

11 September 2025

THE KING

-v-

ROBERT TALLAND

ROSIE TALLAND

STEPHEN TALLAND

**Sentencing Remarks**

**Introduction**

1. On Thursday 26 June 2025, after a trial lasting many weeks the jury convicted each of you of the various counts which you faced on the indictment: you Robert Talland were convicted of Counts 1, 3, 4, and 5; you, Rosie Talland and Stephen Talland were convicted of Counts 1 and 2. You Robert Talland are 59 and the father of Rosie Talland who is 33 and Stephen Talland who is 36. In general terms the offending related to stirring up racial hatred with the addition in your case Robert Talland of disseminating terrorist publications being reckless as to the encouragement of acts of terrorism. Your offending relates to activities pursued by each of you as part of the neo-Nazi Blood and Honour music scene.
2. At the time of your offending I am satisfied that each of you had a long standing allegiance to the neo-Nazi cause. That is most clearly evidenced by the racist and antisemitic messages, videos, memes and other materials you posted via social media. In addition each of you were heavily involved in the neo-Nazi Blood and Honour music network. You Robert Talland were a prime organiser of Blood and Honour events involving performances by far right bands at gatherings of supporters of the neo-Nazi cause. The concerts were characterised by the display of extreme right wing symbology including Nazi flags and banners and provided a forum for the encouragement through music of racial hatred and neo-Nazi ideology. A central event of the UK Blood and Honour scene was an annual memorial concert for Ian Stuart Donaldson who was the former front-man of Skrewdriver, a white power skinhead band, and a founder member of Blood and Honour. He died in September 1993.

3. You Rosie and Stephen Talland were members of a far right band called Embers of an Empire which performed at the Blood and Honour Ian Stuart Donaldson memorial concert which took place on 21<sup>st</sup> September 2019 at the Corpus Christi Catholic Club in Leeds. The jury were shown a video of part of that concert when you were playing. Those who attended were clearly an appreciative audience who can be seen to be actively participating in support for the music with some in the audience responding to the performance with Nazi salutes. The venue is strewn with Nazi symbology: there are many different far right flags and banners, and a stall is set up to sell far right music albums and other far right material. The band Embers of an Empire had been formed for some time before the concert and played concerts elsewhere. All three of you were involved in promoting the band and its music. The lyrics were written by the band and each of you took part in scrutinising and approving the lyrics before the final version was produced. You Rosie Talland joined the band as the bassist sometime after it was formed. You, Robert Talland ran a production company for many years producing and selling right wing music albums including the album “Phoenix Rising” by Embers of an Empire and other albums named in counts 4 and 5 which the jury found are terrorist publications.

**Brief circumstances of the prosecution’s case in relation to each count**

4. Count 1 charged all 3 of you with conspiracy to distribute the music album called “Phoenix Rising” by Embers of an Empire, 4 tracks of which were alleged to contain threatening, abusive or insulting words of a violent and racist nature, with the intention thereby of stirring up racial hatred. The conspiracy covers a period from 1<sup>st</sup> January 2019 to 1<sup>st</sup> October 2020, 18 months or so. The 4 tracks are the same tracks as specifically named in count 2.
5. Count 2 charged you Rosie Talland and you Stephen Talland with an offence contrary to s.18 of the Public Order Act 1986, relating to the performance at the Blood and Honour Ian Stuart Donaldson memorial gig at the Corpus Christi Catholic Club in Leeds on 21 September 2019 of four Embers of an Empire songs from the “Phoenix Rising” album, namely: (i) ‘We stand alone’, (ii) ‘Time to face it’, (iii) ‘My friend pain’ and (iv) ‘Send them all.’ The jury found the lyrics of these songs were threatening and performed by you with intent to stir up racial hatred. Examples of the lyrics of the songs include in the track entitled ‘Time to face it’ at pp. 49-51 of the lyric presentation bundle, ‘we’re calling you out for one last fight’, ‘I hope you’re ready to die’, ‘we won’t stop till the last one hits the floor’, and in the track ‘Send them all’ at pp. 51-53, ‘We’ll send them back in a box’.

6. The remaining 3 counts against you Robert Talland charged you with possession of racially inflammatory material contrary to s.23 of the Public Order Act 1986 (count 3) and disseminating terrorist publications, contrary to s.2(1) and 2(2)(d), based on your activities between 2015 and 2020 and in relation to certain material found on your arrest (counts 4 and 5).

