



Judiciary of England and Wales

R v Cameron Finnigan

At the Central Criminal Court

The Sentencing Remarks of Mr Justice Jay

Cameron Finnigan

Please remain seated until I ask you to stand.

You pleaded guilty at the Plea and Trial Preparatory Hearing in your case to five counts on this indictment variously alleging doing an act capable of encouraging or assisting suicide (Count 1), possession of a document or record for terrorist purposes (Count 2), possession of indecent images (Count 3) and two offences of criminal damage (Counts 4 and 5).

At the time these offences were committed you were 18 years old and were living with your adoptive parents. Given your relatively young age and the mental health difficulties which I know about, I am making these sentencing remarks as brief and straightforward as I possibly can.

You were arrested in your bedroom at home on 26 March 2024. The police suspected that you had become involved with an extreme Satanist group, and that your involvement had started the previous autumn. They also suspected you of possessing a firearm but there is no evidence of that and I put it to one side.

Following your arrest various searches were carried out including of your room and your digital devices. You were also interviewed on 19 occasions. Sometimes you were co-operative but on other times you were not.

It is clear from all the evidence that I have seen that you were involved in a Satanic, Far-Right extremist group known as "764". That group is associated with a broader entity or group known as the Order of the Nine

Angles or “O9A”. There is evidence that O9A is a decentralised esoteric militant accelerationist network of threat actors who believe that Western civilisation’s Judeo-Christian heritage corrupts modern society. The word “accelerationist” is used because O9A, together with 764 and other groups, legitimise and encourage the use of violence building up to potential mass casualty events. On 1 September 2023 the FBI issued a Public Service Announcement highlighting the risks posed by groups such as 764. These groups deliberately target young victims on publicly available messaging platforms to extort them into recording or live-streaming acts of self-harm and sexually explicit acts, and producing child sexual abuse material. Threats, blackmail and manipulation are the tactics used. The ensuing footage is then circulated among members to extort victims further and exert control over them.

The intended victims are, in the main, vulnerable individuals: in particular, LGBTQI+ youth, racial minorities and those suffering from mental illnesses or disorders. They are targeted precisely because they are so obviously vulnerable.

Turning now to your involvement with 764, this lasted for about five months ending with your arrest. You used the persona or username “ACID” and participated in a Telegram group chat with at least 14 members. There is no evidence that you met any of them. You had a fascination with Satanic symbols such as pentagrams, texts and symbols written in blood and red paint on floors and doors, racist and extremist language (e.g. “ACID is Hitler’s child”), and imagery of mutilated animals including a gutted rabbit photographed against the backdrop of a blood-red pentagram.

Within the Telegram chats we may see many examples of extremely disturbing exchanges between you and like-minded individuals. You were keen to put out propaganda in support of 764. This included encouraging others to spray paint and graffiti at various locations, threatening to kill homeless persons, one of whom you called a “nigga”, and committing acts of vandalism. Examples of these graffiti have been shown to me. I accept that the threats made to kill homeless people by using a firearm were exaggerated in that you did not possess such a weapon, although some of the same threats entailed the use of a small combat knife which you did possess.

The Crown suggests, and I agree, that an ongoing theme underlying a lot of the messages is that you were intent on creating content for 764 and you believed that your content was best. I also agree with the Crown's assessment that you were hyping others up and encouraging them to do "serious" things. In particular, you frequently boasted to others about the quality of your content creation and you used an App called "Capcut" to edit and create graphics, videos and accompanying texts. Examples of these are:

"BX WHEN SHE SEES ACID RAPING HER CHILD"

"764 MEMBERS WHEN THEY EXTORT MINORS" "POV: 764 DOING SCHOOL SHOOT OUTS"

"COM GIRLS AFTER HANGING THEMSELVES FOR 764"

There is a further Content folder which contains what appears to be promotional material depicting murder, mutilation, rape and interference with a foetus. The videos in question have the 764 logo superimposed on them.

On 23 March last year there were discussions within the group of putting up propaganda material. There is also evidence that you were boasting to others of creating offensive graffiti.

A week in late March 2024 was billed within 764 and by you in particular as “Terror Week” or “Terror Season”. You were aware that an associate, “Morgue”, was intent on murdering someone, and you believed his plan to be genuine. You encouraged “Morgue” to dump the dead body of his victim and then “Go spray paint the fuck out of it”. In one chat thread on 25 March you encouraged another, Y3t, to “go for homeless people” and you said that you would go on a manhunt for a “nigga” and put his dead body in the tent.

Against this backdrop I turn to address the specific counts to which you have pleaded guilty.

