



Sentencing Remarks

R v Roy Barclay

Table of Contents

1.	Introduction	3
2.	Your past upbringing.....	5
3.	Factual finding	5
4.	Release on Licence	6
5.	Community impact.....	7
6.	VPS.....	7
7.	Law on schedule 21 Sentencing Act 2020	8
8.	Approach to count 2.....	9
9.	Minimum Terms.....	10
10.	Aggravating	10
11.	Mitigation.....	11
12.	The Sentence.....	11

1. Introduction

1.1 Roy Barclay, between 27/5/25 and 9/7/25 the focus of the trial for 6 weeks has been on proving that you were Anita Rose's killer. Despite that length of trial, there is still so very little known about you or your motive.

1.2 I have read the previous case from 10 years ago after you finally admitted that you were the person who violently attacked Leslie Gunfield on 22/5/15 causing him grievous bodily harm with intent to do so, early in the morning at the local Co-op in The Triangle Precinct in Walton-on-the-Naze. Leslie Gunfield was a helpless 82-year-old who had simply taken his dog for a walk after leaving home at 6:40 am. Mr Gunfield saw you taking pizza boxes from a bin at the rear of the Co-op and challenged you, saying he was going to call the security.

1.3 Rather than walk away, you decided without warning to attack Mr Gunfield from behind by jumping on his back, taking him to the ground and for 53 seconds repeatedly pummelled, trod, punched and battered the elderly man so hard that you broke his dentures and inflicted serious injuries to his, jaw, neck, face, and head causing a subdural haematoma and brain injury.

1.4 So violent was the attack to Leslie Gunfield's head that the photographs of the injuries, which were not shown to the jury, but which I have seen, are rarely witnessed in such a brutal attack. Mr Gunfield's upper jaw was totally detached from the rest of the skull, he had fractures to both eye sockets, fractures to both cheek bones, multiple facial lacerations and the parts of his head which were visible, appeared like an over-inflated football, so extensive was the injury. Mr Gunfield had to have 10 titanium metal plates fitted for those fractures to his face. The Judge at Chelmsford Crown Court on 17/8/15 had a pre-sentence report prepared by the probation service and sentenced you to a 10 year prison term, ordering your release on licence at the midpoint which was on 24/2/20 after which you were resettled in Bramford Lane, Ipswich.

1.5 In that pre-sentence report you told a probation officer that you committed the offence by repeatedly punching and stamping on Mr Gunfield's head because you panicked when he said he was going to call for security and also that you harboured a revenge for an incident with him some three years previously. Even at that stage the probation officer didn't know whether you were telling the truth, but one thing was clear; that it was an unprovoked attack during which the degree of violence that you inflicted on an 82 year old man was completely disproportionate as a response and it was a wholly unnecessary use of brutal and excessive violence on an unsuspecting vulnerable old man.

1.6 The 10 year prison sentence should have been more than enough time for you to rehabilitate yourself and to reflect on what you did and to teach you a few lessons about managing your temper. It belies your background why you remain this violent and dangerous man, flaring up once more over the

slightest confrontation, but it seems to me that so much is not known about you that you are now and will remain an unpredictable and very dangerous man for the foreseeable future, a fact of which the Parole Board no doubt will be made fully aware.

1.7 I have no doubt that during the six week trial this year, after which the jury convicted you of the murder of Anita Rose, the entire family of the deceased was waiting to hear what you had to say about your movements that early morning on 24/7/24 in the quiet and peaceful village of Brantham just on the Suffolk and Essex border, and why you inflicted such alarmingly brutal injuries to her causing her death, and why you took Anita's pink jacket after leaving her for dead, leaving her bare chested apart from her bra, and why you took her phone, leaving her unique Crowned phone case in an outside camp hidden in the undergrowth in Brantham, and why you kept her ear pods in a makeshift camp under the Orwell Bridge and why you disposed of Anita's phone in Ipswich three days later, yet keeping her door key, her ear-pods and her pink jacket as if they were keepsakes, or souvenirs or trophies after you had brutally attacked and killed her.

