



THE RECORDER OF SHEFFIELD

SENTENCING REMARKS

OF

**THE RECORDER OF SHEFFIELD
HIS HONOUR JUDGE JEREMY RICHARDSON KC**

AT

THE CROWN COURT AT SHEFFIELD

ON

MONDAY 21ST JULY 2025

REX

V

CAIN BYRNE

Preamble

You may remain seated. You must listen with care to what I am about to say.

In the printed version of these sentencing remarks there will be headings for ease of reference.

These sentencing remarks will be made available to you, your lawyers, the press and the public a short while after the conclusion of this hearing. I also direct that the printed version of these remarks shall be placed within the relevant section of the Digital Case System.

This sentence hearing is being recorded for the television news. It is very important that not only you comprehend the reasons for the sentence I am to impose upon you, but also the general public understand those reasons too.

There must be transparency in sentencing and the public are entitled to know what is being done in their name.

Additionally, these sentencing remarks will be made available on the judiciary website.

Introduction

Cain Byrne, you are aged 20 years. You will be 21 in early August 2025.

There are two cases for sentence before this court.

The first relates to theft of a car committed in August 2024 which you perpetrated in the Dronfield area, just to the south of Sheffield, in Derbyshire (the Dronfield Case).

The second relates to exceptionally serious criminality, where you caused the death of an 81 year old pedestrian due to your dangerous driving on 4th April 2025 on the A57 at Todwick near Rotherham in South Yorkshire (the Rotherham Case).

You were on bail when you committed the second tranche of offending.

You were also subject to a Suspended Sentence Order when you committed the Rotherham crimes.

You fall for sentence for the following crimes:

The Dronfield Case

- (1) Theft of a Fiat motor car between 6th to 9th August 2024.

You pleaded guilty to this at an adjourned PTPH.

The Rotherham Case

- (2) Causing Death by Dangerous Driving.
- (3) Driving whilst disqualified.
- (4) Driving with No Insurance

These crimes were all committed on 4th April 2025.

You pleaded guilty to all of these crimes at the PTPH.

The inevitable sentence of imprisonment may be reduced by one-quarter by reason of your guilty pleas and the stages at which you entered them.

This is a case which demands the imposition of a substantial term of custody, notwithstanding your age.

No sentence in a case of this nature can ever reflect the value of the life of the deceased. The life of Mr Slinn was of infinite value. However, the fact you were responsible for the death of another human being due to your dangerous and deliberate conduct is a matter of the greatest importance.

Important Features of this case taken as a whole

There are the following features of this case which must be stated at the outset.

1. You have many previous convictions for crimes involving dangerous driving of motor cars. You have repelled all efforts by the courts and the probation service to reform you.
2. You endured a dreadful upbringing. You have very limited education and you were excluded from several schools. You have ADHD and an Oppositional Defiance Disorder. You have known few boundaries in your life, and such as there were, you defied them with determination.
3. You were completely out of control. But for these proceedings you almost certainly would have remained so. You are impulsive and have ingrained criminal characteristics. You take immense risks with your own state of mind and health, as well as the safety of others. This is clear from you consuming nitrous oxide whilst driving. You were seen doing this repeatedly on 4th April 2025.
4. In August 2024 you stole a car. It had cloned number plates when you had possession of it.
5. In April 2025 you killed an 81 year old man who was crossing the road. You have wrecked the life of his family. You had been consuming nitrous oxide. You were driving far too fast and you went straight through a red light. You did not stop. Such was your state of intoxication and utter disregard for road safety, that you did not appear to realise you had hit a pedestrian. The car you were driving had cloned number plates. You have no licence to drive and have been repeatedly disqualified from driving. You had no motor insurance.
6. The car which you were driving was burnt out on 12th April 2025. There is no evidence that you actually set fire to it. However, it is a reasonable inference that you played some part in this act as it was of immense use to you that this car was destroyed in order to cover up evidence. I note this, but it will not affect the level of sentence.
7. You committed the crimes when you were subject to a suspended sentence order.