**Count 1 against Robert Tallant, Rosie Talland and Stephen Talland**

7. The count 1 conspiracy against all 3 of you carries a maximum sentence of 7 years' imprisonment. The Sentencing Council's Racial hatred offences/ Hatred against persons on religious grounds or grounds of sexual orientation guideline applies.
8. In my judgment your offending falls more comfortably into category B – Medium Culpability because I cannot be sure that each of you intended to incite serious violence despite the words of the lyrics, which were written or at least approved by each of you, and, although there is the category A factor present of persistent activity over 18 months or so in producing and selling the album, the count is limited to this one album.
9. The harm falls into Category 1 because Phoenix Rising directly encouraged activity which threatened or endangered life: the clear implication to the listener (who is to be contrasted with the object of the lyrics, usually race-mixers) is that they should join the fight to the death, so that the speaker's (or speakers', as the subject's voice in places is in the plural: 'we'll show you no remorse', 'we stand alone', 'Pure and true we remain') opponents are sent 'back in a box', i.e. in a coffin, rather than still alive.
10. Further, the harm falls into category 1 because the dissemination of Phoenix Rising was widespread. You, Rosie Talland, for instance, referred to orders coming in 'thick and fast' (timeline row 1980 on p. 164). There was evidence that 'Yves' was selling the album in Germany and that Rampage Productions would also sell to traders, so the distribution was beyond just Rampage Production's customers.
11. The starting point for a Category 1B offence is 2 years' imprisonment. The category range is 1 to 4 years' imprisonment. In my judgment the appropriate starting point is 2 years' imprisonment in each of your cases.

**Factors increasing seriousness**

12. In relation to statutory aggravating factors: although you Robert Talland have previous convictions I do not treat them as an aggravating factor bearing in mind their age.
13. In relation to other aggravating factors, in each of your cases the following apply:
14. First, the planning of events designed to stir up hatred given the evidence that these Phoenix Rising songs were not just sold as part of the album but also performed at a

number of neo-Nazi gatherings. And in your case Robert Talland you had a principal role in this regard in respect of the organisation of Blood and Honour events where the album was played.

15. I must be careful to avoid double-counting in the cases of Rosie and Stephen Talland who fall to be sentenced in respect of count 2. In my judgment it is appropriate to pass concurrent sentences for counts 1 and 2 in your cases and because the count 2 offending is of a different type to that in count 1 uplift the overall sentence on these two counts.
16. A second aggravating feature is the significant volume of publications published or disseminated. Again, I must be careful to avoid double counting.

**Factors reducing seriousness or reflecting personal mitigation**

17. In each of your cases I am prepared to recognise and take into account the delay since the commission of the offence and the impact that that has had but that must be viewed in the light of the fact that each of you contested the case.
18. Each of you has personal mitigation and there are letters of support in each of your cases which describe positive aspects in each of your cases.
19. In your cases Rosie Talland and Stephen Talland you have available the mitigation of no previous convictions. Further, I accept that you both had a somewhat lesser role and you Rosie Talland joined the band later. In each of your cases you have young children, a matter I will return to later.
20. Mr Talland it is argued that your sentence should be discounted to reflect the information you gave to the police via DC Hall, but in my judgment the information you gave was limited and ceased when DC Hall retired and was to assist you in carrying on that which you wanted to do rather than to give any real assistance to uncover criminality.

**Count 2 – Rosie Talland and Stephen Talland**

21. Count 2 is an offence of inciting racial hatred contrary to s.18 of the Public Order Act 1986, the maximum penalty for which is, again, 7 years' imprisonment. The Racial hatred offences/ Hatred against persons on religious grounds or grounds of sexual orientation guideline applies. Count 2 relates to the performance by you Rosie Talland and you Stephen Talland of the four songs to which I have already referred, at the Ian Stuart Donaldson memorial gig in Leeds on 21 September 2019. Those songs were threatening, and as the jury found were performed with the intention of stirring up racial hatred.

22. In my judgment this is category B1 offending for the reasons I have already given in respect of count 1.

23. The starting point is 2 years, with a category range of 1 to 4 years.

**Factors increasing seriousness**

24. The aggravating features are as follows:

First, the extent of the lyrics which are over 4 songs.

