

IN THE CROWN COURT AT WINCHESTER

REX

-v-

ADEDOJA, BAKAS, AUGUSTUS and WILSON

SENTENCE

1. On 3 May 2025, Danny Cahalane died as a consequence of horrific injuries suffered when he was doused in acid after his home was broken into on 21st February by you, AUGUSTUS, acting together with Kelvin Assante. The attack was planned by or with the assistance or encouragement of each of ADEDOJA, BAKAS and WILSON.
2. ADEDOJA and AUGUSTUS, you were convicted of murder. The jury must therefore have been sure that you each intended that Danny Cahalane should be caused some really serious injury in the course of the attack upon him. The prosecution have not suggested that you intended to kill him.
3. BAKAS and WILSON, you were each convicted of manslaughter. In accordance with the legal directions, the jury must therefore have been sure that each of you intended that some harm be caused to Danny Cahalane, albeit not really serious injury.
4. Whilst at trial each of you disputed the extent of your knowledge and involvement; what was not disputed was that Danny Cahalane was attacked because he owed a significant drug debt to Ryan Kennedy, referred to throughout the trial, as Frost, who it is believed was living in Dubai at the relevant time.
5. ADEDOJA, you admitted that you were a drug dealer. You had known Frost since you were a teenager and had at one point lived in the same block of flats on the Rockingham Estate in London. You denied that you worked for Frost as a drug dealer, but you were acting on his behalf when you made the arrangements for ASSANTE, KALEMBA and in due course AUGUSTUS to travel to Plymouth and to carry out the attack on Danny Cahalane; an attack that you intended would result in really serious injury.
6. AUGUSTUS, you were also a drug dealer. In addition to the Murder offence, I have to sentence you for a number of offences of possession with intent to supply drugs. You have no known connections to Frost and were not known to, or directly connected with

ASSANTE, ADEDOJA, BAKAS or WILSON, but you were an associate of another co-defendant, SUNGUM who was in turn an associate of ADEDOJA. I am sure that you were recruited into this planned attack by or on behalf of ADEDOJA. You were driven from London to Plymouth by SUNGUM and, together with Kelvin ASSANTE, you broke into Danny Cahalane's home, and attacked him with acid and a screwdriver whilst he was asleep in bed.

7. BAKAS, you too were a drug dealer. You had known ADEDOJA since school, had connections with the Rockingham Estate, and knew of Frost who had attended the same school as you, although you denied that you knew him personally. You also knew Kelvin ASSANTE. You knowingly and intentionally provided practical support for those carrying out the attack on Danny Cahalane, albeit by their verdict of manslaughter the jury were only sure that you intended that he should be caused some harm, not really serious harm.
8. WILSON, you knew Frost through Danny Cahalane who was your ex-husband and the father of your daughter Kitty, and you were in repeated contact with Frost throughout the period of time with which the jury were concerned. Whilst you yourself did not deal drugs, from the evidence placed before the jury, in particular in messages exchanged with your mother, you were clearly happy to associate with and provide assistance to those who did. That assistance included providing details to Frost of Danny Cahalane's whereabouts thereby enabling an attack upon him to take place in which you intended that he should be caused some harm. You also used contact arrangements with your daughter to set up Danny Cahalane for an attempted kidnap a month earlier as part of ongoing attempts to enforce payment of a drugs debt that you knew he owed to Frost.
9. CAHAANE, was also a longstanding local drug dealer in the Plymouth area and had convictions for drugs offences in 2012 and 2022. He was dealing drugs on behalf of Frost who he had known for many years. He was also a gambler. It would appear that money owed to Frost was spent on gambling and he accumulated a debt in the region of £120,000. Numerous messages exchanged between Danny Cahalane and Frost illustrate Frost's increasing irritation with Cahalane and his intention to recover the debt, and he turned to you, WILSON to help him achieve his aims.
10. Although you deleted messages exchanged with Frost, you did not delete the messages that you exchanged with your mum, Karen Wilson. Those messages make it very clear that Frost wanted you to give him the details of Danny Cahalane's whereabouts and was prepared to pay you for information. They also make it very clear that for a price, you were perfectly willing to do so. Although Ms Knight on your behalf has sought to argue that there was only one message which referred to receiving payment for providing assistance to Frost, there were in fact numerous messages which made it very clear that

you expected to gain financially, and indeed you admitted in cross-examination at trial that money was a consideration for you. You came up with a plan to use the contact arrangements that he had with your daughter Kitty to set him up so that he could be 'grabbed' by people working for Frost, when he returned your daughter home after a contact visit, and indeed you manipulated the time of the drop off in order to ensure that this did not happen until Frost's men were in place.

