

THE HONOURABLE MR JUSTICE MURRAY

**In the Crown Court at Southwark
(sitting at the Central Criminal Court)**

R v Mark TEW – Sentencing Remarks

6 March 2026

1. Mark Tew, it falls to me to sentence you today following your conviction on 2 June 2025 at this court of seven counts of sending an electronic communication with intent to cause distress or anxiety, contrary to section 1(1)(a) of the Malicious Communications Act 1988.
2. You were 58 years old at the time of the first of these offences and 59 years old at the time of the other offences. You are 63 years old now.
3. An important of the reason why it has taken so long to reach this point is that you have consistently failed to comply with court orders requiring you to attend court, including a failure to attend for your trial when it was originally due to start on 18 November 2024 and three failures to attend for sentencing, namely, on 15 October 2025, 21 November 2025 and on 10 February 2026. I also record at this point that the first date listed for sentencing in relation to these offences was, in fact, 1 August 2025, which was itself almost two months after the conclusion of your trial.
4. A consistent thread throughout the various delays over the past couple of years has been your various mental and physical health difficulties which your counsel has said, and I accept, has made it difficult for you to face up to these proceedings, although it was in your own interest to do so.
5. Today you have admitted failing to surrender to custody on the following occasions:
 - a. on 19 October 2023 at a pre-trial hearing at this court before HHJ Cole, who on that occasion issued a warrant for your arrest not backed for bail;
 - b. on 15 November 2024 at a pre-trial hearing at this court before me to assess trial readiness, at which you were required to attend;
 - c. on 18 November 2024, the first day of trial, on which occasion I issued a warrant for your arrest not backed for bail, the warrant was executed and you were produced on 19 November 2024, at which point it was agreed

that further medical investigations were necessary and trial was adjourned to 29 May 2025;

- d. on 15 October 2025, which was the date on which you were due to be sentenced following the original adjournment of your sentencing hearing from 1 August 2025 on the grounds of your ill health, the venue on that occasion being, as it is today, the Central Criminal Court as I was mid-trial at that court on that day;
 - e. on 21 November 2025, which was the adjourned date for sentencing following your failure to attend on 15 October 2025; and
 - f. on 10 February 2026, which was the adjourned date for sentencing following your failure to attend on 21 November 2025.
6. It will also be necessary today to sentence you for those breaches of the Bail Act, in addition to the sentences for the principal offences.
 7. At your trial, it was the prosecution's case that, as part of the background to your offending, you were a prolific sender of angry emails to politicians and also to barristers to raise issues of concern to you and also complaints that you had against the recipients of those emails and/or others. The tone of many of your emails was deeply unpleasant and rude, but for the most part, your emails did not cross into criminality. Politicians, in particular, are expected to be thick-skinned, and robust expression of views is an important part of our political life.
 8. However, the emails that form the basis of each of your offences go well beyond deep unpleasantness and discourtesy. Each email is grossly offensive and/or threatening and each email was sent by you with the intent of causing distress or anxiety to the recipient of your email or causing distress or anxiety to someone else whom you intended would be told of the contents of your message.
 9. The first two emails were sent to Sir Keir Starmer MP. The first email was sent on 11 March 2021, and the second email was sent on 21 March 2021. These emails were the basis for counts 2 and 3 on the trial indictment. Sir Keir was Leader of the Labour Party at that time and Leader of the Opposition. The subject heading of both emails was "Serious Corruption in the Judiciary, Crown Prosecution Service, Met Police, Legal Profession and Elsewhere". Each email was grossly offensive and full of abusive profanities and threats of violence against Sir Keir.
 10. The other five offences concern emails sent later that year in October and November, which were the basis for counts 4, 5, 6, 7, and 8 on the trial indictment.
 11. The count 4 email, dated 23 October 2021, was addressed to a criminal barrister, Mr Stuart Trimmer KC. The content of the email was grossly offensive and threatened Mr Trimmer and another criminal barrister, Mr Guy Bowden, with public beheading in Lincoln's Inn Fields.

