

IN THE CROWN COURT AT CANTERBURY

THE KING
and
HARRISON LAWRENCE VAN-POOSS

SENTENCING REMARKS

SPEAKING NOTE

Introduction

1. Harrison Lawrence Van-Pooss, you may remain seated until I tell you to stand.
2. On 17 December 2024, you pleaded guilty to the murder of Claire Knights and to an offence of voyeurism. It now falls to me to sentence you. Where I make finding of fact against you, I do so only when I am sure of those facts.
3. Claire Knights was aged 54 when you attacked, assaulted and murdered her as she walked back from the beach at Minnis Bay, Birchington. Ms Knights lived with her partner, Stuart Hume, and her son Elliot Knights-Sloane. I have heard victim impact statements from both those men and from her sister Anne Maria Watson and her brother David Knights. No one who heard those statements being read could fail to be moved, or to realise how loved and treasured was Claire Knights. She had been a wonderful partner, sister, mother and friend. She was also an artist of some renown. She also ran a dog-sitting business. Her sister described her in these words:

Claire was a remarkable human being... She was extremely kind. She saw value in everyone, especially the unconventional and the forgotten. She had an extremely curious mind and an incredible imagination."

4. Her death, and in particular the cruel manner of her death, have caused unspeakable pain and sorrow to all who knew her. And you, and you alone, are responsible for that death and all that pain.

The facts

5. The circumstances of the murder of Claire Knights and the voyeurism offence that preceded it were explored in some considerable detail in this lengthy sentencing

hearing and it is not necessary for me to repeat that detail here. But in short summary I can say this

6. In August 2023 you were working as a chef at The Powell Arms in Birchington, Kent. An employee at that pub was a lady who I shall refer to as Ms R. On the evening of Tuesday 22 August, you approached her, holding your mobile phone, as she stood at the bar. You then walked behind Ms R on two further occasions. Ms R watched your reflection in a coffee machine next to her and saw you crouching down and using your phone to take a photo of her up her skirt. CCTV footage captures this appalling behaviour which forms the subject matter of count 1.
7. Having seen what you were doing, Ms R contacted the landlord, who confronted you. You suggested it was just a joke, but the landlord was having none of it. Quite rightly, you were dismissed on the spot and the police were called.
8. You then left the pub and went home. At home, you packed up a backpack including clothing and a chef's knife, left your address and, in effect, "went on the run".
9. Early the following morning, 23 August, you visited your gym in Birchington after which you spent the rest of the morning in that area. Of particular note, you built what has been called "a den" close to the railway lines near Minnis Bay.
10. Claire Knights was at home in the morning of 23 August 2023. She left her home to go for a walk and a swim with her dog, Zeb and, at 14:13hrs, CCTV captured her car on Shuart Lane. Having parked her car there, she walked along the path, passing the area where she would later be attacked by you, and went down onto the beach at Minnis Bay.
11. Soon thereafter, you were seen walking along Dane Road towards Birchington with a rucksack on your back. At 14:34 hrs, you visited the Best One shop on Minnis Road. You are seen on CCTV acting entirely normally inside the store. Your purchases included a bottle of Captain Morgans Spiced Rum. You left the store at 14:43 hrs and walked along the coast towards Shuart Lane. At 16:30 hrs, a neighbour of Ms Knights' saw her on Minnis beach sitting at the end of a row of beach huts with her dog. She had, I find as a fact, been for a swim. She then set off back along the lane towards her car. That was the last time Ms Knights was seen alive. At about 16.50hrs she must have approached where you were stood.
12. There are no witnesses left alive who saw what happened next, except you. And you have never provided an honest account of those events. At one stage you made an

allegation that Ms Knights made sexual advances towards you and that triggered your attack. That suggestion is no longer maintained. I shall have more to say about that later in these remarks.