11. The kidnap was to be carried out by Kelvin ASANTE, an associate of ADEDOJA, and the MUKUNA brothers, who were associates of BAKAS and who drove from London to Plymouth to carry out the planned attack. In the event, they were unsuccessful as Danny Cahalane managed to get into his car and drive away. Someone, most likely it seems to me, you WILSON, immediately contacted Frost to let him know that the attempted kidnap had failed.
12. Whilst it is said that you did not know any more about the nature of the event planned by Frost than did the Mukuna brothers, it is clear from the messages you sent to your mother that you knew he was to be 'grabbed', and that you knew that he could be hurt in the process, but that you didn't care. Moreover, it was you who enabled the attempted offence to take place.
13. You were a key, indeed the key participant in this offence. Whether you were motivated by dislike of your ex-husband, or greed, or both, it is a particularly unpleasant and aggravating factor, that you were prepared to use contact arrangements with your own profoundly disabled daughter to enable the offence to take place.
14. When Danny CAHALANE continued to fail to repay Frost, further, and more severe punishment was decided upon in the form of an acid attack.
15. ADEDOJA, I am entirely satisfied, as clearly were the jury, that you planned the attack upon him acting on behalf of Frost. You recruited KALEMBA to drive Asante to Plymouth for that purpose.
16. BAKAS, you were instrumental in sourcing and providing the stolen car in which they made that journey, and which ASSANTE and KALEMBA collected from your address. Before leaving London, those men stopped for a short period at an address in Bermondsey. I am satisfied on the evidence that it is a logical inference that can properly be drawn that the purpose of that stop was to collect the acid that the court heard could not be legally obtained without a licence, for use in the attack.
17. The men drove directly to Danny CAHALANE's address in Lipson Road. The intention was to break into the address through the rear entrance. The property had on a previous

occasion been burgled through the same entry point, something that was known to you WILSON, and indeed I am satisfied as too must have been the jury that it was you who provided details of Danny Cahalane's address to Frost and his associates.

18. ADEDOJA, you remained in close contact with ASANTE and KALEMBA throughout the night and into the morning whilst they were at and remained in the vicinity of Lipson Road. On your own evidence, when you made contact with them you were acting on behalf of Frost.
19. On all the evidence that I heard at trial, I am satisfied that the intention was that CAHALANE should be attacked that night, and acid was taken to the address in a rucksack which was subsequently left at the address for that purpose. However, for whatever reason the plan was aborted.
20. Thereafter KALEMBA had a change of heart, withdrew from the enterprise and returned to London. ASSANTE remained in Plymouth whilst a replacement for KALEMBA was sourced. Throughout this time you, ADEDOJA were in constant contact with both ASSANTE, KALEMBA and, on your own evidence, Frost.
21. BAKAS, you were involved in making payment to KALEMBA who when he returned to London, went straight to your address. You claimed that you never saw him. I am sure that is untrue.
22. AUGUSTUS you were then recruited by or on behalf of SUNGUM another associate of yours ADEDOJA and driven to Plymouth. As before, ADEDOJA you remained in near constant contact with the men both on their way to Plymouth, and thereafter.
23. AUGUSTUS, shortly after your arrival you drove ASANTE to Lipson Road. Both of you broke into Danny CAHALANE's address armed with acid and a screwdriver and made your way to his bedroom where he was asleep and where you attacked him whilst his disabled daughter Kitty was asleep in the room next door. Danny CAHALANE managed to fight you off and you left the room. As CAHALANE ran down the stairs after you, you and ASANTE emerged from the kitchen area. ASANTE said, where's the p's – meaning where's the money – but CAHALANE said there was no money and chased you out of his house. AUGUSTUS, you got the car ready for the getaway whilst ASANTE returned to the property and threw a second container of acid over CAHALANE as he tried to escape from the house. Throughout, ADEDOJA you remained in close contact directing operations. You directed the men to return to BAKAS's address.