12. The count 5 email, dated 29 October 2021, was addressed to Sir Keir Starmer MP and Mr Trimmer. The subject heading of the count 5 email was “Very serious corruption and criminality in the criminal justice system. Hendon Magistrates’ court October 2008.” It also referred to Mr Bowden and his former professional address. It was grossly offensive and threatened each of Sir Keir, Mr Trimmer, and Mr Bowden with death.
13. The emails forming the basis of counts 6, 7, and 8 were each dated 19 November 2021, addressed to Sir Keir Starmer MP, and no subject heading. Each was grossly offensive. The count 6 and count 7 emails each threatened Sir Keir with violence and death. The count 8 email threatened another barrister, Mr James Lewis KC, with death, apparently for his involvement in the UK government’s attempt to have Julian Assange extradited to the USA. The message also abused Sir Keir.
14. You were arrested at your flat on 22 March 2021 for allegedly sending a malicious email dated 23 January 2021 to Priti Patel MP. That alleged offence was count 1 on the trial indictment, and you were subsequently acquitted of that offence. As part of the police investigation of that alleged offence, the police took possession of your mobile telephone and obtained access to your emails. At the time of your initial arrest, the police were not aware of the count 2 and count 3 emails to Sir Keir Starmer MP. Following your release on police bail, the police retained possession of your mobile telephone, but you soon acquired another mobile telephone to send emails from.
15. Less than five years before your first offence, the Labour MP, Jo Cox, was fatally shot and stabbed outside a library in her constituency where she was about to hold a constituency surgery. On 15 October 2021, after your first two offences but just a few days before the first of the emails you sent in October and November 2021, the Conservative MP, Sir David Amess, was stabbed to death at a constituency surgery. As a result of both of these tragic deaths, public anxiety about the safety of elected politicians in the time leading up to and during the commission of your offences was particularly high.
16. None of your criminally offensive and threatening emails was seen by the intended recipient. In each case, the email was intercepted by a member of staff who was so alarmed by the content of the message that the police were notified. This led to your initial arrest on 22 March 2021, which I have already mentioned, and your further arrest on 19 December 2021 in relation to the October and November emails. On that occasion, you were again arrested at your flat, where the police found another handset, which, despite the fact that all of the messages on the phone had been deleted, the police were able to link to the email address from which the October and November emails were sent.
17. Although each email was sent from an email address bearing your name, one message has your name in the subject heading, and three other messages are signed either “Tew” or “Mark Tew”, your defence at trial was that you did not send any of the messages and that someone else must have done so. This

defence was clearly rejected by the jury in relation to the seven offences of which you were convicted.

18. You have two prior convictions, each being for an offence of harassment contrary to section 2 of the Protection from Harassment Act 1997. The first of these harassment offences was committed in October 2008 against a former colleague from the Evening Standard. You were convicted after a trial at Wood Green Crown Court in September 2009 and given a suspended sentence of three months' imprisonment. The second of these harassment offences was committed in March 2012 against a police officer who had been involved in the investigation of the 2008 offence. You were convicted in May 2012 after a trial at North West London Magistrates' Court and given a six-month community order with a single requirement of supervision, which you completed successfully.
19. Following your conviction on 2 June 2025, I ordered that a pre-sentence report be prepared so that all sentencing options could be considered. The sentencing hearing was fixed for 1 August 2025.
20. After a number of diligent attempts to arrange an interview with you by the relevant Probation Officer, you finally did attend an interview on 24 July 2025, which you then terminated after 10 minutes, blaming your ongoing medical conditions. Having reviewed your file, including the psychiatric assessment dated 2 January 2024 prepared by Dr Jeremy Berman, which was in evidence at your trial, the Probation Officer concluded that you were unsuitable for probation oversight and/or any requirements due to your ongoing physical and mental health issues, and that therefore the Probation Officer was unable to provide further assistance to the court.
21. Following the adjournment of your first sentencing hearing from 1 August to 15 October 2025, I asked that further efforts be made to obtain a pre-sentence report. Another Probation Officer was allocated to the case, and they made diligent attempts to contact you, including by email. An appointment was arranged for 2 October 2025 at 11.00am, which you did not attend. On 8 October you emailed the Probation Officer to say that you could not attend due to your various medical issues. The Probation Officer was also not able to reach your defence counsel during this period. The Probation Officer therefore reached the conclusion that you had no intention of cooperating with the Probation Service, and therefore they were not able to propose to the court any alternative to a custodial sentence.
22. You again failed to attend on 15 October 2025. It was said on your behalf that this was for medical reasons, although no medical evidence was provided then. Although I now have a medical report, to which I will come in a moment, that medical report does not specifically deal with your absence on 15 October 2025, as has been fairly accepted on your behalf by your counsel. The sentencing was once again adjourned, this time to 21 November 2025, to allow time for preparation of a medical report to provide an overview of all relevant physical

