properly to appreciate at the moment just what it is they have lost in her death. Tiffany and her eldest daughter had a very close relationship, more like sisters. At almost 15 the loss is particularly acute; and she has more awareness of your actions and of the consequences of your actions. The whole family struggles to comprehend their irreplaceable loss.
7. I must now turn to the dreadful context of this killing.

Facts

The History

8. I am sure to the criminal standard of the facts I relate here.
9. The relationship between you and Tiffany Render had very many of the distressing hallmarks of domestic abuse. There is a volume of evidence of abusive, controlling and coercive behaviour towards Tiffany culminating in your killing of her. Much of it was not denied by you. It is painful but it bears setting out.
10. Some of what happened was captured either in recorded telephone calls, in the body worn video footage of the Police shown to the Court, or vividly through later statements she made to Police where her vulnerable voice comes clearly through.
11. Tiffany had had her own battles with alcohol and substances, undeniably she was an extremely vulnerable woman, and your treatment of her increased that vulnerability.

12. At 11:30 in the morning of Monday, 17 July 2023 the summer before you killed her, she can be heard on a 999 recording calling for an ambulance because you had lost it in a drunken rage. She described you as being a schizophrenic who had not taken his medicine. During that call, you assaulted her, repeatedly striking her with a heavy wooden rolling pin. You threatened the policeman who came to arrest you with it, roaring and violent. She was crying hysterically. Her injuries and her description of them, were captured on the body worn videos of the police. We had an insight into you as uncontrolled, violent and incoherently drunk, a glass table smashed to pieces in your rage, Tiffany covered in marks inflicted by you. There were marks to Tiffany's abdomen, she had an ankle injury, she had been slapped across her face, her hair pulled and you strangled her. You went into custody following arrest. You were detained until 13 October 2023 when on your guilty plea you were sentenced to 9 months imprisonment suspended for 2 years with conditions including monitored alcohol abstinence until 10 February 2024. Obviously, whilst in custody there were no further attacks on Tiffany: they began again once you were released from the drink prohibition in February 2024.
13. While detained, and sober, you wrote letters of regret to Tiffany expressing remorse and affection. However, once out from the alcohol tag, on 25 February 2024, you beat her up again – just at the time she was going through a series of worrying tests because of pre-cancerous cells in her cervix. You had got drunk, demanded oral sex, and flown into a rage when your wish was not immediately granted: she wanted to finish her cigarette. You felt she had laughed at you; you were humiliated. You screamed and shouted. She ended up outside, you kicked her hard, then demanded her return or you would burn her children's pictures. You threatened to kill her. You had stabbed again and again a picture, one of the few she had, of her adored children who were looked after by her family, but with whom she did not live.
14. Your history of attacks when drunk reveals a cycle of alcohol, violence, regret then again, alcohol and so on. The answers Tiffany gave to the officer who carefully asked her safeguarding questions on that evening, paint a stark picture. We hear her voice clearly from the words of her recorded statements. Since your release in October 2023, you exercised “full control” over her life: her

access to money, her contact with others, including her children, you monitored her actions, interrogated her phone, told her what she could or couldn't eat; and you were becoming increasingly verbally aggressive and abusive.

15. You were bailed on 26 February 2024 with conditions including not to contact Tiffany or go near the flat where she was living. Then, once more, on 4 March you are very drunk, continuously calling her, you threaten her and to burn down the flat. She is terrified, contacts the crisis support worker and the housing team with whom she had previously had contact, and they, in early March help her with supported accommodation. She spends time helping her sister, and with her sister's children. It is clear from the evidence how much her family meant to her, how she longed to be with her children, loved her Mother's Day present and was enjoying helping out. It is also clear however, that she did not sever contact with you.
16. The messages between you at this time illustrate the true nature of your relationship. You express affection, but she refers to the occasions when you have been violent to her. I am sure based on her messages that those occasions were more numerous than those detailed in particular in Court. Again we hear Tiffany's voice in a text message to you: "If you did love me you wouldn't hurt me again and again and again."
17. The day she died she went to have a tattoo done of a picture her daughter had drawn. You went to the pub soon after it opened and stayed drinking there for well over three hours. You mixed cocaine and alcohol. Tiffany spoke with the owner of the tattoo parlour, saying she needed to sort her life out and stay away from you. She could not explain why she kept going back, she just needed to be stronger. Her phone records show about 70 calls from you to her in that time. I am sure that you were as she recorded, jealous and obsessive.
18. You met together back at the flat. That was the day she was killed by you.

The killing

19. I am sure you were drunk by this time. You told the court you both had many lines of cocaine, although I think that is likely, I cannot be sure of the amount,

but I am sure you both had some drugs and alcohol at the flat. What precisely happened then only you know.