Secondly, It is clear from the evidence that you Rosie Talland had a role in making some of the arrangements for the Ian Stuart Donaldson concerts (albeit that your father was principally responsible for the organisation). The Embers of an Empire set at the Leeds club was performed at an 'event... designed to stir up hatred' which you have helped arrange. There was abundant evidence that both of you had attended and performed at previous ISD events and so were well aware of their nature and those who attended.

**Factors reducing seriousness or reducing seriousness or reflecting personal mitigation**

25. I have already dealt with matters under this heading.

**Count 3 – Robert Talland**

26. Count 3 is an offence of possession of racially inflammatory material contrary to s.23 of the Public Order Act 1986, the maximum penalty for which is, again, 7 years' imprisonment. The Racial hatred offences/ Hatred against persons on religious grounds or grounds of sexual orientation guideline applies. Count 3 relates to the albums (i) 'Flame from the North' by Mistreat and (ii) 'Decade of Defiance' by Squadron, which are threatening, abusive or insulting, and which you had in your possession with a view to distributing them, intending thereby to stir up racial hatred by doing so.

27. In my judgment this is medium culpability and category 1 harm offending for the same reasons I have given for my categorisation of your count 1 offending. In those circumstances the starting point for a 2A offence is 2 years, with a range of 1 to 4 years. I agree with the submission made on your behalf that it may be more appropriate to order the sentence on count 3 to run concurrently with the sentence on count 1, but in my judgment there should be an uplift to reflect the overall offending on counts 1 and 3.

**COUNTS 4-5 – Robert Talland**

28. Counts 4-5, which both relate to running Rampage Productions, are offences of disseminating terrorist publications contrary to s.2(2) and (2)(d) of the Terrorism Act 2006 (the '2006 Act').

29. The offending is split into two counts because of an amendment to the 2006 Act, but for the purpose of sentencing I accept that it is appropriate to pass concurrent sentences

on counts 4 and 5 and consider whether those sentences ought to be consecutive to the sentences on counts 1 and 3. In relation to Count 4, you provided a service enabling others to obtain the various albums between December 2015 and April 2019, at a time when you were reckless as to whether your conduct encouraged terrorist acts. The albums are:

- ‘First Blood’ by the Revalers;
- ‘Under the Gods’ by No Remorse;
- ‘Voice of Britain Vol 2’ by various artists;
- ‘Section 88’ by British Bootboys.

30. In relation to Count 5, which is continuing and similar offending, you provided a service enabling others to obtain albums between April 2019 and October 2020. The same four albums as in the count 4 period with the addition of two further albums:

- ‘War is coming’ by Sniper;
- ‘Unfinished Business’ by Midtown Bootboys.

31. The maximum sentence for Counts 4 and 5 is not the same as a result to an increase in the maximum sentence for this offending in 2019. The maximum sentence for Count 4 is 7 years’ imprisonment, but for Count 5 it is 15 years’ imprisonment.

32. The Sentencing Council’s Encouragement of terrorism/ Dissemination of terrorist publications guideline applies to both offences, even though it is based on the higher statutory maximum. As Gross LJ explained in *R v Shah* [2018] EWCA Crim 249, [2018] 2 Cr App R (S) 8 at [28]:

33. ‘... the law in general as to sentencing for historic offences is clear. Sentencing proceeds in accordance with the legislation or guidelines current at the time of sentence but subject to coming within the maximum sentence applicable at the time the offence was committed. Anything else would be unrealistic and artificial. However, the sentencing guidelines current at the time of sentence are not to be applied mechanistically. Instead they are to be approached by way of “measured reference”, that is, in a “measured and reflective” manner to arrive at the appropriate sentence.’

34. Applying the guideline and bearing in mind the particulars of both Counts 4 and 5, this was Culpability B offending, because you were reckless as to whether others would be encouraged or assisted to engage in terrorist activity and disseminated the publications widely to a large or targeted audience.