health issues and the relevance of those to his offending. The due date for that report was 12 November 2025.

23. Once again, on 21 November 2025, you failed to attend for sentencing. Ms Harris on your behalf explained that this was again for medical reasons, but the reason that no medical evidence was yet forthcoming was due to a refusal of funding for the medical report, which was being appealed. She confirmed that you had been informed by your solicitors of the date of the hearing. After discussion with counsel, I issued a warrant not backed for bail, with instructions to the police to note on the Police National Computer in relation to the warrant that you have various mental and physical health difficulties.
24. The warrant was executed, and you were produced at this court before HHJ Alexander Milne KC, who renewed your conditional bail and listed a directions hearing before me on 27 November 2025. At the directions hearing, I was told that you were not aware of the hearing on 21 November 2025 and that public funding was now available to prepare a medical report on your physical health issues. I was also told that you would rely on the existing psychiatric report dated 2 January 2024 prepared by Dr Berman.
25. The sentencing hearing was adjourned to 5 February 2026, with the medical report directed to be filed and served by 23 January 2026, and with your solicitors directed to provide confirmation to the court on that day that you had remained in contact and were aware of the sentencing hearing on 5 February 2026. You were then readmitted to conditional bail on the same terms as before with an additional condition to attend the Probation Service for your in-person interview.
26. For the convenience of your counsel, the sentencing hearing due to take place on 5 February 2026 was adjourned to 10 February 2026 at 10.00am, but you again failed to attend. I was informed by your counsel that your solicitors had told you about the date and time of the hearing. I had received a late request that morning to move the hearing to 2.00pm, which I was not able to do given my own commitments. I issued another warrant not backed for bail, which was executed on Wednesday of this week. You have been remanded in custody since then.
27. I am pleased to note that you finally did attend for and did properly engage during your interview with the Probation Service, as a result of which I have a substantive pre-sentence report dated 7 January 2026.

28. From the pre-sentence report, I note the following:
- a. You initially continued to deny to the author of the pre-sentence report that you had committed the malicious communications offences, but you subsequently in a guarded and indirect way appear to have admitted them when you denied that you had intended to cause anyone distress or anxiety. You also appeared to blame your conduct on your poor physical and mental health at the relevant time.
 - b. The author of the pre-sentence report concluded that at the time of the principal offences you had poor victim awareness and lacked insight into the full impact of your conduct on others, but there was a degree of insight and some remorse.
 - c. You were assessed as having a low likelihood of reconviction of a further seriously harmful offence, and you pose a medium risk of harm to members of the public, particularly to those in positions of authority, such as politicians and legal professionals, by whom you feel aggrieved, the nature of the risk being the sending of harassing and/or threatening communications online through text messages or by letter to the victims' work addresses.
 - d. You were assessed as having fragile mental and physical health.
 - e. Your previous response to Probation supervision was satisfactory.
 - f. There was an interval of some years between your offending in 2012 and these offences in 2021.
29. I also note that I have a medical report obtained by your solicitors from Dr Shahar Waris, a General Practitioner based in Birmingham, whose report is dated 19 December 2025.
30. Having regard first to the psychiatric report prepared by Dr Bentham in January 2024, I note that Dr Bentham confirmed in his report, among other things, the formal diagnosis made in 2016 of your autism spectrum disorder. He concluded that you had developed a persecutory type delusional disorder. He also concluded that, notwithstanding that mental disorder, you were fit to enter a plea and to stand trial. I accept that your mental health difficulties include suffering from significant anxiety.
31. In relation to the medical report dated 19 December 2025 prepared by Dr Waris, I note the following:
- a. Dr Waris confirms that you have a number of troubling medical issues, as well as some associated comorbidities of some seriousness. I will not provide a catalogue of them in these public sentencing remarks, but I confirm that I have carefully considered the medical report.