20. The scene that greeted the paramedics and police when they were summonsed by you towards midnight that evening was shocking and vivid. The only room that did not have blood in it was the spare room.
21. The video footage from the police arrival and descriptions of the medical personnel spoke with one voice. Tiffany was surrounded by blood-soaked bedding. There was blood pooling on the mattress. There was blood all over the flat, on the floor of the bathroom, dripping down the lavatory, the bath, also in the living room, and smears of blood in a number of places where attempts had been made by someone to clear it up. The attending doctors found Tiffany unresponsive and without a pulse. Really strenuous efforts were made to try and revive her. She was declared dead at about half past midnight.
22. At about midnight on Friday, 22 March 2024, the Ambulance Service had received a call from you saying you believed that Tiffany Render was dead. You had been having sex you said, she had been bleeding heavily from her vagina, and you had woken up beside her to find her not breathing.
23. It was determined by the Pathologist Dr Rogers who conducted the postmortem and gave evidence to the Court, that Tiffany had died from a massive haemorrhage caused by the repeated, extreme violent fisting of her vagina. His evidence which I accept, made clear there was such extensive tearing that the whole uterus was practically torn off her vagina, shredding the veins and capillaries which caused her to lose such a significant amount of circulating blood volume that she would have soon collapsed. It would have rendered her faint, she would have finally collapsed in bed after trying to stem the flow of blood which would have poured from her. Once in bed she continued to haemorrhage profusely, circulatory collapse rapidly leading to hypoxic brain injury and cardiac arrest.
24. It was impossible to determine how many times Tiffany Render had been punched up into her vagina, the injuries are the result of fisting action with severe force. It would have caused her terrible pain. The longest she could have gone on, the pathologist said was 20 minutes before collapse, perhaps much less than

that. She would certainly have been dead within an hour from what he described as this catastrophic haemorrhage.

25. It is important to note, I am sure, on the specialist cancer expert evidence before the Court, that nothing about her cancer investigations (which in the event had proved to be favourably resolved), affected what happened to her that night in any way. Her appalling injuries were caused by your actions.
26. Only you know the full detail of what happened in that flat. You gave evidence of various timings and scenarios but I am sure that you have not told us the truth about events. The first thing you did was not to call the emergency services but rather to call your sister to help you. She arrived, with her partner John, shortly after 11.30 PM. You told the police at the scene that you had showered together with Tiffany after sex and had then gone to bed, then, on waking up, you realised she was dead. I am sure that was a lie. The closest you came to the truth of what really occurred that night is what you said within John's hearing: that you were fisting her and the next thing, she stopped moving.
27. In evidence you claimed your penetration of Tiffany with your fist had been consensual and the injury to her accidental, which of course the jury rejected - indeed your guilty pleas to manslaughter and to assault by penetration gave the lie to your story this was merely an accident in the course of wholly consensual sex.
28. The evidence, considered together, specifically the nature of the injuries and the obvious degree of extreme force, made the jury sure that Tiffany Render did not consent to the penetration that in fact took place. Whilst the evidence supported your case that you enjoyed vigorous sex together, sometimes referred to as rough sex, the level of harm you inflicted upon Tiffany that night went very far beyond harm to which she could, in law consent. Your guilty pleas in the course of the hearing recognised this, and acknowledged you had no reasonable belief that she was consenting. I am sure that when you caused her physical harm, she was not consenting and I am sure you knew that.

Framework for my consideration, Approach - Guidelines

29. Against that factual background I have the assistance of statute and a number of Guidelines. I have also read the Sentencing Notes from Prosecution and Defence counsel. Your Counsel has made submissions on your behalf today which I have listened to with care.

The murder of Tiffany Render

Sentence fixed by law

Sentencing Act 2020 Act

30. The way in which I must sentence you for murder has been decided by Parliament and is set out in the Sentencing Act 2020. It is fixed by law. It is a life sentence. Section 322 requires me to determine what is known as the minimum term, that is to say the amount of time you will be detained come what may, and only after which the Parole Board is able to consider your release.

31. The minimum term must be for such period as I consider appropriate, taking account of the seriousness of the offence of murder and the other offence and any time you have spent on remand. In considering the seriousness, I must have regard to the general principles set out in Schedule 21 to the Sentencing Act 2020. It is a matter of judgement and not a mechanical or arithmetical exercise.

32. I also have the assistance of a series of Guidelines that set out how I must approach this task. By section 59 of the Sentencing Act I must follow their guidance unless it is incompatible with the 2020 Act. I have had regard to the Domestic Abuse overarching principles Guideline because of the characteristics of your treatment of Tiffany Render, also to the Sexual Offences Guideline and to that dealing with the sentencing of those with mental disorders, in light of a report prepared on your behalf in May 2024, recently disclosed to the Court.