8. Whilst I must, and do, take into account your mental health, your age and the other limited personal mitigation, it is important to state that I also have to consider the statutory purposes of sentencing. In this case it seems to me that I must accentuate the punishment of you for your very serious criminal acts, and the protection of the public.
9. The courts have tried to reform you in the past – repeatedly. It has lamentably failed. You constantly defy orders of the courts and persist in committing crimes. You have endured a disordered upbringing.
10. There is very limited personal mitigation.
11. The clinical psychologist has reported some improvement in your mental state since she last saw you. It is a mixed picture and you have expressed a desire to change. You wish to undertake course whilst in custody. I have been urged not to extinguish all hope. There is validity in that submission. I have it well in mind at all stages of this difficult sentencing process.
12. I shall reduce the sentence very modestly by reason of your age and mental health difficulties.
13. I am afraid the day of reckoning has come.
14. For reasons I shall explain – and, frankly, are self-evident – you are a dangerous offender. The public must be protected from your deviant, dangerous, and ingrained criminal behaviour.
15. I make it plain at the outset that the principle of totality, by reference to the guidance of the Sentencing Council, is front and centre of my consideration in this case. I must pass a sentence which is just and proportionate which is also reflective of your overall criminality.

I now turn to the facts of the cases in summary form.

The Dronfield Case

The basis upon which you are to be sentenced in respect of the theft of the Fiat motor car is that you were involved in stealing it, but you are not responsible for the burglary where the car key was stolen.

At some stage between midnight and 3am on the 8th August 2024, a burglary occurred at 192 Carr Lane in Dronfield. Car keys were taken following a search of the property and two vehicles were stolen from the driveway, one was a Fiat Arbat motor car (WN21 ZDJ) belonging to Robyn Grayson.

There is evidence to suggest that you were involved with the theft of a BMW and other counts in the Dronfield indictment, as set out in the written opening. However, you will be sentenced on the footing of your basis of plea.

The Fiat motor car was involved in a failure to stop incident in South Yorkshire. The occupants decamped from that vehicle. It was also found to be bearing cloned number plates.

You were arrested at your home address on the 5th November 2024. You were later interviewed on the same date. You gave a prepared statement in which you denied the offences and stated that you were at home asleep at the time of the offence, had never been to the location and did not know where it was. You thereafter answered “no comment” to all questions put to you in a further two interviews.

It is not known how much the car is worth.

It is my judgment this case – had it stood alone – would have warranted a short period of detention. I intend to make the sentence concurrent in order to adhere to the principle of totality (despite the fact it should be consecutive in the ordinary course of events).

I shall pass a concurrent sentence of 3 months detention in a Young Offenders Institutions on the footing that following a trial it would have been 4 months.

You were released under investigation.

The Rotherham Case

You have never passed a driving test and you have no driving licence. You were, therefore, at all times driving whilst uninsured in April 2025. You were subject to several orders of disqualification at the time and had never passed an extended driving test as previously ordered by the court.

On 4th April 2025 you went with others to an address in Waterthorpe where you had previously hidden a VW Golf car. You told the probation officer this vehicle once belonged to your late brother. It was covered with tarpaulin so that it could not be seen when you went away and left it there.

You attached cloned number plates to the VW (LK65 OBY) in order to avoid detection in respect of your unlawful driving of the car. You then drove with your brother, an unknown male and a young woman around that area. The young woman got out at a chemists. The other two and you thereafter went to the Rother Valley Country Park where you remained for about 20 minutes. After this you went to Rotherham Road at Killamarsh and then to obtain takeaway food. You were driving throughout.

It is clear from various CCTV recordings along the route you took, that you and the others were inhaling nitrous oxide. You were doing this whilst driving. That was an exceptionally dangerous act whilst driving.

After you left the takeaway shop you drove towards Moss Way where you overtook another car in a less than proficient manner. You were exceeding

the speed limit by 10mph (you were driving at 50mph when the limit was 40mph).

Shortly after this you joined the A57 which crosses the M1 motorway. You came to that roundabout where you lined up with a BMW car behind you. It was at this point you rocketed away along the A57 towards Todwick and Worksop. You were driving in excess of the speed limit, but it has been impossible to calculate your actual speed. It is not suggested you were racing and the driver of the BMW was not driving as well as he or she might.

It is a dual-carriageway where there is a traffic-light controlled pedestrian crossing. Mr Slinn – who was aged 81 years – was crossing the road entirely lawfully and in accordance with the green light for him. The lights were at red for you and you were supposed to stop.

Instead you went straight through the red light at some speed. You hit Mr Slinn and simply drove on. You were captured on nearby CCTV, inhaling – yet again – nitrous oxide from a balloon. You were driving aggressively at the time. Another driver who saw the style of your driving commented “ridiculous, idiotic driving”.

At no time did you stop. You made your way back to where you collected the car, arriving about 20 minutes later. The car was obviously damaged. You inspected the damage and then covered the car with the tarpaulin having removed the cloned number plates.

An ambulance happened to be near the scene where you had run down Mr Slinn. The crew did what they could, but Mr Slinn died of grievous injuries inflicted by your truly appalling driving.

When you were arrested and interviewed by the police thereafter, you made “no comment” to the questions.