Count 1

On 4 March last year you were chatting on the Telegram platform with a person, almost certainly a young woman who was using the username of “Hardcoreeeee”. I will shorten that to “Hardcore”. In the previous month

you were searching online for how long it takes a human to die from hanging.

Hardcore sent you an image of her self-harming. You then told her to cut deeper next time. When she said that she wanted to kill herself, you advised her to get on camera and put a noose around her neck to hang herself. Hardcore wanted the video to be posted on a Telegram group, and you provided her with a weblink to access the 764 group's public chat.

You then posted on the 764 Inferno chat group to say that you might have found someone who could kill herself for them. Three minutes later, you sent the group the self-harm video Hardcore had sent you, and said: "she gonna kill herself in the pub chat"; in other words, the public chat. Slightly earlier on you were telling your associates that you might have found someone who could kill herself.

At your police interview you said that you felt pretty confident that Hardcore would not commit suicide. Obviously, you could not be sure that she would but your belief at the time was that she well might.

Count 2

This count relates to the “NLM x MKU Kill Guide”, which is an 11-page PDF document recovered from your Wire account. This document was sent to you by “War” on 4 March 2024. Although you read the document, there is no evidence that you sent it to anyone else.

The introduction reads:

“No Lives Matter – NLM – We are the children of fire, we are the opposition of the chosen one, our one and only task is to kill the mundane in any dimension we get deployed. In this instance it’s planet Earth. We’re here to sharpen our killing skills. Let’s get straight to the point.”

The guide provides insight and practical advice on how to carry out “Truck Attacks”. It gives instructions on the type of vehicle, size, potential acceleration etc. It then highlights ideal targets, all mass casualty ones.

It goes on to give advice on knife attacks, firearms, as well as giving advice on how to plan an attack generally. On page nine there is reference to going on a manhunt – “It is important to make an advance explore of the place and plan a retreat.” It also gives instructions on

clothing to use, how to dispose of evidence, and how to remain unnoticed.

Count 3

Indecent images of children were located on a computer hard drive and mobile phone belonging to you. The images comprised one category A video and 6 Category A images. You have been told what the images show or depict and I am not going into the details now. It seems that your possession of those images was unsolicited, however you used a number of usernames consistent with the viewing of indecent images of children: for example, 'feeningforCP' and 'ACIDlovesCP'. CP is child porn, and feening relates to obsessing about child porn. Your receipt of these images may well have been encouraged by that.

Count 4

On 16 January 2024 Mrs Sanders parked her vehicle in her driveway in Horsham. It was a Blue Vauxhall Corsa. The property has CCTV, although as a result of this incident she realised that there was a blind spot where this vehicle was parked. Her husband's vehicle was parked next to it and covered by CCTV cameras; it was left undamaged.

On the morning of 17 January 2024 Mrs Sanders discovered that the windscreen had been smashed, and one tyre had been punctured and was flat. The word REXL was also carved into the bonnet. Her children were upset by this and worried that someone might try and enter the house to hurt them.

The value of the damage was around £1,000 to repair, and I have seen a victim personal statement from Mrs Sanders testifying to the distress she felt.

A video has been retrieved in which you had filmed yourself causing the damage. You can be seen to have been carrying a large kitchen knife which you used to penetrate the vehicle's tyre. You admitted in interview that you were on a video call using the moniker REXL when you damaged a car.

Count 5

During examination of your mobile phone, a three-second video of a tent in a field was identified. The metadata of the video displayed location

data, giving a precise longitude and latitude. This location is less than one mile from your home address, and on a route described by your mother that you would take to and from town.

The tent is located in a field with two entry/exit points. There is graffiti in both locations which has been linked to you as these match the spray paint found in your room as well as various photos you circulated containing "764" and the group's usernames.

I bear in mind what you said at police interview. You claimed that you were dragged unwillingly into this group and that you deliberately exaggerated your acts and intentions in order to gain respect. You denied that you are racist although you were well aware that 764 is a neo-Nazi group. Whereas I am prepared to accept that belonging to this group gave you a sense of purpose and belonging, and that some of your claims to your associates were exaggerated if not unrealistic, I am quite unable to conclude that you were other than a willing member of 764 with a prominent role within it. What was found in your cell in October last year supports that conclusion.

Your personal circumstances

As I have said, these offences were committed when you were 18 and you were previously a person of good character.

I have paid very close attention to the psychiatric report provided by Dr Christina Tang. She has had access to a number of sources of information about you and your mental health.