Starting points

33. The starting point is, by law, a matter for me, guided by Schedule 21 to the Sentencing Act. Schedule 21 sets four starting points for all offenders aged 18 or over at the time of the commission of the offence. Parliament has decided that

in these particularly serious cases which are properly described as a murder involving sexual conduct, the starting point set down by paragraph 3(2)(e) is 30 years. This is however a starting point only, and I must then factor in the particular circumstances of this offending and consider your culpability and thus the seriousness of the offending to arrive at a just figure for the final sentence.

34. Both Prosecution and Defence suggest that this is a case where the acts which resulted in the death of the victim were sexual in nature or accompanied by sexual activity that increased the ordeal of the victim or the depravity of the murder, or both (see *Walker* [2007] EWCA Crim [2631]) and so attracts the higher starting point. I agree.

35. Whilst my decision must be based firmly on the facts of this case, recent caselaw (including *R v Sesay* [2024] 1 WLR 4084) explains (at paragraph [65]) that murders involving sexual conduct are to be regarded as particularly serious because of that sexual element. It is very likely that sexual conduct linked to murder will be of a penetrative nature, and sexual offending of that kind is inherently grave. See also the earlier approach of Macur LJ in *R v Minto* [2014] EWCA Crim 297.

Aggravation and Mitigation

The aggravating factors

36. To the extent that they are not allowed for in the choice of starting point, I must by Schedule 21 paragraph 7 of the 2020 Act take into account any aggravating or mitigating factors.

37. There are certain features to which the statute refers (see paragraph 9) that are relevant here. Tiffany Render was a vulnerable individual and herself had taken alcohol and drugs on the day of her death. Her lifestyle and the cycle of violence at your hands also rendered her more vulnerable. It is the case that whilst the high starting point of 30 years factors in the particular seriousness of a sexual murder, there was in her case, and being careful not to double-count, an element of aggravation in the exceptional suffering experienced by Tiffany in sustaining these deeply intimate, destructive internal wounds before she died in appalling pain.

38. You have a number of previous convictions of which none comes close in gravity to these offences. You had received a suspended sentence in October 2023 for violence against Tiffany of which you were in breach, and you were also on bail and in breach of the conditions of your bail at the time you killed her and committed the Assault by Penetration. These recent matters constitute an aggravation of the offences. I reflect your previous violence to Tiffany under the next category.
39. Tiffany's murder came also as part of a cycle of domestic abuse, and took place within your intimate relationship, and while you were under the influence of drink and drugs. The Domestic Abuse Guideline reflects society's repudiation of patterns of domestic abuse offending. So also does the enactment (with effect from 29 February 2024) of the Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2024, adding Paragraph 9(ba) to Schedule 21 making explicit that culpability is increased in a case such as this with a domestic abuse history between the perpetrator and the victim. I am sure also, that you drank to excess although you well knew that drink inclined you to uncontrollable rage and, as the past history shows, led you to violence against Tiffany. These matters all increase rather than reduce your culpability for her death.
40. I turn now to mitigation.

The mitigating factors

41. The Sentencing Act 2020 by Paragraph 10 of Schedule 21 requires me to consider whether mitigating factors apply to reduce your culpability for Tiffany's murder. A factor that I take into account is that I proceed on the basis that you did not intend to kill Tiffany, you intended her rather, really serious harm, which is sufficient by law for you to be guilty of her murder. It is however the case that the degree of harm that you intentionally inflicted upon her and its location in the most intimate part of her body means any allowance must be significantly limited.

42. This was not a pre-planned attack in any sense, there is therefore the mitigating feature of a lack of premeditation. You are a 50 year old man. Aside from the offences against Tiffany, although you have a series of convictions for, or involving, drunkenness and some violence, including an offence of reckless arson almost 20 years ago, for which you received a 40 months' custodial sentence, there is nothing of the gravity of these offences in your offending history, as I have said.
43. I have also taken into account a detailed Psychiatric Report dated 24 May 2024 compiled whilst you were remanded awaiting trial. The author Dr. Mark Turner records your diagnosis of psychotic illness for which you have been medicated in recent years. He also reflects that, although not in the preceding 6 months, you have had a significant number of psychiatric admissions in the decade leading to these offences, precipitated by acts or thoughts of self-harm or suicide. The Report indicates a mental health overlay to some of the historic offences involving paranoid ideation - possibly drug induced. Alcohol is described by a consultant psychiatrist in notes made in 2019, when you were a psychiatric inpatient, as a major destabilising influence.
44. Importantly, no psychotic symptoms were reported by you to your GP for the 6 months before the killing of Tiffany Render, although you did correspond with him concerning (for example) medication for sleep and back pain. When Dr Turner interviewed you after the offences here, he found a broadly normal emotional range, although with flat mood - a symptom of chronic serious mental illness. He did not find evidence of ongoing psychotic symptoms nor cognitive impairment. Nor did you assert that your mental health was impaired at the time of the offending. Further, your evidence was you were taking your medication. The psychiatrist concluded that you do have histrionic, narcissistic, antisocial traits and a borderline (i.e. emotionally unstable) personality disorder; further, at the time of the offences you would have been suffering from a longstanding psychotic illness and personality difficulties (possibly amounting to a disorder) complicated by alcohol and cocaine use. I remind myself that under the Mental Health Guideline there must be a sufficient connection between the offending and your mental condition in order to reduce culpability. Here, in my judgement, the evidence shows that no mental impairment had a sufficient