On 12th April 2025 the car was found burnt out. There is no evidence you perpetrated that act, but the idea you had no part in that is fanciful. It is a reasonable inference that you had some part in that. You had much to gain by the destruction of evidence. I am sure of this. I gave you an opportunity to give evidence if you wished about this. You declined. It is a matter I note, but it will not affect the sentence. You will be punished for your exceptionally dangerous driving.

Sentencing Council Definitive Guideline

In passing sentence upon you I must pay close attention to the definitive guidance of the Sentencing Council of 2023 in respect of the crime of causing death by dangerous driving.

There is no dispute this case falls into category A. You took a deliberate decision to ignore the rules of the road and displayed complete disregard for the risk of danger to others; you went straight through a red light without

attempting to stop – which was a highly dangerous manoeuvre. Your driving was impaired by the consumption of drugs (nitrous oxide) – which is actually a category B factor, but must be weighed in the balance.

This is all aggravated by your many previous driving convictions; you committed the offending whilst on bail; and, Mr Slinn was a vulnerable road user (a pedestrian crossing the road lawfully). You also sought to thwart any police investigation by using a car with cloned number plates and hiding it away under tarpaulin at a location where you did not live. The car was also burnt out some days later (I have already indicated I shall note this last factor).

The starting point is 12 years custody with a range of 8 years to 18 years.

The Consequences for the Widow and Family of Mr Slinn

Mr Slinn was aged 81 years. He was about to celebrate his Diamond Wedding (60th) anniversary with his wife. He was a retired builder who was a keen singer in his local church. He was much loved by his wife and adult children. Mrs Slinn and her children have been devastated by his death and the manner of it, because of what you did as a young criminal. I have fully considered their personal statements.

Mr Slinn was a valued member of the community and a keen cyclist who kept fit and healthy by that pastime. He was also very astute about safety on the road whilst cycling.

Mrs Slinn, her son, daughter and wider family have shown immense dignity in these proceedings. You have wrecked their lives.

My heartfelt condolences are sent to them.

Previous Convictions

You have highly relevant previous convictions which have considerable importance when considering the sentence in this case. I take into account all your previous convictions when sentencing you, particularly when assessing whether you are a dangerous offender.

The highly relevant crimes can be summarised. I have noted the facts of each of them as summarised by the prosecution in the opening note.

12th January 2022 (Sheffield Youth Court):

- i. Drive without a driving licence and no insurance (11th February 2021).
- ii. Driving without due care and attention, driving without a driving licence and no insurance (16th October 2021).

You were sentenced to a Referral Order for 3 months and a 6 month disqualification from driving.

20th April 2022 (Sheffield Youth Court):

- i. Dangerous driving, driving whilst disqualified and no insurance (20th March 2022).
- ii. Driving without due care and attention, driving whilst disqualified and no insurance (5th April 2022).

You were sentenced whereby the Referral Order was extended by 8 months. A Disqualification from driving for 1 year and you were to remain disqualified from driving until an extended test is passed.

19th August 2022 (Derbyshire Magistrates Court):

- i. Dangerous driving, driving whilst disqualified and no insurance (3rd February 2022).

A Youth Rehabilitation Order was imposed with a supervision requirement and a 90 hour activity requirement. A disqualification from driving for 3 years was also imposed.

24th April 2023 (Derby Crown Court):

- i. Dangerous driving, driving whilst disqualified and no insurance (17th March 2023).

You were sentenced to detention in a young offenders institution. You were disqualified from driving for 3 years.

27th June 2024 (Sheffield Crown Court):

- i. Possession of an offensive weapon in a public place and wounding contrary to section 20 of the Offences Against the Person Act 1861.

You were sentenced to 18 months detention suspended for 24 months, with a rehabilitation activity requirement and a 2 month electronically monitored curfew was imposed.

26th February 2025 (Sheffield Magistrates Court):

- i. Driving whilst disqualified and no insurance (21.06.24).

You have not been sentenced for this as yet as you are awaiting trial in the magistrate's court for associated matters.

You committed the crimes on 4th April 2025 during the operational period of the suspended sentence imposed at Sheffield Crown Court on 27th June 2024.

It is important I consider your progress whilst subject to the suspended sentence.

The following information has been provided by the Probation Service.