1.8 You are in my judgment an unpredictable, disheartening and dangerous man and someone who is prone to terrible outbursts of violence at the slightest confrontation. It is clear to me that Anita on the other hand however, had no history of violence and was not threatening in any way. I am satisfied that she never caused you to fear any physical harm at all, apart from maybe a few sharp words about what you were doing in the grounds of the Sewage Works or just outside the barbed wire perimeter fence a few feet from where you left her for dead, and at a time maybe minutes just before the cyclist Jerome Tassell came across Anita on the stoney track, laying on her back barely able to breath.

1.9 Due to your silence in police interviews and you choosing not to give evidence in your defence, we will perhaps never know what triggered this outburst of horrific violence against Anita at about 06.20 on 24/7/24. It may have been her challenging you about what you were doing, she may have caught you doing things which caused offence, but I am satisfied so as to be sure that for whatever reason, at the time of the incident your intention was to kill Anita and not simply to cause her really serious harm.

1.10 I am sure that it was your intention to kill Anita, however quickly formed, because of the number and brutality of the stamps or kicks with the heavy boots you wore that when the pathologist conservatively estimated that there were at least fourteen repeated blows with a heavy booted shod foot to the head, neck and upper chest, using severe force causing significant diffuse axonal brain injuries of a type seen in high-speed road traffic collisions that is a safe conclusion to draw in the absence of any other explanation. Added to that, it was the location and the number of stamps or kicks, mainly to the head and throat and as the footwear expert Mr O'Shea explained the forceful contact with the skin on Anita's face left a heel pattern shown by the overlay in Tab 19 of the jury bundle and Tab 13 page 3 injury [9]. Dr Allinson, the

Neuropathologist said that the injuries were from inflicted violence, consistent with a prolonged assault by kicking and stamping to the head when her face and head were on the ground and the injuries were not consistent with a simple punch to the head or with a head injury sustained from a fall from standing height.

2. Your past upbringing

2.1 Roy Barclay your past is layered with mystery, you were born 23/3/69, now 56 years old, and little was known about you back in 2015 when you 46 year old, and even less now. I repeat that it was your choice to answer no comment to all police questions over the 4 interviews, and your silence at your trial for Anita's murder. Means you have offered no explanation about what happened nor whether there was any challenge between you and Anita that morning to shed light on what really happened.

2.2 Unlike you I will not shy away from making some findings of fact by drawing inferences from the proved facts, only reaching those conclusions when I am sure about them. I listened to the evidence unfold over 6 weeks and only the jury and the judge has been in that unique position to understand the impressive constellation of strands of evidence emerging to paint a fuller picture identifying you as Anita's killer.

2.3 Nothing which I have read in any of the old case or in this case leads me to a conclusion that you had a deprived background other than the normal vicissitudes of family life. You might not have got on with your mother, and you might have assaulted her, but I don't take any of those matters into account because nothing in your past can excuse what happened on 24/7/24. Previously you told probation officers that you had been homeless since 2002, sleeping on Weeley Heath, using storm shelters on Frinton Greensward, and also sleeping in a tent in Thetford forest. However, you chose this life after leaving a bedsit in Frinton when you were 25 yrs old and similarly when you were released on licence on 24/2/20 you were provided with stable accommodation in Bramford Lane for your resettlement in the community but you left that housing without warning in May 2022 disobeying your prison licence and as a result you received your recall to prison warning from June 2022 but you ignored that and lived a life under the radar from any authorities for the next 2 years.

3. Factual finding

3.1 On 24/7/24 you were captured by cctv at 05.37 carrying a Farm Foods Bag containing something heavy. The only purpose I can conclude for you walking past the Kettles cctv camera after walking towards St Michael's Church at 05.33, was to get some fresh water from the tap in the graveyard. It takes about 20 or so minutes to walk back down towards the Sewage works where I am quite sure you used to wash and go to the lavatory in the Block building which contained a sink, loo and sometimes had hot water.

3.2 Anita Rose left her house at 05.00 hours and walked towards St. Michael's church wearing the red or pink jacket with her dog Bruce on a lead. Her partner, Richard had called her at 05.24 hrs for three minutes and 42 seconds. This was to be the last time they spoke because at 06.15 Richard tried to video or Facetime call Anita and whilst the phone was answered the screen was black and silent. In the next 10 minutes, a cyclist Jerome Tassell cycled along the stoney path and saw Anita now heavily injured with barely a breath in her body. A moving 999 call captured the efforts he and Rachael Ireland made to keep Anita conscious until the medical teams arrived. Each deserve the Courts commendation for their assistance.