connection to this offending. As a matter of mercy I make a very small acknowledgement in my assessment of your culpability for these offences on account of it.

The Assault by Penetration of Tiffany Render

Consider these circumstances together with those for murder

45. Necessarily, those factors which influence your culpability for Tiffany's murder go to inform your sentence for the offence of Assault by Penetration, which is committed by the penetration of Tiffany Render's vagina with your fist when you had no reasonable belief in her consent, indeed when you inflicted upon her harm to which in law she could never consent.
46. The Guidelines for this offence indicate certain features that place it in the highest category of culpability. It is undisputed that the harm suffered by Tiffany was of the greatest; this must be a severe physical harm case and thus a Category 1 offence, by your penetrating her vagina with terrible force causing the catastrophic haemorrhage that killed her. As to your culpability, this too comes into the highest categorisation. Culpability A attaches within the Guidelines where, as here, there has been previous violence towards the victim. I am sure there were many occasions of previous violence towards Tiffany, those explored in detail in the evidence and those to which she referred in the messages in evidence at trial. A starting point of 15 years imprisonment with a range of 13 to 19 years' custody is given for an offence within category A1.

SENTENCES

For the Assault by Penetration of Tiffany Render

47. You pleaded guilty to this offence, but only in the course of the trial. Clearly the violence represented by the murder of Tiffany effectively encompasses that in this offence, and to an extent it is academic, because Tiffany died from your

assault. Recognising the small acknowledgement of your guilty plea during trial, and looking globally at the offending comprised in your actions that night, taking account of the mitigating and aggravating features above, were I to be sentencing you for this offence alone, I would impose a sentence of **18 years' imprisonment**.

48. In the particular circumstances of this case, and in the interests of totality, it is just and proportionate to impose a sentence of **15 years on Count 2**, to be served concurrently.

49. You will remain on the Sex Offenders' Register for the rest of your life in respect of the offence of Assault by Penetration.

50. The appropriate statutory surcharge will apply.

51. The offence of unlawful act Manslaughter I direct to lie on the file (see *R v Frederick Cole* (1965) 45 Cr. App. R 199).

For the murder of Tiffany Render

52. In light of the aggravating factors I have set out above, which include the particular severity of the intimate violence which must have inflicted appalling pain upon Tiffany, and the pattern of controlling coercive behaviour whilst she was your partner, taken together, and before considering your mitigation, this takes the minimum term well above the starting **point of 30 years up to 35 years**.

53. The mitigating features fall as described above, into two parts. In respect of the fact that although you intended her really serious harm, you did not intend to kill her, the sentence as calculated so far is slightly reduced as explained. By reason of the other factors, including the lack of premeditation and your mental health position, I also reduce the minimum term somewhat. The latter feature, as stated, is not of weight: your voluntary intoxication, an aggravating feature, in my judgement, almost balances it out.

54. It is important that you – and everyone concerned with this case or reading or reporting this sentence – understands what your sentence for murder in fact means. The minimum term is not a fixed term after which you will automatically qualify for release but is the minimum time that you must spend in custody before your case can be considered by the Parole Board. It is for the

Parole Board to say, after expiry of the minimum term, whether or not you are fit to be released. There is no guarantee that an offender upon whom a minimum term order has been imposed will be released once the minimum term has expired, or at any particular time thereafter. If and when you are released, you will be subject to licence and this will remain the case for the rest of your life. If for any reason your licence were to be revoked, such as if you reoffend, you will be recalled to continue to serve your sentence in custody.

PAUL IRWIN PLEASE STAND UP:

Paul Irwin

In respect of the Assault by Penetration of Tiffany Render the sentence is 15 years to be served concurrently.

In respect of the Murder of Tiffany Render under Count 1 I determine that taking into account all the matters to which I have referred, the minimum term that you will serve before the Parole Board may consider your possible release is 32 years less the period of 266 days you have spent in custody already namely 31 years and 100 days.

Paul Irwin. You may go down.