35. In relation to harm, the overall offending falls into Category 2, because the ‘Statement or publication provides non-specific content encouraging support for terrorist activity endangering life.’
36. Some examples from the lyric presentation bundle demonstrate the nature of this material:
- (1) From the song ‘One Option’ on the ‘First Blood’ album by The Revalers the lyrics include – ‘Time to choose your side, you have only one option if you are white, time to choose your side stick with your own kind and fight, fight, fight’;
  - (2) From the song ‘Hunt the Reds’ on the same Revalers album the lyrics include – ‘all you white warriors around the world united and ready against red scum now let the blood flow... Hunt the reds, make them scared, hunt the reds smash their heads, hunt the reds break their legs, good red is dead’ ;
  - (3) From the song ‘Inner City Chaos’ on the ‘British Bootboys’ album by Section 88 the lyrics include – ‘Wake up white man, there’s an enemy to slay... Wake up white man and take your place’; and
  - (4) From the song ‘Coon Hunt’ on the ‘Unfinished Business’ album by Midtown Bootboys the lyrics include – ‘Let’s drag their bodies through the mud. Let’s paint the walls with nigger blood’ .
37. Only the last of these examples (in a list which is not exhaustive) falls into Count 5 alone: the others all come from albums which were being sold by you in both the Count 4 and 5 periods.
38. The starting point for a Category 2B offence is 4 years’ imprisonment. The range is 3-5 years’ imprisonment.

### **Factors increasing seriousness**

The aggravating features are as follows:

First, the audience was specifically targeted. You were careful only to sell to likeminded people.

Secondly, a significant volume of terrorist publications were offered for sale and sold. I am satisfied that all four of the albums in Count 4 and all six of the albums in Count 5 were terrorist publications.

Thirdly, the evidence in relation to Paypal shows that you made efforts to hide the true nature of the Rampage business.

Fourthly, you ran Rampage Productions for a long period of time.

**Factors reducing seriousness or reflecting personal mitigation**

39. I have already dealt with matters under this heading.
40. I do not consider that the dangerous provisions apply. In those circumstances, as the offence pursuant to s.2 of the 2006 Act is listed in Part 1 of Schedule 13 of the Sentencing Code, any custodial sentence for Counts 4 and 5 must be a special sentence for an offender of particular concern pursuant to s.278 which means that the sentence must be equal to the aggregate of— the appropriate custodial term, and a further period of 1 year for which you are to be subject to a licence, and must not exceed the maximum term of imprisonment with which the offence is punishable.’
41. The ‘maximum term of imprisonment’ is different for Counts 4 and 5 and I have taken that into account but also had regard to totality when looking at the overall sentence.

**I now pass sentence on each of you****Robert Talland**

42. The aggravating factors and uplifting the sentences on count 1 and 3 to reflect the passing of concurrent sentences on those counts takes the sentences on counts 1 and 3 considerably beyond the starting point. However, the mitigating factors and the delay which is beyond the delay caused by you contesting the trial reduces the sentence on these two counts.
43. The sentences I impose on counts 4 and 5 must be special sentences for offenders of particular concern. The aggravating features take the sentence beyond the starting point. As the counts reflect continuing offending of the same kind concurrent sentences are appropriate and I have not uplifted the sentences to reflect the fact that there are two counts. The mitigating factors and the delay which I have already set out reduce the sentence.
44. I consider the structure of the overall sentence in your case. In my judgment it would create an unfairness if the sentences on counts 3 and 4 were uplifted to reflect the overall offending covered by all 4 counts as the different release provisions are likely to result in you serving a longer period in custody.
45. Accordingly, I shall pass concurrent determinate sentences on counts 1 and 3, and concurrent special sentences for an offender of particular concern on counts 4 and 5 but with the sentences on counts 4 and 5 being consecutive to the sentences on counts 1 and 3. I have reduced the sentences to reflect the mitigating factors and delay and further reduced the sentences to a just and proportionate level to reflect totality.
46. I impose the following sentences in your case:



47. On counts 1 and 3 concurrent determinate sentences of 2 years' imprisonment. On counts 4 and 5 concurrent special sentences for offenders of particular concern where the overall term is 3 years with the custodial term being 2 years with an additional licence period of 12 months. The sentences on counts 4 and 5 will be consecutive to the sentences on counts 1 and 3. Therefore, the total sentence including the 12 month additional licence is 5 years.
48. In respect of counts 1 and 3 you will serve up to 40% of the sentence in custody under the current release provisions. In respect of counts 4 and 5, consecutively to counts 1 and 3, you will serve in custody a minimum of two thirds of the 2 year custodial term but you could serve the whole two years if the parole board do not release you at the two thirds stage. In addition to whatever time is left of any licence period will be added 12 months representing the additional licence period imposed for an offender of particular concern. When you are released you will be subject to licence conditions. If you breach your licence conditions it is likely that you will be returned to prison.
49. The notification period provided for in Part 4 of the Counter-Terrorism Act 2008 in respect of the counts 4 and 5 offending is 15 years in your case.
50. The prosecution have applied for costs against you of one third of the total costs of the second trial, that is £39,087.66. In your case I have decided that it is just and reasonable for you to pay the total sum seized from you towards the cost. I shall invite Counsel to tell me the precise sum later.
51. The Statutory Charge applies in the appropriate amount.