- You were the subject of a final warning for failing to provide evidence for a missed appointment.
- You had accrued 15 acceptable absences due to illness, court appearances or being in custody.
- Your level of compliance and engagement is described as superficial at best, with you refusing to discuss lifestyle, associates and details of relationships, although he had recently disclosed a relationship which was deemed to be a positive shift in attitude.
- On one occasion when challenged over your refusal to cooperate, you became verbally aggressive and demanded a change in officer.
- The probation officer who had charge of your case was of the view that your offending was showing no signs of abating and was of serious concern, such that he had deemed the risk you then posed as unmanageable within the community.
- Further, he stated you had demonstrated a pattern of behaviour whereby you had offended regularly whilst subject to probation supervision.
- This and your readiness to consciously overlook the external controls designed to mitigate the risk you posed towards members of the community, meant that this risk cannot safely be managed in the community.

For someone who is only 20 years of age, this record – particularly of serious driving offences – is truly shocking.

Mitigation

The only mitigation of any substance is the fact you have pleaded guilty and the inevitable sentence of substantial custody may be reduced by one-quarter.

The important point of totality was advanced as a key aspect of mitigation. I have already indicated this is front and centre of my consideration in the assessment of the overall sentence.

It has been advanced on your behalf that I should also take into account the following:

1. Your age and lack of maturity.
2. The disadvantages you have endured within your family.

3. The contents of the psychological report, in particular the most recent report which indicates some modest improvements in your psychological state.
4. It is advanced you are remorseful. To the extent you have pleaded guilty, you are. I note you sought to down play your culpability when interviewed by the probation officer, although there was a level of remorse expressed to the psychologist.
5. Your current family situation with a partner and children.

I have considered the sentencing note prepared by Miss Stevens. I make it clear that I regard the fact you were taking nitrous oxide on several occasions during the course of driving to be very dangerous conduct whilst driving. There were no other examples of egregious bad driving, although your driving was sub-optimal due to you having no licence to drive and you were consuming nitrous oxide. You will be punished for the incident where you killed Mr Slinn. There is no evidence you were racing with the BMW, but I do not doubt the less than ideal driving of the BMW driver irritated you, and you drove dangerously thereafter.

I have fully in mind the guidance of the Sentencing Council in relation to those falling for sentence when there is a mental health backdrop. I have this well in mind when assessing culpability and general personal mitigation.

This morning, Miss Stevens has argue that although she accepts there is material to justify a finding you are a dangerous offender, she argues that a standard determinative sentence of some length provides sufficient protection for the public. It will, she submits, provide sufficient time for you to reform and for the public thereby to be protected. I reject that submission. I appreciate there is some hope you will mature and jettison your past life, but it is by no means guaranteed. My focus has to be on the protection of the public. The extra protection of enhanced supervision upon release for a longer period will protect the public in an uncertain future for you. It will also help you readjust to ordinary life for a longer period. An extended sentence is a necessity in this case. I have absolutely no doubt about that.

I have been urged not to extinguish hope. As I have already stated, that is something I have well in mind. It is not my intention to crush you. It is my intention, to punish you for your egregious wrongdoing and to protect the public in the long term.

PSR and Psychological Report

I have considered the exceptionally thorough PSR prepared at my request and within a short time frame. I am indebted to the probation officer who wrote an extremely insightful and useful report.

I have read it with care and considered all the various competing factors that make up your life – both past and present.

During the interview with the probation officer you sought to minimise your culpability. It is important, however, that I take note of your mental health disadvantages when assessing this. The report reveals there is a clear pattern of reckless risk-taking and the attitudes you display support this behaviour and this has no signs of abating. The probation officer is of the view there is a very high likelihood of reoffending and a very high risk of you causing very serious harm by you committing a serious criminal offence.

The PSR sets out your lamentable family past – the abuse of your mother at the hands of your father which you on occasion witnessed. Your two brothers have died in tragic circumstances and you find it exceptionally difficult to cope with this situation. You suffer from anxiety and depression and have a learning disability. Your education was spasmodic and you were expelled from various schools.

The psychological report and the PSR indicate you have ADHD and ODD (Oppositional Defiance Disorder). Your language skills are deficient.

This material paints a baleful and comprehensively disordered picture of your life – both now and in the past. The most recent report paints a mixed picture.

Dangerous Offender

Section 308 of the Sentencing Act 2020 furnishes the court with the test to be applied when an assessment of dangerousness is necessary. I must ask myself whether you pose a significant risk to members of the public of serious harm caused to them which is occasioned by you committing further serious crimes (specified offences)?

I must consider all relevant information about you – including past offending, the facts of the current criminality, your mental state, and history.

You were out of control. But for the fact you are currently in custody, you would have remained so.

You have a hardened determination to commit repeated serious crimes often involving the dangerous use of motor cars. There is no sign of this stopping or reducing. It is getting worse. When the courts have tried to rehabilitate you, you disengage and commit other crimes.