24. AUGUSTUS, on your way back to London the car that you were driving broke down. You and ASANTE disposed of the false number plates on which that car was being driven. ADEDOJA you instructed the two men where to go and what to do; BAKAS, you arranged and paid £173 for a taxi to get both men back to London and to your address. You, BAKAS then drove them to the Rockingham Estate to meet with ADEDOJA and SUNGUM. Thereafter, ADEDOJA and BAKAS, you made the arrangements to get ASANTE out of the country.
25. Danny CAHALANE sustained significant corrosive injuries in the attack upon him, which, had he survived, would have been life-changing. He suffered full thickness burns to 34% of his body, largely on the left hand side with a 4th degree burn to his left foot and leg with injury to the underlying muscles and tendons. He required multiple operations to remove damaged tissue, surgical cuts to release burns, skin grafting to replace areas of damaged skin, and for the cleaning and dressing of his extensive wounds. He lost the sight of one eye. For most if not all of the 6 weeks between the assault and his death, he must have been in significant pain. His injuries, and the treatment necessary for them, increased his risk of an embolism from which he in due course died.
26. Danny Cahalane at the time of his death. He was the father of two children, and the son of Tony and Vivian who was terminally ill at the date of these offences and who died within a day of her son. I have read and heard statements from Tony Bleach and from Jayne Keeper who was Vivian's sister and Danny Cahalane's aunt. They remind me, and all of us of the far reaching effects that murder has on those who are left behind to pick up the pieces, and I extend my sympathy to them.

ADEDOJA and AUGUSTUS

27. I have to sentence both of you for murder. By law, the only sentence that I can pass upon you for that offence is life imprisonment. However, I am required to decide the minimum term that you will serve in custody before you are eligible for release, having regard to the principles set out in Schedule 21 of the Sentencing Act 2020.
28. The prosecution submit that this was a murder for gain as both of you would have expected some financial reward for your part in the murder. Under para 3(1) and 3 (2)(c) of Sch 21 Sentencing Act 2020, where the murder is for gain (such as a murder done in the course or furtherance of robbery or burglary, done for payment, or done in the expectation of gain as a result of the death), the starting point for the purposes of the minimum term is 30 years. Alternatively, the prosecution submit that the offence falls within paragraph 4 of Schedule 21 as weapons – acid and a screwdriver were taken to

the scene and used in committing the murder. The starting point for an offence the facts of which come within paragraph 4, is 25 years.

29. On behalf of ADEDOJA it is accepted that he would have and did receive some payment, but it is argued that it is not unusual for an offender to be paid for the contribution they made, and the amount paid to ADEDOJA was modest and not such as would justify an uplift of 5 years from the starting point of 25 years for a paragraph 4 offence, which the defence do accept applies.

30. On behalf of AUGUSTUS it is submitted that there is no evidence that he was in fact paid anything, and that therefore a submission that the offence falls within paragraph 3 is unsustainable. Again, it is accepted that if the circumstances of the case do not bring it within paragraph 3, it does come within paragraph 4 with a starting point of 25 years.

31. In my judgment this was clearly a murder for gain.

Firstly, it is accepted on behalf of ADEDOJA that he expected and indeed received payment. The fact that that payment may have been modest does not detract from the fact that he acted for gain; both financially and, no doubt, in order to gain personal advantage with Frost. Whether or not AUGUSTUS in fact received any money, I am satisfied that a proper logical inference can be drawn that he expected to be paid: a) on his own account, albeit that account was rejected, his motivation in going to Plymouth was to obtain a financial advantage; b) as a matter of logic, persons who have no connection to the victim are not recruited to carry out a physical attack, and do not collude in such a plan other than for payment.

