

IN THE CROWN COURT AT NEWCASTLE
HIS HONOUR JUDGE COTTER
14 MAY 2025

REX

-v-

REECE GALBRAITH

SENTENCING REMARKS

1. Reece Galbraith you may remain seated until I tell you to stand.
2. On the 16th October 2024 Archie Yorke, a healthy, happy and much loved 7 year old had fallen asleep on the sofa of his home in a block of 12 flats in Violet Close, Newcastle next to his father. At 00.40am a huge gas explosion occurred in Flat 11 due to the ignition of butane gas created within the illegal operation of making of 'shatter' a form of cannabis extract then used to make sweets.
3. The explosion destroyed six flats in the middle of the block and tragically caused Archie's death and also the death of Jason Laws. The initial incident was followed by a fierce fire and the damage was so great that the whole block of flats has since been demolished.
4. You have pleaded guilty to two counts of manslaughter in relation to the deaths of Archie and Jason Laws.
5. Archie loss is a tragedy the effects of which will never diminish for his parents. Nothing can be said or done to ease what is a life sentence of grief. The sentence I will impose on you will come to an end; theirs never will. You have spoken of your desire to have a fresh start with your family; there will be no such fresh start for them. They live with the effects each and every day.
6. As for Jason Laws, he was with you involved in the illegal operation of creating cannabis sweets which led to the explosion. You chose to continue with this dangerous process of making shatter despite the risks to him.
7. Also the lives of many others were hugely affected. There are numerous statements from neighbours who were awoken following the explosion, several of whom were involved in the rescue of the Yorke family. 81 adults and 59 children were evacuated and displaced, 107 of them to temporary accommodation. 10 households had to be permanently rehoused. 12 properties were demolished and other residents in the street

have been unable to return. 53 residents of the original 80 that were moved will not be returning. The financial impact is said to be in excess of £3 million.

8. In addition to your guilt pleas to manslaughter you have also pleaded guilty to the production and supply of cannabis

Facts

9. Together with Jason Laws you were illegally producing a form of Cannabis called shatter at No 11 The method to produce this form of cannabis relies on the use of liquid butane as a solvent.
10. At the time of the explosion, 16th October 2024 you were being investigated for being concerned in the supply of cannabis following your arrest in possession of cannabis six months earlier on the 16th April 2024. On that occasion you were the front seat passenger in a car. A search of the car revealed cannabis bush, a set of scales in the passenger footwell. You had 10 cannabis sweets in your pocket.
11. When the police went to your home address which was also your partner's address and they found more cannabis in the form of 250 cannabis sweets. There were also moulds, with traces on cannabis on them and 300g of a sweet mixture.
12. Examination of your phone which was seized in April 2024 found numerous messages about cannabis including messages with Jason Laws revealing that you had regularly been dealing in cannabis and cannabis sweets from at least as far back as November 2023. It was plainly a significant business in which you were engaged full-time.
13. There are also references to the making of cannabis sweets by you and Jason Laws. By way of example on 14th December 2023, you texted "Am going to make sweets" and 10th Feb 2024 "...only got stock today av got it on me", we doing sweets here he's on his way" and 25 minutes later "Ok bby once sweets are made and in fridge then he be away". The next day you texted someone else saying "was making sweets last night" and April (9th) to a customer "There's guna be 4 flavours cherry/sour apple/strawberry/banana and making them tonight or tomorrow just prepping shit haha but should be just as strong as usual".
14. There was also a text in March to a customer which makes it quite clear that you knew all about the shatter process –you stated "av got some shitty dust stuff [this being the remnants of cannabis] to supply but warned " it's been ran" [i.e. it had been through the butane solvent process] so basically took all the goodness out to make sweets but ya might be make yourself couple of quid off ya pals...ya just say shitty dusty stuff but cam sort them right out yna".
15. Also messages that recovered after the explosion from the SIM from July 2024 show that you were still actively involved with cannabis business.
16. There is further source of evidence as to what you are doing after your arrest in April up until the explosion in October, from messages recovered from your partner's phone after the explosion. These messages show first of all is that you were still involved with cannabis post April 2024. They show that you continued his business with Jason Laws and in particular went to 11 Violet Close on a number of occasions for example in July and August .