The conclusion of the probation officer is that you are a dangerous offender – despite your young age.

I have taken into account the mental health disadvantages from which you suffer and your learning disability. Your age is also important and the fact that it is often the case that young people do not fully mature until well into their 20s. I have taken all of that into consideration.

My conclusion is that you are plain and obviously a dangerous offender. This is not a marginal or borderline decision. You pose very serious dangers to the public by your repeated criminality and your total disregard for the law.

You are without question, in my judgment, a dangerous offender.

An extended sentence is necessary for the reasons I have already stated.

Conclusions

I have already set out my reasoning at some length. I shall summarise it:

1. The sentences will be Detention in a Young Offenders Institution given you are aged 20 years. Given the length of the sentences you will be transferred to an adult prison in due course.
2. The Dronfield Offending warrants a concurrent sentence of 3 months.
3. The lead offence in the Rotherham case will be for causing death by dangerous driving. That will take into account the other summary crimes. In respect of them I impose no separate penalty, but I shall endorse your driving record with those crimes and impose any mandatory disqualification, but it will be concurrent to the other disqualification.
4. As there is an Extended Test Order already in place, I cannot make another one, but had that not been the case, I would have imposed one.
5. The period of disqualification I impose will be extended to take into account the custodial sentence I impose – pursuant to the relevant statutory provisions.
6. In respect of the causing death by dangerous driving the case falls within category A and has the aggravating features I have set out. This was exceptionally dangerous driving – going through a red light at speed and killing a pedestrian when you had no licence to drive, no insurance, the car had cloned number plates, you were consuming nitrous oxide, and you did not stop. You have repeatedly committed the crime of dangerous driving.
7. You are a dangerous offender and the protection of the public demands I impose an Extended Sentence. This will be composed of the appropriate custodial term and an extension period.
8. You have utterly disregarded the terms of the suspended sentence order and I am entitled activate it by reference to the relevant guideline.

9. The principle of totality is front and centre of my consideration in this case.

Following a trial and absent any mitigation it is my judgment – having regard to the backdrop of previous offending and the all the circumstances of the case – a sentence of 16 years would have been warranted on an adult offender with full culpability.

In this case, I am prepared to reduce the sentence by 1 year to take account of an amalgam of the mental health backdrop, the very limited personal mitigation and your age.

With a guilty plea and a reduction of one-quarter that reduces the sentence to 11 years and 3 months. As I intend to activate part of the suspended sentence I shall round that down to 11 years.

The suspended sentence must be activated subject to the principle of totality; and I have decided I would be justified to activate 1 year of it. That must be consecutive to the 11 years.

12 years is the appropriate custodial term, but as I am going to impose an extended sentence I shall pass that upon the lead offence and make all other matters concurrent. I do this to make the situation simpler in the future. I shall therefore make a modest reduction in the custodial term to 11 years and 6 months.

I have stepped back to ask whether I should make any further adjustments to reflect overall criminality and the principle of totality. No further adjustments are required.

This is a severe sentence on a young man. But you are out of control and you must be punished. I have reduced the sentence, but you made decisions which were repeatedly very bad ones. Your culpability is high, but not quite as high as it might have been had there been no mental health and other disadvantages.

I shall pass an Extended Sentence and the full extension period is justified in order to protect the public.

I shall also disqualify you – yet again – from driving. It will be for 10 years and this will be designed to come into operation when you are released. There is already an extended test order in place. I cannot make another one by operation of law.

I shall direct that 179 days in respect of a qualifying curfew shall count towards the sentence.

Sentence

You will now stand.

The sentence I pass upon you is an extended sentence of 16 years and 6 months.

That sentence is made up in the following way:

Causing Death by Dangerous Driving - I impose an Extended Sentence of 16 years and 6 months detention in a young offenders institution. There will be a custodial term of 11 years and 6 months; and an extension period of 5 years. That sentence reflects overall criminality.

I disqualify you from driving for 10 years and that will become operational when you are to be released from the custodial term. The necessary extension period is 7 years and 8 months. The total disqualification period is 17 years and 8 months.

I impose no separate penalty for the other driving offences, except I endorse your driving record and impose any other mandatory orders.

I activate 6 months of the suspended sentence order, but concurrently as I have taken it into account already.

I impose a concurrent sentence of 3 months for theft of the Fiat car.

I direct 179 days shall count towards the sentence in respect of the qualifying curfew.

The necessary statutory charge is imposed with all the usual ancillary orders.

There will come a time when you are to be released from custody on licence. If you breach the terms of your licence you may be recalled to prison to serve the remainder of the sentence.

Take him down.