3.3. Meanwhile, as the jury by their verdict identified you as Anita's killer, I am quite sure that it was you who was captured at 06.38 from the cctv cameras installed at the BUFA factory and seen on SOE vol 1 page 51. You were making your way back to the unknown Brantham camp shown in volume 2 at page 76 and by inference because Anita's jacket and phone case were found in your campsite, you had taken those items from her in the event should she miraculously gain full consciousness to call the police or raise the alarm for help.

4. Release on Licence

4.1 At the time on 24/7/24, you had been released on licence from the 10 yr sentence on 24/2/20 and re-housed in Bramford Lane from the 27th of February 2020 to the 12th May 2022. The property in Bramford Lane was a converted shop into flat units and you had the use of a lounge, kitchen, bedroom and bathroom, all on the ground floor. Although you kept the blinds at the front of the property closed, you led a solitary existence until 12th May 2022 when you just left the property, never to return.

4.2 Thereafter you did not report to probation or the police again which was a condition of your release licence. From that moment, you had no contact with the probation service and despite them texting and attempting to contact you, there was no reply and your phone went to voicemail. Because your phones did not have a SIM card you were able to use the public internet system by going to Libraries, otherwise you left no GPS footprint for any of the authorities to trace your whereabouts. You deliberately evaded the authorities for 30 months.

4.3 Due to you missing appointments with the probation service, it placed you in breach of your licence and the enforcement team chose to recall you back to prison. You were notified by text message on 17th May 2022 and it was agreed that recall would be actioned for you failing to attend supervision and failing to engage with the requirements set in the conditions of your licence.

4.4 The jury heard that for whatever reason you left the halfway house on 22/5/22 but having received notification of you being recalled to Prison under section 255 of the Criminal Justice Act 2003 from 1st June 2022 and notified

of the recall orally and in writing, you failed, without reasonable excuse, to surrender and return to prison which you have admitted in count 2.

5. Community impact

5.1 Because you were at large for nearly 30 months and the murder of Anita occurred during that time when you were on licence after being recalled this is an aggravating feature because the prison licence conditions were to minimise the risk you posed to the community.

5.2 As is evident from the statement from Inspector Naomi Lofthouse this murder has had a significant and lasting impact on the Brantham community, extending well beyond the immediate victim and her family. These impacts include increased fear and anxiety, and the erosion of community trust.

5.3 Fear and Anxiety because the killer was unknown and unidentified for a long time and the sudden and violent nature of Anita's murder caused residents to feel less safe in their homes and neighbourhoods. People withdrew from community activities and avoided public spaces. The previous vibrant early mornings with up to 12 runners and walkers taking daily exercise changed leaving few going outside and noticeably there were no lone female walkers and Brantham became a very quiet village. This community impact was noticed by the increased police intrusion into the lives of those in the village during the investigation trying to apprehend the killer. 1300 properties were entered, with a visibly high police presence over a long period of time conducting extensive House to House inquiries and carrying out a large number of fingertip searches until you were apprehended on 21/10/24.

6. VPS

6.1 I cannot overlook the contents of the Victim Personal Statements made by family members. Anita had 6 children, 4 sons and 2 daughters and Richard Jones, Anitas's partner. Anita's 2 daughters Gemma and Jessica and 4 sons Ashley, Warren, Markeece and Tyreek have each contributed in a significant way in their statements to keep their mother's memory alive.

6.2 In accordance with CPD VII Sentencing F: I have read the Victim Personal Statement ('VPS') from all family members. These are all moving stories about the life of someone who had every expectation of living a full and complete life, well into the future but tragically cut short by this killing. I noted how each of the bereaved speaks movingly and with great dignity and force about the extent of the loss and extent of the suffering they have endured. The Court pays tribute to them for their fortitude and their commendable restrained manner during the trial and hearing today.

6.3 Every crime of murder ends one life, but the words spoken bring home that a killing harms many others around the deceased: six children are left without a mother, a partner without a soulmate and a family or friends are

all left with a sense of grievance. They all have the sympathy of the court. No sentence of the court can compensate for that loss, and it should not be thought that the sentences I impose are in any sense an attempt to value Anita's life.