You were adopted at the age of 6 after a lengthy period in the care system. Your adoptive mother is dedicated to looking after your biological sister who has her own serious medical condition. I accept that you had a difficult and at times traumatic childhood with your biological mother being unable to care for you, and that you have not been close to your adoptive parents; although you concede that they are caring. You were bullied at school and dropped out of formal education in year 8. You clearly had behavioural difficulties as a child and at least one formal diagnosis was made. Mental health professionals have ascertained obsessive-compulsive traits as well as general and social anxiety.

Cognitive testing has disclosed that your scores are average at best and often well below the average range. Your working memory is in the extremely low range, explaining your anxiety in new settings.

When you were 15 years old you were diagnosed as being someone with complex needs, including complex developmental trauma and attachment difficulties, Attention Deficit Disorder (ADD), depression, anxiety and episodes of significant self-harm. Mental health professionals were concerned about your degree of social isolation, and in my judgment that may begin to explain how and why you fell in with a group of such like-minded, troubled and dangerous people.

Dr Tang has given you a diagnosis of ADD, conduct disorder, and as presenting with features of an emerging personality disorder with features of dissocial and possible borderline personality disorder. Dr Tang did not consider that you exhibit the core features of Autistic Spectrum Disorder (ASD).

Let me read you two of Dr Tang's main conclusions:

“At the assessment, Mr Finnigan minimised his involvement in the alleged index offences, including his ability to source child pornography, his involvement in encouraging terrorist acts and instigating suicide attempts. He reasoned his involvement in the criminal offence was an attempt to maintain his status and connection within the group. He identified the group as his social network, the only source of connection and friendship. This could be the case at the beginning. According to the prosecution bundle, Mr Finnigan’s involvement seems to be much more active and self-directed compared to the account he offered at the interview. He does have a full understanding of his actions and potential impact on others.

Based on the various reports and my interview with Mr Finnigan, it is possible that the alleged offence is driven by multiple factors - his desire to make social connection and to be belonged to a social group; his tendency and fascination to use violence and sadistic act in order to retaliate on others being slight on him; possibly associated with his anger, low self-esteem, and early experience of being bullied, and attachment issues with his early carers.”

I turn now to the detailed pre-sentence report which in my view is of invaluable assistance. In the view of the author of the report, you were seeking to downplay your involvement in 764 and knowledge of the ideology of O9A. The pre-sentence report undertakes a detailed analysis of your motivation for offending and the risk you pose to the public. In particular, in addition to your ideological commitment to Satanism and the thrill your participation in 764 gave you, it is clear that you had access to at least one knife, that you had in your possession a

copy of a guide or manual which contained guidance on truck attacks and mass casualty targets, that you have a reported history of setting fires and an obsession with sharp objects, that you self-identified as a “high-level extorter”, that you sought to exploit a vulnerable young woman whose actions were unpredictable, and that you attacked the Sanders vehicle without caring about the consequences.

According to the pre-sentence report, the risk you pose is both indiscriminate and unpredictable, and I agree with that assessment. I also wholly endorse the overarching assessment that you pose a high risk of serious harm to the public, including children.

By way of further personal mitigation, I have studied and am grateful for an eloquent letter from your adoptive parents. They accentuate your positive qualities, explain how you allowed your mental health to get out of control, and how you became cooped up in your room online for hours on end.

There is also a helpful testimonial from Ms Julia Fisher of Strength and Learning through horses.

The Sentencing Exercise

In terms of the general approach I should adopt, I take into account the following guidelines issued by the Sentencing Council. These are: the general guideline on overarching principles; the guideline on credit for a guilty plea; the guideline for defendants with mental disorders, developmental disorders or neurological impairments; the totality guideline; and the guideline for sentencing children and young persons. There are also a number of specific guidelines relevant to some of the individual counts on the indictment. I will address those as I go through each count individually.

In the first instance I will indicate the appropriate sentence on each count before making any allowance for the fact that this is an indictment with multiple counts, for totality, and the various aggravating and mitigating factors that have been identified.

On Count 1, encouraging suicide, the Sentencing Council has not published a guideline that directly assists. The relevant principles are

those set out by the Court of Appeal in *R v Howe* [2014] EWCA Crim 114, paras 23-29 in particular. I must assess both harm and culpability. In terms of the harm suffered by Hardcore, there is no evidence that she took any steps to harm herself despite your encouragement. In terms of your culpability, your interaction with her was relatively brief and I agree with your counsel's submission that the pressure you imposed was not sustained. Further, it was Hardcore who initiated the discussion about suicide. However, I assess your culpability to be between the mid to the upper end of the range, because although you may not have been particularly optimistic that Hardcore would act as you hoped, the fact remains that she was extremely vulnerable and there was a significant risk of her being persuaded to act out your command. Hardcore was both biddable and unpredictable. You made no effort to find out anything about this young woman, and you knew that she had self-harmed in the past.