**Rosie Talland and Robert Talland**

52. In both your cases the aggravating factors and uplifting the sentences on count 1 and 2 to reflect the passing of concurrent sentences on those counts takes the sentences on counts 1 and 2 considerably beyond the starting point. However, the mitigating factors and the delay which is beyond the delay caused by you contesting the trial reduces the sentence on these two counts. In both your cases there are positive references and I accept that your views and involvement in Blood and Honour to an extent were influenced by your father. But, each of you were adults and must take responsibility for what you did.

**Rosie Talland**

53. In your case, although you joined the band at a later stage it is clear that you were fully signed up to the neo-Nazi Blood and Honour music scene in the relevant period and I see no reason to distinguish between you and your brother in coming to an assessment

on the appropriate sentence. In all the circumstances taking into account the aggravating and mitigating factors in your case and the delay and totality the appropriate level of sentence is 2 years. I must have regard to the imposition of the community and custodial sentences guideline and weigh up the various factors set out in the guideline as relevant to the question whether in your case it would be appropriate to suspend the sentence. In that regard I have considered the factors identified in the guideline indicating that it would not be appropriate to suspend a custodial sentence.

54. Regarding the factor the offender presents a risk/danger to the public – there is the existence of some risk but it could be reduced according to the author of the pre-sentence report.
55. Regarding the factor: appropriate punishment can only be achieved by immediate custody – This is a factor which in my judgment should be given substantial weight as the offences you committed are offences of public concern, and strike at harmony in the community, rightly conceded on your behalf.
56. The factor of a history of poor compliance – does not apply.
57. I then consider the factors indicating that it may be appropriate to suspend a custodial sentence.
58. Regarding the factor: a realistic prospect of rehabilitation – The author of the pre-sentence report has identified help which may be appropriate in your case.
59. Although there are mitigating factors in your case I am not satisfied that they amount to strong personal mitigation. I accept that Immediate custody will result in significant harmful impact upon your 2 year old child. I note there are arrangements in place for your mother to look after the child should you be imprisoned.
60. Having weighed up all these factors I conclude that an immediate custodial sentence is required in your case: this was serious offending with the potential for causing violence within the community and therefore the requirement to have regard to punishment, deterrence and protection of the public very much comes into play.
61. I will reflect the harmful impact on your child by reducing the sentence from 2 years to 18 months imprisonment concurrent on counts 1 and 2. You will serve up to 40% of that sentence under the current release provisions before release on licence. When you are released you will be subject to licence conditions. If you breach your licence conditions it is likely that you will be recalled to prison.

62. In your case I have decided that it would not be just and reasonable for you to pay any costs towards the prosecution as you will be serving a prison sentence and your means are limited.

63. The Statutory Charge applies in the appropriate amount.

**Stephen Talland**

64. In your case, Stephen Talland, taking into account the aggravating and mitigating factors and the delay the appropriate level of sentence is 2 years as I have indicated. Just as in the case of Rosie Talland, I must have regard to the imposition of community and custodial sentences guideline in your case. I have weighed up the factors which I must have regard to. In fact my observations on the various factors in Rosie Tallands case apply equally in your case. Having weighed up the factors I have come to the conclusion that I should give considerable weight to the factor that appropriate punishment can only be achieved by immediate custody for the same reason as in Rosie Talland's case. In your case I accept that there will be harmful impact on your 6 year old child but your child will not be left without a parent. I have concluded in your case that the least sentence I can impose is a sentence of 2 years imprisonment concurrent on counts 1 and 2. You will serve up to 40% of that sentence under the current release provisions before you are released on licence. When you are released you will be subject to licence conditions. If you breach your licence conditions it is likely that you will be recalled to prison.

65. In your case I have decided that it would not be just and reasonable for you to pay any costs towards the prosecution as you will be serving a prison sentence and your means are limited.

66. The Statutory Charge applies in the appropriate amount.

**His Honour Judge Andrew Lees**

**11<sup>th</sup> September 2025**