6.4 The overwhelming evidence shows that this killing affects all family members resurrecting mental health issues due to the memory constantly returning to Anita. No one listening to the VPS can be deaf or mute to the character testimonials flooding in about Anita, her big personality, her energy and particularly the words which came from her eldest daughter Jessica Cox who bravely told me about the long lasting effect the killing has had on her and her family.

7. Law on schedule 21 Sentencing Act 2020

7.1 Roy Barclay I have to sentence you on count 1 for the offence of murder. There is only one sentence for murder and that is a mandatory life imprisonment. You pleaded not guilty to count 1 but guilty to count 2 which was to remain at large after a notification of your recall to prison.

7.2 Section 322 Sentencing Act 2020 requires me to determine the minimum term in relation to the mandatory life sentence for murder. I must have regard to the general principles set out in schedule 21 of that Act which is headed "Determination of the Minimum Term in Relation to Mandatory Life Sentence for Murder", and to any Sentencing guidelines relating to the offences in general which are relevant to the case such this provided it is not incompatible with the provisions of schedule 21 of the Sentencing Act 2020.

7.3 The approach to sentencing for murder should proceed by considering four steps.

- a. The first step is to consider which paragraph under SA2020 Sch.21 the case is to be determined. There are 5 starting point categories, but only one is relevant for the purposes of this case, it being agreed that the appropriate starting point in determining the minimum term is 15 years imprisonment.
- b. The second step set out in Schedule 21 paragraph 7, requires a detailed consideration of any aggravating factors included in paragraph 9 as added to on 29/2/24 and any mitigating factors in paragraph 10 which may be relevant to the offence, to the extent that the factors have not been allowed for in the choice of the starting point.
- c. These factors are not necessarily exhaustive as will emerge when I make either an upward or downward adjustment to a minimum term. Full regard must be had to the features of the individual case so that the sentence truly reflects the seriousness of the particular offence.

- d. The third step is to consider whether a defendant's previous conviction should be treated as aggravating factor by reason of section 65 of the Sentencing Act when considering the seriousness of the offence if it is reasonable to do so having regard to the nature, relevance and age of that conviction.
- e. The fourth step is to state my reasons for deciding on the minimum term to be served for those defendant convicted of murder before the Parole Board can consider a defendants early release, which of the starting points I selected, what aggravating or mitigating factors led any adjustment of the starting point.
- f. Ordinarily I would calculate how many days you have spent on remand and which would be deducted from the term for time spent in custody under section 240ZA CJA 2003 however section 240ZA(4) is clear that no days count because you have been recalled to serve the remainder of the 10 yr sentence imposed in 2015.

7.5 It is important to emphasise, so that you and the public can understand the position, that the minimum term I set is just that. It is the minimum period which must be served by you before you can even be considered for release. The minimum term represents the shortest period that you will be required to serve your sentence in prison. After that period has elapsed, there are no guarantees that you will be released at a time, or any particular time thereafter.

7.6 It is then and only if, the parole board to decide if you are fit to be released. You must also understand that if you are released you remain subject to licence for the rest of your life and are liable to be recalled to prison if you breach the terms of that license or you reoffend. It is in these ways that a life sentence protects the public for the future. If it remains necessary for the protection of the public, a defendant will continue to be detained after that date.

8. Approach to count 2

8.1 You pleaded guilty to this offence on 31/1/25. The maximum sentence for remaining at large is 2 years' imprisonment. There is no offence-specific guideline for this offence.

8.2 The approach I will give to this offence is to treat it was an aggravating feature of the murder as it was in the context of being on licence and at large when the killing occurred.

8.3 There will be a reduction of 1/3rd due to the plea of guilty and it will be a concurrent determinate sentence to the life sentence.

9. Minimum Terms

9.1 First, you do not suffer from a medical condition which might have affected your judgment that day and it was you who created the situation in which Anita was persistently repetitively and brutally kicked and stamped on.

9.2 Second, this is a case where there was a clearly an intent to kill. It was of the kind I have described when you repeatedly stamped on Anita's head with alarming similarity to the disproportionate manner in which you attacked Mr Gunfield in 2015. There is no mitigation for any lesser intention.