13. It is perfectly clear, on the evidence, that what in fact happened is that you launched an entirely unprovoked attack on Ms Knights as she walked with her dog along that footpath. The presence of her blood on your backpack establishes that you had taken that backpack to the scene of the attack on the path between the railway line and Stuart Lane and that it must have been near to her at the time of the attack. You are a man of considerable height and bulk. Ms Knights was a slim woman 5'6 in height. She was wearing a bikini and her sun hat. I have no doubt that she was frightened, intimidated and overborne by you.
14. I find as a fact that you forced Ms Knights off the footpath and attacked her in the grassy area adjacent to a dyke, an area set back from the footpath. Blood was found near to the edge of the dyke.
15. You first committed a violent sexual assault on Ms Knights, and you did so whilst she was alive and conscious. The post-mortem examination found areas of bruising to the neck, arms, wrist and to the thighs, consistent with the restraint of Ms Knights in those areas as she struggled against you. Had she been unconscious at that point there would not have been any necessity for such restraint or any likelihood of bruising. The sexual assault you carried out on her was a very serious one, involving as I find it did, at least digital penetration of her vagina. Your DNA was undoubtedly found in her vulva and probably also high up in her vagina.
16. After that sexual assault, you beat Ms Knights mercilessly, striking her around the head and causing catastrophic brain injuries. I suspect the blows were initially inflicted using your fists but were followed, once she was on the floor, by you stamping on her head. The precise mechanics of the blunt force injuries may not matter much for my purposes. What matters is that those injuries would have resulted in severe injury and almost immediate loss of consciousness. She sustained multiple facial fractures, severe bruising to the head, bleeding around the brain and a fracture to the base of the skull. The position of this last fracture suggests that her head was on the ground when it received the impact almost certainly from your boot.
17. In my judgment, Ms Knights must have endured a very significant period of mental and physical suffering before she was knocked unconscious. She was conscious as you approached and attacked her. She was conscious as you restrained her, probably by

gripping her arms and using your, not inconsiderable, weight to hold her down. She was conscious as you pulled her bikini bottoms down or aside and sexually assaulted her. And she was conscious at the moment you first struck her about the head. Throughout this period, she must have been terrified and she must rapidly have appreciated the likelihood that you were going to kill her.

18. I must be careful however, not to double count these factors. As I shall come on to explain, the starting point I adopt is chosen because the seriousness of the offence is particularly high and the murder involves sexual conduct. Those factors are important in fixing the sentence but they only count once.
19. After the attack to her head, you pushed Ms Knight's unconscious body into the dyke. The postmortem identified signs of immersion and froth in the mouth and froth in the airway, with enlargement of the lungs, indicating that she must have been alive, although unconscious, when her body entered the water in the dyke. The pathologist concluded that the cause of death was '*blunt force head injury and drowning*'.
20. You then began the process of covering up this dreadful crime. You sought to dispose of the body in the dyke, choosing a place where it would be hidden by tall grasses and bulrushes. Careful searches by the police later failed to find the body but, tragically, it was Ms Knight's own son and his friends who found it two days later, as they hunted desperately for her. You threw Ms Knight's possessions into the dyke as well: her backpack; her earphones; her hat and shorts. You got rid of your own knife and tried to remove blood-stained grass, which you put into a bag and threw into the dyke.
21. You still had to deal with Mrs Knight's dog, Zeb. Fortunately for you, Zeb is no guard dog and you were able to persuade him to follow you as you left the scene of the killing and in the hours that followed.
22. Later you returned to your den where you removed all your clothing, including your underwear. When you came back out you were wearing just shorts. At 20.30hrs that evening, you were detained and arrested, shoeless and topless, by the police on the charge of voyeurism. Zeb the dog was with you. Fortunately, however, Zeb was microchipped and that allowed the Police to make the connection between the dog and Claire Knight's family. Police visited their address and that led to the search for Claire Knight being expanded. A 'missing person' search was commenced on a huge scale, involving the police, her family and members of the public. As I have already explained she was found in the ditch by her family and you were arrested for her murder.

23. Two particular questions require resolution before I turn to the sentencing exercise. First, what contribution did your mental health make to the occurrence of these offences? And second, what discount from the sentence that would otherwise be imposed is warranted by your guilty plea in December last year?