- b. I also note that Dr Waris does not, to any significant degree, attempt to explain the relevance of your physical health issues to the malicious communications offending or your failures to appear at court on the various occasions to which I have already referred. As far as your principal offending is concerned, it appears that your most recent and significant gastrointestinal issues post-date the malicious communications offences.
 - c. I accept that your current symptoms, for which you were still being investigated at the time of the medical report, have had a significant effect on your daily functioning and that will continue in the medium term.
- 32. There is no Sentencing Council guideline that is specific to your offences. I have had regard to the General Guideline setting out Overarching Principles for sentencing, as well as the guideline for sentencing offenders with mental disorders, and, bearing in mind that there are seven offences, I have had regard to the totality guideline.
- 33. I note that each offence is subject to a maximum sentence of two years' imprisonment. Plainly, this offending passes the custody threshold.
- 34. In relation to culpability, I take into account that each offence was deliberate. The messages vary in length, but they each would have required some thought and taken some minutes to compose. The grossly offensive and threatening content of each message is clear. This is not simply reckless or impulsive conduct. On the other hand, I consider that your culpability is reduced to a certain extent by your autism spectrum disorder and also by your persecutory type delusional disorder. Your autism spectrum disorder means that you have a reduced ability to understand the impact that your messages would have on the intended recipients or anyone else who might see them. Your persecutory type delusional disorder doubtless played a role in your commission of each of the offences.
- 35. In relation to harm, I bear in mind that anxiety and distress was caused to the staff members who opened your messages and felt compelled to bring them to the attention of the police. I also bear in mind that there is no evidence that any of the intended recipients, whom I have already mentioned, were caused any anxiety or distress by any of your messages. Part of the harm, of course, is the damage that such messages potentially cause to public confidence in the safety of our public officials. As these messages, however, received no publicity prior to your trial, that element of harm is also limited in this case.
- 36. I consider that the justice of this case can be met by imposing concurrent sentences on all seven offences. Bearing in mind totality, but before considering aggravating and mitigating features, I consider that the least sentence I can impose is one of [12] months' imprisonment.
- 37. The aggravating features are as follows:

- a. most importantly, your targeting of an elected public official and, in relation to five offences in October and November 2021, your doing so in the immediate aftermath of the murder of Sir David Amess MP at a time of heightened public anxiety about the safety of elected officials;
 - b. your having committed the five offences in October and November 2021 after your arrest for similar alleged offending and while you were under investigation for similar offending; and
 - c. your previous convictions for harassment in 2009 and 2012.
38. In relation to your previous convictions, however, I bear in mind that the 2012 conviction was for a comparatively minor offence of harassment and there was an interval of nine years before these malicious communications offences occurred.
39. I have already taken into account your autism spectrum disorder and your delusional disorder for purposes of assessing your culpability for your offending, but I consider that those disorders will make it more difficult for you to cope in prison, and therefore I also give them some weight in mitigation.
40. I also bear in mind the variety of your physical health symptoms, some of which are still under investigation. I accept that a number of these are distressing and are likely to make everyday activities difficult for you. These, too, are likely to make it more difficult for you to cope in prison.
41. There is no question of there being any mitigation for the delays that have occurred in bringing this matter to trial or for sentencing since those delays are largely due to your failures to comply with court orders, to attend when required, or otherwise to cooperate with these proceedings.
42. I bear in mind that the pre-sentence report indicates that you have only shown limited insight into your offending, but there is some evidence of insight by you in the pre-sentence report. I also bear in mind that you are assessed as posing a medium (rather than high) risk of further seriously harmful offending of a type similar to the malicious communications offences for which you are being sentenced today.
43. The aggravating features outweigh the mitigation that I have mentioned. The notional sentence of 12 months' imprisonment must be adjusted upwards, in my view, to 14 months' imprisonment for your seven offences of malicious communication.
44. In relation to your failure to attend at court when required on six occasions, which you have admitted, I have had regard to the Sentencing Council guideline for offences of failing to surrender. I consider that your failures did not represent a deliberate attempt to evade or delay justice. You did not flee the country. On each occasion that a warrant not backed for bail was issued for your arrest, you were located fairly quickly. I consider that your culpability for these failures falls