9.4 Third, your previous conviction and the fact you were on licence at the time after being released from prison having served half of a 10 year sentence for an alarmingly similar act of grave violence on a vulnerable elderly man and now with the current offence of murdering Anita who was an equally vulnerable lone female means that this murder leads me to increase that initial minimum term starting point from 15 yrs to 25 yrs years

9.5 Fourth, there are other aggravating and mitigating factors which I must consider.

10. Aggravating

10.1 In arriving at 25 yrs as the minimum term I will explain which of the factors I have considered set out in paragraph 9 of Schedule 21 to justify that lengthy period.

10.2 I have taken into account the use of sustained and excessive violence towards Antia as set out in para 9(fa)

10.3 I have noted and taken into account that this killing was in public, and from my previous remarks about the community impact, that this was a murder of great public concern.

10.4 I have considered and taken account that the repeated stamping on the upper body and head occurred when you were wearing those heavy North West boots which can in many instances be equated with a blunt weapon.

10.5 I have also identified that at that time in the morning when the incident occurred, that it was isolated and Anita Rose was a lone female who was out in the early morning innocently taking her dog for a walk.

10.6 I have carefully looked at the manner in which you took Anita's property such as her pink jacket, her mobile phone and her ear-pods after you had attacked her, and carried out a balance against those aggravating features with the mitigating factors that this was not a planned attack nor was it premeditated.

10.7 Whether taking Anita's phone was to prevent her alerting others or subsequently leaving it at a prearranged location 3 days later on the bench in Upper Orwell street for Mr Ichim to pick up and attempt to use was an attempt to place blame on others or the failure to disclose that you Mr Barclay had been in possession of those items knowing all the time from your internet researches that the police were anxiously trying to locate them as being key items providing significant leads to Anita's killer, when balanced against the mitigating factors does not in my judgement add to the minimum term expressed.

10.8 I have given anxious consideration to the scientific finding in Agreed fact 73 onwards that the presence of your DNA found in semen and in sperms cells on the inside back neckline of Anita Rose's jacket. Although the scientist Kim Edwards expressed the opinion that it was explained by your semen being deposited on Anita Rose's jacket or from having previously handled or had contact with her jacket, I cannot be sure you deliberately soiled it as some sort of territorial imprimatur.

10.9 This evidence is equally consistent with the presence of semen already on your hands when you grabbed Anita and got her to the ground in a position when you were able to repeated assault her. This is remarkably similar to the mechanism by which you grabbed and jumped on Mr Gunfield in 2015.

10.10 The presence of semen on your hand before transferring it to her jacket may explain, although I cannot express a final view on this, any challenge she made about your conduct early that morning.

11. Mitigation

11.1 The defence broadly agree with those identified aggravating features but for the purpose of putting the phone in the seating area in Upper Orwell Street and that this is a case where the Court cannot be sure to the criminal standard that there was an intention to kill.

11.2 I disagree for the reasons already given but I do accept there was a lack of premeditation.

11.3 I accept also that as this murder was at a time when you were at large and now you have been recalled that none of the 288 days spend on remand will count towards your minimum term of 25 yrs. I have therefore not increased the minimum have considered the totality principle to ensure that no 'double counting' takes place.

12. The Sentence

12.1 The sentence I pass on you Roy Barclay is imprisonment for Life on Count 1 of the Indictment. The minimum term that you must serve in custody for the murder of Anita is 25 years impt. There will be a concurrent determinate prison sentence of 12 months on count 2 after a reduction of

1/3rd. The appropriate Statutory Charge will apply and will be recorded as part of your sentence and collected in the Magistrates court.

12.2 I must warn you that you are now 56 years old and the 25 year minimum term sentence starts from today which means if, and there is no guarantee that the Parole Board would release you after you have serve 25 yrs you will be an 81 year old man.

12.3 However, my sentencing remarks will be available for the family to read and will be placed before the Parole Board who will decide after 25 yrs has elapsed, whether you can safely be released. You should not harbour excessive optimism about that: your personality and character makes you a dangerous man.

His Honour Judge Martyn Levett DL
Ipswich Crown Court
6th August 2025