Mental disorders

24. As to the first, I have had regard to the Guidelines for Sentencing offenders with mental disorders, developmental disorders, or neurological impairments. Pursuant to those guidelines, a court may find that an offender's culpability is reduced if he was, at the time of the offence, suffering from an impairment or disorder such as those listed in Annex A to the Guideline.
25. There was at one stage a real concern that your behaviour was psychotic. And in my judgment you feigned psychotic behaviour after the murder. On 23 August 2023, your behaviour, as observed by other people, changed markedly after the murder. Before it, you were behaving rationally and normally. Immediately after it you behaved normally. During these two periods, you made phone calls and sent messages easily and competently. You were able to load up a new bank card into Apple Pay on your phone. You were able to make purchases in a local shop. You were able to converse with people you met on your walk around Birchington entirely sensibly. But when stopped by the police after the incident and when taken to the police station, you behaved in a markedly abnormal manner. Dr Brown, the psychiatrist instructed on your behalf described your behaviour on arrest as "bizarre" and said it could not be fully explained by your underlying mental disorder. In my judgment, because you have suffered mental ill-health in the past and your mother suffered mental ill-health, you know something about the symptoms of psychosis and I have no doubt that your behaviour after the murder was feigned, aping what you thought were symptoms of psychotic illness.
26. Your partner attended the scene after your arrest and brought with her anti-psychotic medication you had been prescribed previously. That, together with your peculiar behaviour, caused the relevant agencies to treat you as if you were psychotic. But in fact, you were not and there is now no medical evidence at all to suggest that you were, or are, suffering from psychosis.
27. However, it is clear you do suffer from a recognised mental disorder. It is now agreed between the experts that you were suffering at the time of the murder, and still suffer

from a personality disorder. Personality disorder is a mental disorder within the definition in Appendix A of the Guidelines.

28. I have therefore to consider whether culpability was reduced by reason of your personality disorder. It will only be reduced if there is sufficient connection between the disorder and the offending behaviour. And in my judgment, there is some connection between your illness and your behaviour on 23 August.

29. In the experts joint report Dr Penelope Brown, Consultant Forensic Psychiatrist, Dr Tim Rogers and Professor Nigel Blackwood agreed that you were suffering from a recognised mental disorder, that is personality disorder, and that this is a complex case. All experts recognise the social stressors in your life in the months before the alleged offences.

30. Dr Brown, who provided the most recent report, said this in her final report

"I remain of the opinion that the defendant suffers from a complex mental disorder which is best formulated as a severe personality disorder, borderline pattern...His experiences of trauma in childhood, and the series of stressors which preceded the killing are of significance in terms of formulating his mental disorder and understanding his mental functioning and behaviour at the material time.

31. She went on

In my opinion, the defendant was suffering from an abnormality in mental functioning at the time of the killing. This arose from a recognised medical condition, namely severe personality disorder. I remain of the opinion that it is more likely than not that he understood the nature of his conduct and could form a rational judgement at the material time, as there is no evidence that these abilities were impaired by his mental disorder. This leaves the question as to whether his abnormality of mental functioning substantially impaired his ability to exercise self-control...I am certainly not of the view that his ability to exercise self-control is entirely removed by his mental disorder.... He was generally in a disturbed mental state in the period prior to the killing, as evidenced from his contact with mental health services in the weeks prior to the offence...

32. Later she said

Symptoms of his personality disorder include difficulties with impulsivity, and there is evidence in his history and presentation that his ability to exercise self-control is impaired by mental disorder, especially at times of heightened distress. A diagnosis of personality disorder is not a bar to a finding of diminished responsibility, ... However, it is not a given in this case that his severe personality disorder led to substantial impairments in his ability to exercise self-control at the material time..

33. Looking at the evidence in the round I conclude that you were suffering from a personality disorder at the time of the murder but that you well understood the nature

of your behaviour and could form a rational judgement about it. I accept that your ability to exercise self-control was marginally affected by your illness although you retained much of that ability. However, that marginal effect justifies a modest reduction in my assessment of your overall culpability.