Secondly, although it was suggested that Frost had, by the time the attack was carried out, given up hope of recouping the money owed to him, and that this was a punishment or revenge attack, no doubt he wanted to get money if he could. It was Danny CAHALANE's account to the police that when AUGUSTUS and ASANTE left the property, they emerged from the kitchen and that ASANTE asked, "where's the Ps", meaning, where's the money.

For all these reasons, I am satisfied that this was a murder committed in the expectation of gain and therefore carries a 30 year starting point.

32. If I am wrong about that, it is accepted that paragraph 4 applies and that the starting point is 25 years. There would then have to be an uplift from that starting point to reflect the context of serious criminality in which the offence took place; namely punishment or revenge for an outstanding drug debt owed between drug dealers, to act as a visible warning to others, and therefore to further serious criminality. In those circumstances, there may in the result be only a small difference between the 30 year starting point,

and the 25 year starting point uplifted to reflect the circumstances and additional purposes of the offending.

33. The aggravating factors that apply to both of you are:

- The physical suffering caused to Danny CAHALANE before his death;
- The vulnerability of Danny CAHALANE who was asleep in his own bed;
- The location of the offence; you broke into Danny CAHALANE's home in the early hours of the morning;
- Whether you knew she was there or not, the presence in the house of Kitty;
- If not taken into account in the selection of the appropriate starting point, the fact that the offence was committed in the course of and furtherance of criminality.

34. The additional aggravating factors that apply to you, ADEDOJA, but not to AUGUSTUS are:

- The significant degree of planning involved in which you played a key role;
- Your actions after the murder in which you assisted AUGUSTUS and ASANTE to get back to London, and ASANTE to leave the country.

35. The sole mitigating factor that relates to the offence, is that I am satisfied that the intention was to cause really serious injury; you did not intend to kill Danny CAHALANE.

36. ADEDOJA, in so far as your personal mitigation is concerned, I take into account the following:

- Your age, you were only 22 at the time;
- The contents of the report of Dr Samantha Baker, Clinical Psychologist dated 23 July 2026, which details a succession of life events, some of which were traumatic, and which was likely to have impacted upon your emotional and cognitive development, and levels of maturity;
- The impact upon you of having been brought up in an area associated with criminal activity and in which you came into contact at a young age with negative influences, including FROST who was older than you;
- The character references from your sister and social worker, Norma Bailey, who felt that you were doing well.

37. AUGUSTUS, in so far as your personal mitigation is concerned, I take into account the following:

- The character references, in particular that of Dwayne Minors, which sets out the extreme trauma that you experienced as a child, and the difficulties that you have faced growing up, which have had a not insignificant effect on your ability to lead a law-abiding life in which income is obtained through legitimate employment, and not through crime.

38. For the reasons I have already given, I find that this is a murder for gain and as such the starting point for determining the minimum term is 30 years. In reaching that starting point, I take into account the context of criminality in which this offence took place. The remaining aggravating factors are, however significant ones which do require an uplift.
39. **ADEDOJA**, recognising the significant role that you played in organising the offence not just once, but twice after the original plan was aborted; your role after the offence for which you did all you could to enable AUGUSTUS and ASANTE to get back to London, and then to enable ASANTE to leave the country and evade justice; as well as the additional aggravating factors to which I have already referred, I uplift the minimum term to 34 years. I then reduce that figure to reflect the fact that there was no intent to kill, and to reflect your young age and all other matters to which I have been referred, to reach a final figure of 31 years from which will be deducted the 475 days that you have spent in custody, making a total of **29 years and 255 days**
40. The sentence that I pass upon you for the offence of murder is one of life imprisonment with a minimum term of **29 years and 255 days**. That minimum term must be served by you in full before you are eligible to be considered for release on licence by the Parole Board. The decision about when, or if, you will be released on licence will be taken by the Parole Board upon consideration of the risk of you causing further harm. If and when you are released, you will be on licence for the rest of your life.
41. **AUGUSTUS**, in your case the uplift from the 30 year starting point is smaller. Although you were one of the two men who carried out the attack, you came into the enterprise at a very late stage and were not involved in any of the planning before the attack, or assistance given to ASANTE to flee the jurisdiction afterwards. I do not consider that you had any significant role in planning at the time of the offence. Although the message, 'take charge' was sent to you, that is insufficient for me to reach a conclusion that you took the lead once you had arrived in Plymouth. I do however also have to sentence you for a number of drugs offences. Accordingly, I uplift the minimum term from 30 years to 31 years to reflect the aggravating factors. I then reduce the sentence to reflect the fact that there was no intent to kill, and the limited mitigation available to you to **29 years**