17. Finally, there was also a further search of 235 Westgate Court on 6th November 2024 (so after the explosion) recovered more cannabis and related paraphernalia.
18. Within this period after your arrest and before the explosion on 23rd May 2024 you were sentenced for the possession of cannabis and a prohibited weapon a taser and given a one year community order and a rehabilitation activity requirement.

Events of 15th and 16th October

19. The explosion was caused by the ignition of liquid butane gas which had been released and built up within the premises as a result of the illegal production in Flat 11.
20. A number of figures can be seen coming and going to Number 11 from the afternoon of the 15th. Neighbours had seen comings and goings over a period of time and some correctly thought that it was 'something' to do with drugs although no neighbour knew what was actually going on in the flat.
21. You arrived at Violet Close at about 5.45pm shortly before Jason Laws. You can be seen coming in and out of the property a number of times but you stayed there although Laws left, coming back later. Indeed you stayed there until the explosion.
22. During the evening you were in touch with your partner you sent a message about being squirted in the eye
23. CCTV footage picked up something else in the minutes before the explosion. A figure can be seen coming out and bending down below an open window. The evidence of the prosecution gas engineer expert who examined the causes of the fire supports the conclusion that it is extremely likely that the person was examining a hose out of the partly open window for the purpose of ventilating the butane gas out of the property.
24. After the explosion and as the rescue attempt was going on, you emerged from the wreckage clearly injured and concerned about Jason Laws.

Your involvement in the production of shatter at No 11

25. I am satisfied that I am sure that your involvement in the production of shatter included, at times, the handling and the use of butane gas and you were intimately familiar with the processes involved. In arriving at this conclusion I have relied on:
 - (a) The evidence of your involvement in the production of shatter prior to 15th October.
 - (b) The time you spent at No 11, including on the night in question.
 - (c) That fact that the flat was small and the equipment would have been obvious to anyone inside including the large amount of full and used butane liquid gas canisters, approximately 100, and an exhaust process using a hose.
 - (d) Your fingerprints on a canister of butane.
 - (e) Perhaps most tellingly at 11pm you texted your girlfriend describing how you "got squirted in the eye" when you "tilted the gas".
26. I reject the description given to the authors of the Pre-Sentence Report (PSR) and the psychological report that you were never involved in the use of the gas within the process or

aware of the scale of the production process. These were attempts to distance yourself from what you well knew was happening at the flat.

The production of shatter and the risks

27. During the immediate post explosion investigation, the police recovered various pieces of specialised equipment which were being used to produce 'shatter', including a vacuum pump used to pull liquid butane through a blast tube and a vacuum oven used for heating the liquid product to evaporate off the butane. This is not a process entered into easily or without significant expense and it required specialist knowledge through research.
28. The cannabis that is produced is highly desirable because it contains a key psychoactive constituent THC in a very concentrated form, many times stronger than found in other forms of cannabis. Once the shatter is made it is converted into 'cannabis sweets'.
29. The process of making shatter is inherently dangerous because butane is highly flammable. When the liquid butane gas escapes, the odourless gas sinks towards the ground because it is heavier than air and can accumulate in a confined space such as a flat. It is dangerous even to store butane bottles inside let alone use the liquid gas in a process like this.
30. The bottles of butane, which is odourless, themselves contain clear warnings as to its hazardous nature including "DANGER! EXTREMELY FLAMMABLE CONTENTS UNDER PRESSURE". There is also an explicit warning on the side of the can as to its explosive nature. *"Butane is highly flammable and more dense than air. If released into an enclosed space, it may accumulate and thereby pose a risk of explosion if ignited..."*. The warning goes on to specifically say it is not intended for a number of uses including the production of "honey oil". This is also known as "butane honey oil" and refers to the production of concentrated cannabis.
31. There are readily available videos on the internet, including using You Tube, with instructions on how to make cannabis extracts which come with a warning that the gases involved are highly flammable and also providing clear information about the connection between cannabis extraction and explosions. A google search would have been sufficient to reveal a number of sites for 'cannabis explosions'.
32. It may well have been that you thought you were mitigating the risks by taking steps to extract the gas; but I am sure that you knew of the risk of ignition and knew of, or certainly ought to have been aware of, the risk of an explosion if the gas built up sufficiently. You knew any explosion and potential fire would be in a flat within a block of flats with people living in their homes around you. That you were in the flat during the production process merely proves that you were willing to run the risks given the extent of criminal gain from the enterprise.