Credit for Plea

34. As to the second question, the sentencing guidelines on “Reduction in sentence for a guilty plea” apply in murder cases subject to certain adjustments. The guidelines point out that an acceptance of guilt: normally reduces the impact of the crime upon victims; saves victims and witnesses from having to testify; and is in the public interest in that it saves public time and money on investigations and trials.
35. The guidance provide that a guilty plea produces greater benefits the earlier it is indicated. In order to maximise the benefits and to provide an incentive to those who are guilty to indicate a guilty plea as early as possible, this guideline makes a clear distinction between a reduction in the sentence available at the first stage of the proceedings and a reduction in the sentence available at a later stage of the proceedings. Where the court is satisfied that there were particular circumstances which significantly reduced a defendant’s ability to understand what was alleged or otherwise made it unreasonable to expect the defendant to indicate a guilty plea sooner than was done, a reduction of one-third should still be made.
36. As regard murder cases, the Guidance provides that where it is appropriate to reduce the minimum term having regard to a plea of guilty, the reduction will not exceed one-sixth and will never exceed five years; the maximum reduction of one-sixth or five years (whichever is less) should only be given when a guilty plea has been indicated at the first stage of the proceedings. Lesser reductions should be given for guilty pleas after that point, with a maximum of one-twentieth being given for a guilty plea on the day of trial. In other words, the reductions in murder cases are half what they would be for other offences.
37. Your plea was plainly not at the first stage of proceedings. However, those acting for you submit that the period from mid November 2024 onwards represented the first realistic opportunity for you to plead guilty to these charges, when Dr Brown indicated she could not support a case that your responsibility for this offending was diminished by a mental health condition so as to establish a partial defence to the charge of murder.

38. In response, the Prosecution argue that it has always been open to you to indicate that you were responsible for the voyeurism offence and you provided no such indication until you entered his plea. That must be right.
39. As to the murder charge, it is clear that you accepted from the time you were charged that you were responsible for the killing of Ms Knight. But that is not the same as an indication of guilt to the charge. The prosecution argue that you did not indicate, in terms, before December 2024 that you would plead guilty to the offence of murder if your medical experts concluded that the partial defence was not available to you. Your counsel had indicated in June 2024 that if that happened you would be given certain advice and would be likely to accept it but, in my judgment, that is not the same as a firm indication of a guilty plea if that advice was received.
40. Furthermore, the Crown point out that in May 2024, you fabricated a narrative of events which might provide you with an explanation as to how your DNA came to be found on vaginal swabs. That fabrication, say the Prosecution, was not consistent with acceptance of the offending. In my judgment that is right. I reject your counsel's argument that that was simply you responding to repeated questions to explain your conduct. The allegation that Ms Knights made a sexual advance to you, an allegation you no longer maintain, was in my judgment untrue, outrageous and designed to provide you with an unmerited defence. Had your persisted in that account, it would never have been accepted by the Crown and would have led to a Newton hearing.
41. Looking at the matter in the round you are entitled in my view to substantial but not full credit for your plea. Your plea was substantially before the date eventually fixed for trial. I accept that your guilty plea has saved witnesses from having to testify; and has saved public some time and money on investigations and trial. Accordingly, I intend to give you a reduction for plea of 15%.

Sentencing

42. Against that background I turn to consider the appropriate sentence. Before I turn to the detail of that exercise, I make three things clear:
43. First, the sentence for murder is fixed by law; it is imprisonment for life. I will turn in a moment to specify the minimum term. In doing so I make it clear that the minimum term means what it says, it is the term you must serve before you are eligible even to apply for parole,

44. Second the sentence I impose in respect of the voyeurism offence will be concurrent to that for murder. I will have regard to the level of criminality involved in that offence in fixing the minimum term for the principal offence of murder.
45. Third, the victim statutory surcharge applies in this case.
46. The voyeurism offence is minor by comparison with the murder, but it requires a separate, although concurrent, sentence. Applying the guidelines this was a category 2 case with a SP of a high-level community order and a range of medium level community order to 26 weeks custody. I impose a sentence of 1 months custody to be served concurrently to the minimum term for murder.
47. Turning then to the principal offence, namely the murder of Claire Knights. It is agreed that this case falls within paragraph 3 of Schedule 21. I agree that the seriousness of the offence is particularly high, and it involves sexual conduct. Accordingly, my starting point must be one of 30 years.
48. Against that starting point I have to consider the aggravating and mitigating factors.
49. The prosecution suggest that the voyeurism offence began a chain of events leading to the sexually motivated murder. They do not suggest that the murder was premeditated earlier than 22 August 2023. However, they argue that thereafter, when you would have considered that you had nothing to lose, the Prosecution's case is that you went on the run, armed with a knife, positioning yourself to commit an attack as and when the opportunity presented itself. By 23 August 2023 they say, and the time when you were in the vicinity of the railway line and footpath, you were waiting for a vulnerable female to attack, sexually assault and murder. They say the location and timing of the ambush attack were carefully considered, as was the method of disposal of the body.
50. However, I cannot be sure that that assessment is entirely correct. I have seen no evidence that after what was an objectionable but, by comparison with murder, relatively minor offence, namely upskirting, you believed that you had nothing to lose and so you might as well go out the following day and commit murder. I am sure that you went out on the 23 August armed with a knife, but I am not sure you were armed with a view to murder. Nor can I be sure that you brandished the knife in the course of the attack on Ms Knights; you certainly did not use it to cause injury. There are obvious alternative reasons for carrying a knife given that you had in effect embarked on a period of sleeping in the outdoors.
51. However, I am sure that when you saw Ms Knights, dressed only in a bikini, making her way along a deserted footpath, you decided that you would assault her. You chose