DRUGS

42. I apply the Sentencing Guidelines for the drugs offences, all of which fall into Category 3, significant role which, in so far as the Category A offences are concerned have a starting point of 4 ½ years. The aggravating factors are your previous convictions, which raises the sentence to 6 years. You pleaded G and are entitled to a 25% reduction accordingly.

Although the sentences for those offences will be made concurrent with each other and with the minimum term, a further uplift to that minimum term is required to reflect them.

43. I apply an uplift of **12m** to the minimum term to reflect the drugs offences, adjusted for totality, to reach a total of 30 years imprisonment minus the 510 days that you have spent in custody which on my calculation leaves **28 years and 220 days** to serve.
44. The sentence that I pass upon you for the offence of murder is one of life imprisonment with a minimum term of **28 years and 220 days**. That minimum term must be served by you in full before you are eligible to be considered for release on licence by the Parole Board. The decision about when, or if, you will be released on licence will be taken by the Parole Board upon consideration of the risk of you causing further harm. If and when you are released, you will be on licence for the rest of your life.
45. As I have indicated, for the drugs offences, I pass terms of imprisonment that are concurrent with each other and with the minimum term:
- Count 10 – 204.06g Tusi (Ketamine + MDMA) – value £18,360 – **54m**
- Count 11 – 43g cocaine – value £4,340 – **54m**
- Count 12 – 235.87g cannabis + 38.59g cannabis pollen – value £3,105 – **9m**
46. I make no separate penalty for the weapons offences

BAKAS

47. BAKAS, I have to sentence you for the manslaughter of Danny CAHALANE. Sentencing Guidelines apply to this offence that I have to follow.
48. The Guidelines require me to assess your level of culpability for the offence. The prosecution have submitted that this was Culpability B: either because Danny CAHALANE's death was caused in the course of an unlawful act which involved an intention by you to cause harm falling just short of really serious harm; or because death was caused in the course of an unlawful act which carried a high risk of really serious harm which was, or ought to have been obvious to you. They assert that you must have known that the attack was going to involve the use of acid given your involvement in pre-planning, your close connection with Adedoja, and your involvement after the event.

49. On your behalf, Mr Hughes submits that this is Culpability C. He argues that it is hard to envisage a scenario in which the jury accepted that you had knowledge of the intended use of acid, and yet acquitted you of the murder. In addition he points to your lesser role in the planning, including the absence of contact between you, ADEDOJA, SUNGUM or AUGUSTUS before, during or immediately after the successfully executed attack on Danny CAHALANE until you became involved in making arrangements to get AUGUSTUS and ASANTE back to London after the stolen car that AUGUSTUS was driving had broken down.
50. As a matter of common sense based on all of the evidence in the case: your close involvement with ADEDOJA, and with the planning for the initial intended attack by ASANTE and KALEMBA, in which they must have collected the acid after picking up the car that you had obtained either from you at your address or from the Bermondsey address to which they travelled immediately after leaving you, in my judgment it is virtually inconceivable that you did not know that acid was to be used. There is some force however in your argument that had the jury been sure that you knew about the acid they would have convicted you of murder as any use of acid would result in serious bodily injury.
51. But even if you did not know about the acid, the jury were sure that you knew that there was to be an attack, and that you intended that some harm would be caused. I disagree that the key planning stage was after AUGUSTUS had travelled to Plymouth to replace KALEMBA; by that point, everything was in place, it just required a second man. You were very much involved in the initial plans to send people to Plymouth to carry out an attack on someone in the middle of the night whilst asleep in his own bed. Whether you knew that the means of carrying out that attack would be acid, I am sure that it was, or ought to have been obvious to you that the unlawful act – an attack by 2 people on 1 other in the circumstances of serious criminality, was one that carried a high risk of serious bodily harm.
52. In determining culpability, the Guideline states as follows:
The characteristics set Out below are indications of the level of culpability that may attach to the offender's conduct. The court should weigh those factors in order to decide which category most resembles the offender's case in the context of the circumstances of the offence. The court should avoid an overly mechanistic application of these factors.
Overall, I find that this was at the lower end of culpability Category B but at the top of Category C. Accordingly I take a starting point of 9 years custody.
53. There are a number of aggravating factors:
- The significant physical and mental suffering caused to Danny CAHALANE
 - The use of a weapon; acid and a screwdriver