Guideline (manslaughter)

33. There are sentencing guidelines relevant to your offences which, it is important everyone understands, I am required by law to follow; one covers manslaughter; other the production and supply of cannabis.
34. The offence of Manslaughter which may be committed in very many different ways. Here you have admitted unlawful act manslaughter which is when death is caused by a criminal act which a reasonable person would realise must subject some other person to at least the risk of *some* physical harm.

Culpability

35. I have to assess your culpability to arrive at the correct starting points for sentence set out in the manslaughter guideline.
36. In my judgment you had high culpability i.e. Category B. The deaths were caused in the course of an unlawful act which carried a high risk of death or GBH which was, or ought to have been, obvious to you given what I am sure you knew or ought to have known about the process of making shatter, the inherent risks in using pressurised butane gas and its potential escape in a relatively confined area.
37. Where offences arise out of the same incident or surrounding facts, concurrent sentences reflecting the overall criminality of offending are often appropriate subject to the totality principle and that is the approach will I will adopt to the sentencing in this case. The whole of your criminality will be reflected on the count of manslaughter relating to Archie's death.
38. The starting point is 12 years for a single offence of manslaughter resulting in a single fatality.
39. In my judgment, it is not appropriate to start other than at the starting point. You fall squarely within the category.
40. However a starting point is just that and I have to consider where your offence should lie in the range and have regard to aggravating and mitigating factors.

Aggravating features

41. As for aggravating features the first is that two people died. As I have said the guideline is based on a single death. I fully recognise that Jason Laws worked with you, but you knew or ought to have known of the risks to him.
42. The second is that the unlawful act (the production of shatter) was not an isolated unplanned event. Rather it was serious criminality that had been going on for nearly a year and at any stage when you were producing the shatter you put the lives of several people (including other children) at risk.
43. The Third is the huge, collective extent of the other harm and the impact of explosion on other individuals and families in terms of trauma and loss as so vividly explained in the victim impact statements. The scale of the devastation is reflected by the consequential financial loss.
44. Fourthly the offences were committed whilst you were under investigation having been arrested six months earlier and also subject to a community order imposed by the Court. As for your other previous convictions they are more appropriately dealt with as aggravating factors for the cannabis related offences.

Mitigating features

45. All that could realistically be said on your behalf has been said.

46. Your defence of the case up to your pleas in April this year and comments as recorded within the pre-sentence report and psychological report do not reveal and a full and honest acceptance of your role and the magnitude of what you are responsible for. However I accept, as Mr Wright KC stated that you have remorse.
47. I recognise that you suffered serious physical injuries with significant mixed depth burns and there have also been psychological consequences as set out in the report of Dr John with PTSD and depression. I also recognised the increased difficulties custody will present given these consequences, but there is no alternative given the seriousness of the offence.
48. After balancing out the aggravating and mitigating features, which requires more than a mechanistic approach, there then must be a significant increase from the starting point. Also I shall reflect such additional criminality as arises from the other offences on the count in relation to the death of Archie, being careful not to double count and after consideration of the principle of totality that the end result must be just and proportionate.

Cannabis Production

49. This offence is the unlawful act that eventually resulted in the manslaughter offences so there is plainly very significant overlap in terms of culpability and the appropriate sentence for the more serious offences and there must be no double counting; given the aggravating features which I have identified.
50. In my Judgment you were a Leading role in this drug production business, but at the bottom of the range given the range of activities the category covers within cannabis production.
51. The Harm is Category 2 as this was an operation capable of producing significant quantities of cannabis sweets, these being far more concentrated than other cannabis, for commercial use, but again towards the bottom of the range.
52. Your previous convictions for possession of cannabis in 2016 and 2014 are aggravating factors. The risk of serious harm through the method of production is obviously a matter already taken into account.

Supplying Cannabis

53. This concerns criminality in the period before 16th October. Again, the offence covers nearly a year.
54. Although again there were elements of a leading role organising and selling on a commercial scale, realistically the expectation was of significant rather than substantial financial advantage. I also sentence on basis that sales directly to users based on the available evidence; so category 3 but at the top end.
55. Again the aggravating factors your previous convictions and the fact that you were subject to a community order are aggravating factors. The risk of serious harm through the method of production is obviously a matter already taken into account.