a point along that path to mount your attack where you thought you would not be seen. I find as a fact that she attempted to fight back and when she did, you resorted quickly to physical violence that ended up first with the sexual assault and second with you deliberately killing her. That being so, I do not regard this murder as premeditated from the evening of the 22 August, but I do regard it as aggravated to a modest extent by your intention, formed when you first saw her, to carry out a sexual assault on her on this deserted footpath.

52. In my view the other aggravating factors are as follows:

- The extreme nature of the violence used, including punching and stamping the deceased to death, and the inordinate suffering for the deceased. This attack would have been utterly terrifying for Ms Knights, who would, I fear, have anticipated death whilst being sexually assaulted. However, that justifies only a modest increase in sentence because a serious offence involving a sexual attack is already accommodated for by the choice of the starting point of 30 years.
- The fact that the attack involved significant restraint whilst she was still alive.
- The efforts you made to dispose of the body and the other incriminating evidence.
- Your failure to acknowledge your involvement in Ms Knights killing as soon as you were arrested which meant that the family of the deceased had a prolonged wait before her body was discovered.
- Although a relatively minor factor, I find as a fact that you had consumed the better part of ½ a bottle of rum before the attack and were under its influence at the time of the attack.

53. I would add that the circumstances of this attack, involving as it did the targeting of a lone female is itself an aggravating factor. Attacks of this type, targeting women who are vulnerable because they are isolated, does, as the prosecution submit, cause considerable public concern about the safety of women. This attack created widespread concern and anxiety in the local community and beyond. However, yet again, I have to be careful not to double count this.

54. It is suggested that this attack was not pre-meditated. I reject that submission. The planning might have been rudimentary, but I have no doubt that when you saw Ms Knights, you rapidly determined that you would chose a convenient and quiet place and attack her there.

55. The mitigating factors I accept are as follows:

- You were only 20 years old at the time of the offences;
- Your ability to exercise self-control was marginally reduced by your personality disorder;
- You have no previous convictions, warnings or cautions
- You had suffered a number of adverse life events and stresses including physical abuse in childhood, the loss of your mother, and the challenges of becoming a father only a few months before these events.

56. In my judgement the aggravating and mitigating factors balance each other out and my starting point becomes my finishing point before consideration of plea, namely 30 years. I allow a deduction for your plea of 15% or 4 years and 183 days.

Stand up

57. For the offence of murder I sentence you to imprisonment for life. The minimum term you will serve, before you are eligible to apply for parole, is 25 years and 183 days.

58. For the offence of voyeurism, you will serve a sentence of 1 month concurrent.

59. The time spent on remand, which I am told by both counsel is 501 days, will be deducted from that, meaning that you will serve a minimum of 24 years and 47 days before you may apply for parole.

Postscript

60. Finally, may I express my admiration and gratitude to the family of the deceased. Sitting through this hearing must have been an awful experience but you have conducted yourself in a dignified manner throughout.

61. Although this case has ended with a guilty plea and a sentencing hearing, rather than a trial, I want to acknowledge and commend the work of the police officers involved, and in particular:

- DS Richard Allingham: The Deputy Senior Investigation Officer
- DC Kirsty Gee- The Officer in the case
- PSE Isobel Gibson – a Family liaison officer; and
- PSE Andrew Chapman – a Family liaison officer.