- Death occurred in the context of an offence that was pre-planned
- Your actions after the event in which you played a fully active role helping KALEMBA after he withdrew from the initial plan; AUGUSTUS and ASANTE to get back to London and the rendezvous with ADEDOJA; making payments, and helping to get ASANTE out of the country

In addition, and as previously stated, this offence took place in the context of and for the purpose of other serious criminality, and in which you had a financial motivation whether you in fact received payment or not. These numerous aggravating factors require an uplift in your case from 9 years to 11 years. You are relatively lightly convicted, so I do not take these into account as an aggravating factor

54. Mitigation: Your principal mitigation is your age. You were only 22 at the date of the offences, 23 now. I reduce your sentence from 11 years to 10 years to reflect your young age.
55. Dangerousness: I have considered whether you meet the test for a finding of dangerousness such that an extended sentence would or may be necessary for the purpose of protecting members of the public from serious harm occasioned by the commission of further specified offences; however, in the light of your age and limited previous convictions I do not consider that you meet that test.
56. The sentence that I pass upon you is therefore one of **10 years imprisonment** of which, on current release provisions you will serve two thirds before you are released. You will then be subject to licence conditions for the remainder of your sentence. If you breach those licence conditions, your licence may be revoked, and you may be returned to custody for the balance of sentence remaining. The time that you have spent in custody will be automatically deducted.

WILSON

KIDNAPPING

57. Kidnapping is also an offence to which Sentencing Guidelines apply. When sentencing the Mukuna brothers for their part in this offence, I stated that, whilst individual levels of culpability may vary, the offence as a whole was Culpability B. This was an offence which required a high degree of planning to ensure that those who intended to carry out the kidnap and Danny CAHALANE were in the same place at the same time. You came up with the plan to set up Danny CAHALANE at your address using contact arrangements with your disabled child to do so, and I am sure liaised with FROST on the day so that

everything was in place. This included, for example, delaying Danny CAHALANE's return to your address until a specific time, claiming to be at the gym. On the other hand, although calculated, it was not sophisticated planning, and none of the other characteristics of either high or medium culpability were present. But neither were there any elements of lesser culpability. Overall, then in my judgment this offence is Culpability B, whether because of the planned nature of the offence, or because it falls between Culpabilities A and C.

58. In terms of harm, I find that this is Category 3. Although there are a number of messages from you in which you refer to Danny CAHALANE getting hurt, and threats made after the event from Frost, there is insufficient evidence from which I could safely conclude that there was an intention on 19th January for anyone to cause serious harm to Danny CAHALANE. There is no evidence that any weapons were taken to Oreston; there was no attempted use of violence, and no harm was caused to him.

59. I find therefore that this was Category B3. That has a starting point of 2 years and a category range of 1-3 years.

60. The aggravating features are that :

- the offence took place in the context of other criminal activity; namely the supply of drugs including the enforcement of drug debts;
- this was group offending.
- Use of child contact arrangements to enable the offence to take place at a time when your child would be present

That raises the sentence in your case to 3yrs

61. Mitigating features are your previous good character. I reduce the sentence accordingly to 26m

62. I then make a further reduction to reflect the fact that this was an attempt to reach a sentence of 20m, subject to any further necessary adjustment for totality.

MANSLAUGHTER

63. For very similar reasons that I gave when dealing with BAKAS, I find that this case falls at the top of Category C or the bottom of Category B.