If you were being sentenced just for the offending covered by Count 1, the appropriate sentence in your case would have been in the region of 7-8 years' imprisonment before regard is had to any of your mitigation.

Count 2 is the offence under section 58 of the Terrorism Act 2000. Here, there is an applicable guideline which I have considered. I have read the guide in question very carefully and with increasing consternation and concern. Although the information in it could not be described as particularly illuminating, I agree with the Crown that this is a culpability B offence because you collected, made a record of, was in possession of or otherwise accessed over the internet information likely to be useful to a person committing or preparing an act of terrorism and you had terrorist connections or motivations.

Turning now to the issue of harm, whether this should be seen as a category 1 or 2 offence depends on whether “harm was very likely to be caused”. There is no evidence that the guide was supplied by you to others. In terms of the level of harm likely to be caused by you, this is a difficult assessment to make inasmuch as you were arrested at a time when the threat you posed was escalating. As I have said, your online utterances are accompanied by an element of exaggeration if not bravado. Taking everything I know about you into account, and careful to apply the criminal standard of proof, I cannot properly conclude that this is a case falling within category B1. It is at the upper end of category

2, which means that if you were being sentenced for this offence alone, and ignoring your personal mitigation, the sentence would be in the region of 4-5 years' imprisonment.

I believe that I may be briefer as regards the remaining counts.

As for Count 3, possession of indecent images of children, these were category A images which places them immediately into the highest band of seriousness. However, there were not many of them. The network in which you were involved is a modestly aggravating factor. The sentence I would have in mind to impose on a standalone basis before account is taken of any mitigation would be one in the region of 2 years' imprisonment.

For the two criminal damage matters, counts 4 and 5, these add very little to the overall sentence. I have in mind a sentence of 3 months' imprisonment on Count 4 and a sentence of 1 months' imprisonment on Count 5.

My approach to sentencing is as follows. I propose to take Count 2 as the lead offence and to impose concurrent sentences elsewhere. It follows that Counts 1 and 3-5 aggravate Count 2 although some regard must be had to totality in calibrating the extent of that aggravation. At the next stage, I must give you an appropriate allowance or discount for your relative youth and immaturity at the time you committed these offences, your complex mental health issues and your other personal mitigation. Although the evidence from the psychiatrist and in the pre-sentence report does not indicate that your freedom to choose and responsibility for your actions has been significantly affected, I have decided that it would be right to reflect in some way your lack of impulse control and the range of factors lying deep in your psychology which led you to such dark places in the apparent security of your own bedroom. I will apply a deduction to the overall sentence of approximately 25% to reflect your youth and your mental health issues. That deduction also encompasses the other personal mitigation that has been put before me.

Finally, you are entitled to 33% credit for your guilty plea on Count 1 and 25% credit for your guilty pleas on the other counts at the PTPH. In

uplifting the sentence on the lead count, Count 2, I take into account the greater credit for plea to which you are entitled on Count 1.

I am entirely satisfied that you are dangerous for the purposes of the extended sentence provisions and that it is appropriate in all the circumstances to impose an extended sentence. There will be an extended sentence only on Count 2. Although I have some degree of optimism that your mental health will improve in a custodial setting away from the dark recesses of the internet, public safety would not be fulfilled by imposing a determinate sentence.

Please stand.

My sentences in your case are as follows:

On Count 2, an extended sentence of 9 years comprising a custodial period of 6 years and an extended licence period of 3 years.

On Count 1, a sentence of 3 years' imprisonment which will run concurrent to the sentence on Count 2.

On Count 3, the concurrent sentence is 15 months' imprisonment.

On Counts 4 and 5, the concurrent sentences are 3 months and 1 month imprisonment respectively.

So, the overall custodial term is one of 6 years imprisonment. You will have to serve two-thirds of that sentence in prison, in other words, 4 years. Thereafter, you will be released on licence which will not end until a further 5 years elapses, assuming that you do not reoffend. If you do, you will be recalled to prison and may have to serve the whole of the remaining licence period in custody.

I make the following ancillary orders.

The standard victim surcharge applies.

There will be a forfeiture and destruction order in relation to the items that have been listed in DC Hayley Sparks' witness statement.

There will be a sexual harm prevention order in the form that has been agreed by the parties and provided to me in draft.

The notification period for the purposes of Part 4 of the Terrorism Act 2008, which applies to section 58 of the Terrorism Act 2000, is one of 15 years. During that 15 year period you must provide certain prescribed information to the police, and you must report annually to the police.

The notification period under the Sexual Offences Act 2003 for the offence of possession of indecent images of children is 10 years starting from the date of your release from custody.

ENDS