Guilty Plea

56. You are then entitled to deduction on your sentences to reflect your guilty plea. You pleaded guilty.
57. At the Pre trial Preparation Hearing (“PTPH”) on 7th January 2025 you pleaded not guilty to all counts. At a Further case management hearing on 27th February after a conference you indicated that you would plead guilty to supply of cannabis but not guilty to other charges and this was reflected in the defence case statement served. This indication attracts a 20% discount.
58. Following an indication in mid/late March, on 3rd April you pleaded guilty to the charges of manslaughter and production of cannabis. Logically given a sliding scale the credit must be less; in my view 17.5%.

PSR and dangerousness

59. I do not consider you to be dangerous having regard to the criteria contained in the Criminal Justice Act 2003. I have carefully considered all the information that is available about the nature and circumstances of the offences and your pattern of behaviour. I have also considered information about the offender. Including that set out in the Pre-Sentence Report “PSR”) and psychological report. The Pre-Sentence Report considers your long term involvement with cannabis, risk of domestic violence and risk from carrying a weapon having been convicted in 2024. However, I am not satisfied that you pose a significant risk to members of the public of serious harm occasioned by your commission of further specified offences.

Effect of sentence

60. You will serve two thirds of your sentence before you are eligible for release on licence. Your release will not bring your sentence to an end. If, after your release and before the end of the period covered by your sentence, you commit any further offence, or breach any condition of your licence, you may be ordered to return to custody to serve the balance of the original sentence outstanding at that time, as well as being sentenced for any further offence.
61. Credit must be given for time on remand. You will have spent 156 days in custody.
62. The surcharge applies and it should be drawn up in the appropriate amount.

Other matters

63. Three final matters.
64. Due to inaccurate social media reporting in the aftermath of the explosion, Newcastle City Council was vilified online. There can be no legitimate criticism as they were not involved in it and acted with speed in response.
65. It is right that I recognise the hard work and professionalism of the experts involved in the investigation, the police, CPS, experts and the legal team. This has been a very difficult and complex investigation given the extent of the damage and great care had to be taken to ensure that justice was done.

66. It is also right that I recognise the restraint and dignity displayed by Archie's parents, family and friends who have suffered so much and have had to hear some things which will always live with them. I can only hope that the conclusion of this case brings them some peace however limited.

Conclusion

67. Reece Galbraith stand up.
68. Archie Yorke was just seven and with a wonderful and exciting life ahead of him. As his parents have so movingly explained their entire world was shattered on the 16th of October 2024 when their flat was blown apart and they woke up buried under rubble, dazed, bleeding and terrified, to quickly realise that they had lost their precious little boy. Miraculously Archie's seven week old brother survived, unharmed although covered in dust. It also truly astonishing given the extent of the explosion and the subsequent fierce fire that his parents and other residents were not seriously injured. Another baby who was 7 months old was thrown from one end of a bedroom to the other and was found under rubble.
69. Archie's family not only lost their beloved son and brother they lost virtually everything in the explosion, all their belongings gained through honest work and objects providing precious memories of Archie. Their lives have been devastated.
70. No sentence that I pass can cure unimaginable, pain, grief and loss.
71. Your friend Jason Laws who was also engaged in the illegal activity also lost his life.
72. The other human impact of this explosion has been very significant and for many, it has been life changing. Some families reported that several weeks after the explosion their children were still too frightened to sleep on their own. Other residents continue to struggle with their own mental health. Violet Close was a close knit, multicultural community with families that had lived there for several decades which was ripped apart as a result of your illegal activities which you carried on in their midst regardless of the clear risks to others.
73. You bear responsibility for all this loss and destruction it was your dangerous and selfish criminal activity, ignoring the risks to others, that caused it.
74. For the manslaughter of Archie York, I sentence you to the shortest term which is commensurate with the seriousness of your offence which, given the credit for your guilty plea is 14 years less time served on remand.

75. For the manslaughter of Jason Laws, I sentence you to concurrent sentence of 10 years.
76. For the production of cannabis, a controlled drug, I sentence you to concurrent sentence of 4 years.
77. For the supply of cannabis, I sentence you to concurrent sentence of 3 years.
78. I revoke the community order.
79. Take him down please.