into Category B, but towards the lower end of that category having regard to your mental and physical health difficulties. As to harm, I consider that the failures have caused substantial delays in these proceedings, and therefore they fall into Category 1. And I must bear in mind that there are six separate such offences. Each of your failures to appear has caused delay and consumed court resources, which are already under significant pressure.

45. Accordingly, I impose a sentence of three months' imprisonment for each failure, each to be served concurrently.
46. The total sentence, therefore, is one of 17 months' imprisonment.
47. Given that this sentence is less than 24 months' imprisonment, I must now consider whether I can suspend your sentence, having regard to the principles set out in the Sentencing Council guideline on the imposition of community and custodial sentences, which came into effect on 1 September 2025.
48. I first consider factors indicating that it may be appropriate to suspend:
 - a. I consider that there is a realistic prospect of rehabilitation in the community. While your consistent failures to attend at court and failure initially, and on at least two occasions, to engage with the Probation Service for purposes of preparing a pre-sentence report may point in the opposite direction, I assess that these failures were largely a consequence of your physical and mental health difficulties, as well as your autism spectrum disorder. I note that you have not offended since these offences occurred over four years ago. I also accept that you have shown some insight and some remorse for the impact of your offending.
 - b. You have been assessed as posing only a medium risk of reoffending or harm.
 - c. There is relatively strong personal mitigation in relation to your mental and physical health difficulties.
49. Turning to factors that indicate it may not be appropriate to suspend a custodial sentence, I note the following:
 - a. Given your history, there is some risk that you will offend again, but as I have already noted the Probation Service assesses this as a medium risk.
 - b. I do not consider in all the circumstances of this case that the seriousness of your offence means that appropriate punishment can only be achieved by custody.
 - c. Your poor compliance with court orders does count against you.
50. However, assessing and balancing these various factors, I conclude that your case I can take the course of imposing a suspended sentence.

51. The statutory surcharge provisions apply to this sentence.
52. Each of these offences is so serious that only a custodial sentence can be justified. They will be the shortest that are commensurate with the seriousness of the offences. I have regard to totality to ensure that the final sentence is just and proportionate.
53. The days that you have spent on remand in custody will automatically count towards your sentence.

In relation to each of the seven malicious communications offences of which you have been committed, I impose a concurrent sentence of 14 months' imprisonment.

54. For your six failures to surrender, I impose a consecutive sentence of 3 months' imprisonment for each admitted failure, each sentence to be served concurrently.
55. The total sentence will therefore be one of 17 months' imprisonment.
56. I will suspend this sentence for two years. If in the next two years you commit any offence, whether or not it is of the same type for which I am sentencing you today, you will be brought back to court and it is likely that this sentence will be brought into operation, either in full or in part.
57. Also, you will be subject to the following requirements:
 - a. You will be subject to a rehabilitation activity requirement of 15 days one-to-one work with your allocated Probation Officer as recommended in the pre-sentence report.
 - b. You will be subject for a period of four months to an electronically monitored curfew between the hours of 8.00pm and 7.00am.
58. I also impose a restraining order in the terms sought by the prosecution. It will apply until further order of the court.