64. The jury were directed that they should find you Guilty of manslaughter if they were sure that you intentionally provided encouragement or assistance to another to assault Danny

CAHALANE, intending that he should be caused some injury, albeit not really serious injury. That is squarely Category C culpability. However, it is relevant that the assistance that you provided was ensuring through child contact arrangements that Danny CAHALANE would be in Lipson Road, and giving details of his whereabouts to FROST. You did that intending to assist an assault, and intending that Danny CAHALANE should be harmed in that assault.

65. Your knowledge went further than that. I am satisfied as must have been the jury that you knew that the assault was going to take place at his home address at night. You knew that the background to the assault was one of serious criminality and concerned a drugs debt. On the same day that ADEDOJA started putting arrangements into place for the planned attack, you told Danny CAHALANE that you hoped he and his girlfriend get acid in your face. When you were questioned about this at trial, you said: 'I had heard this as a threat. I had heard Frost threaten DC with acid – well melting him – but I had also heard threats from Danny about I know where his mum lives. Talks about ammonia. I know that at Lipson Rd he has a bottle of ammonia there'. So, whether you knew that there was in fact a plan to use acid, or whether that was just a coincidence, on your own evidence you knew that an acid attack was something that could take place in the context of a failure to pay for drugs. Yet knowing that, you provided the assistance you did. It therefore ought to have been obvious to you that the circumstances of the assault were such that they carried a high risk of serious injury, which is a Category B factor.

66. Overall therefore, as with BAKAS, and keeping in mind the guidance that when determining Culpability *the court should weigh .. factors in order to decide which category most resembles the offender's case in the context of the circumstances of the offense*, I find that this was at the lower end of culpability Category B or top of Category C. Accordingly I take a starting point of 9 years custody.

67. In so far as aggravating factors are concerned, I take into account:

- The significant physical and mental suffering caused to Danny CAHALANE
- The use of a weapon; acid and a screwdriver
- Death occurred in the context of an offence that was pre-planned
- The exploitation of contact arrangements with your daughter to enable the assault to take place, and the disregard of the risks to your child.

68. As to mitigation, I take into account your good character, the letters that have been written to me, and the particular effects that your convictions and the lengthy custodial sentence that follows will have upon you and upon both your children; particularly Kitty who I am sure will have struggled to understand, if she can understand at all, why she has lost both her parents; one forever. However hard the impact on you of what has

happened, the impact on all those left behind is immeasurably greater. There are two sides to you, and they could not be more opposite.

69. In so many ways, what you have done with your life is admirable. You achieved a great deal through your own drive, determination and hard work. It is no surprise whatsoever that you are doing everything you can whilst in custody to continue to push forwards and upwards for yourself and for others. You have brought up two daughters and a stepson as a single mother. You dealt with Kitty's many needs with patience and care. I accept what I have been told by Ms Knight about your remorse, and what you yourself have written in a letter to me. I reduce your sentence for all these reasons.

70. On the other hand, notwithstanding the importance of your children and your own intelligence and achievements, you more than tolerated Danny CAHALANE's drug activities. You told the jury that often, rather than pay maintenance to you, he would give your mum drugs that she would give to her friend to pay for beauty treatments. You boasted to your mum about your association and contact with Frost, and discussed with her the money you could make if you gave assistance to Frost. Whatever your motivation was, whether money, security or revenge, ultimately, I am driven to the conclusion that in that moment, your main concern was yourself.

71. Due to the aggravating factors, I raise the sentence from the starting point I identified of 9 years to one of 10 years. Overall, I find that you are less culpable than BAKAS. You were not involved in the logistical arrangements or in any actions after the event to assist offenders. I then reduce that sentence to take account of the mitigation, and particularly the effects upon your children to **8 years**.

72. I have considered whether you meet the test for dangerousness, but, as with BAKAS do not consider that you meet that threshold.

73. The total sentence that I pass upon you therefore is one of **9 years**, made up as follows:

For the offence of Attempted kidnapping, adjusting that sentence for totality, I pass a sentence of **12 months**. Under current release provisions you will serve 40% of that sentence in custody.

There will then be a **consecutive sentence of 8 years** imprisonment, of which you will serve two thirds before you are released on licence. When you are released you will be on licence until the end of your sentence. If you breach the terms of your licence you may be recalled to custody to serve the balance of sentence then outstanding.

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