



Courts and Tribunals Judiciary

CAERNARFON CROWN COURT
2 JULY 2026

REX

-v-

JAMES ROBERT HUGHES

SENTENCING REMARKS OF MR JUSTICE NICKLIN

Introduction

1. On 26 June 2026, James Hughes was convicted of the murder of Harold Turner. Today is the day fixed for sentence. Mr Hughes has refused to attend Court today. He was offered the facility to attend by video link, but he has refused to come out of his cell.
2. The only sentence that the law permits for murder is one of life imprisonment. My task today is to fix the minimum term that Mr Hughes must serve before he can be considered for release.

The offence

3. The events with which this case is concerned took place at The Old Palace Flats in St Asaph on Christmas Day 2025. Harold Turner lived at flat 25. Mr Hughes lived next door, at flat 24. Both were residents in sheltered accommodation.
4. There had been difficulties between the Defendant and Harold Turner in the months before his death. The evidence showed that complaints had been made by Harold Turner about noise which he attributed to Mr

Hughes, including banging on walls or rails and disturbance at night. There was also evidence that these matters had caused him increasing distress.

5. During the night of Christmas Eve and into Christmas morning, Harold Turner was angry and distressed. At 05.15 on Christmas morning, he left a voicemail for the Defendant saying: *"I want you to fuck off, that's what I want. I'm gonna make you fuck off, and I'm gonna get ya. You are mine. You fucked with the wrong person. Good night, sleep tight."*
6. There was further evidence of threatening conduct by Harold Turner that morning. Neil Jones recorded video footage in which Harold Turner used abusive and threatening language, including saying that he would knock the Defendant out and that, if the Defendant wanted to *"go for it"*, he would *"go for"* him anytime.
7. The Defendant called North Wales Police twice that morning. At 08.47 he reported that his neighbour had been banging on his door since 11 o'clock the previous night and that he had been shouting and arguing. At 09.04, the Defendant called again and played to the call handler the voicemail message left by Harold Turner.
8. At about 11.03, Harold Turner left a voicemail for Shelly Ross, the Community Housing Officer, saying that he was *"at the end of his tether"*, that he was *"at breaking point"*, and that he was *"gonna hurt somebody"*.
9. Later that morning, there was a physical altercation between the Defendant and Harold Turner outside the Defendant's flat. I proceed on the basis that Harold Turner began the physical altercation. That is significant. The Defendant did not go looking for violence. The confrontation occurred outside the Defendant's flat, after he had called the police and after threats had been made by Harold Turner.
10. But the jury's verdict means that they were sure either that the Defendant did not honestly believe that it was necessary to use force in self-defence, or that the force he used was not reasonable in the circumstances as he honestly believed them to be.
11. A central piece of evidence was the Dictaphone recording. That recording captured Harold Turner repeatedly saying *"get off"* and *"I can't breathe"*. The Defendant refused to get off him and said, among other things, *"What a fucking shame"*, *"Do you want me to hurt you again"*, *"You can fucking die for all I care"*, and *"I don't give a fuck"*.
12. After the incident, the Defendant spoke to his nephew, William Ingram. In that call he said: *"I think I might have killed someone"*; *"I just fucked... fucked him up, badly"*; and *"I was sitting on him, dying"*. He also said

that Harold Turner's head was bleeding because he had "*whacked it*" with his walking stick.

13. The Defendant did not call an ambulance immediately. The evidence was that he first returned to his flat and spoke to his nephew as I have outlined. When he did call 999, the Defendant said that Harold Turner had collapsed, that he might have had a heart attack, and that he had hit him with his stick and he had fallen and banged himself.
14. The conclusion of the pathologist – Dr Aaron Borbora – was that Harold Turner died suddenly during a stressful physical altercation, against the background of hypertensive and ischaemic heart disease. His heart was already vulnerable. Dr Borbora's evidence was that the severe stress of the altercation acted as a trigger, and that the Defendant's restraint of him – by sitting on him – had a significant impact because it caused breathing difficulty and placed further stress on his heart.
15. By their verdict, the jury were sure that the Defendant's conduct made a significant contribution to Harold Turner's death.

Victim personal statement

16. The victim personal statement of Michelle Appleton has been read this afternoon. She is Harold Turner's sister. She describes the devastating effect of being told on Christmas Day that her brother had been killed. She describes the shock of having spoken to him by telephone that morning and waiting for him to call back, a call that never came.
17. Ms Appleton speaks of being angry, devastated and numb; of good days and bad days; of sleepless nights; and of the effect that Harold Turner's death has had on the remaining family. She says that Christmas will never again be a joyful time of year.
18. Nothing that this Court can say or do can repair that loss. The sentence I impose cannot make amends for the death of Harold Turner. But I fully acknowledge the harm caused by his death, and the profound and lasting effect it has had on those who loved him.

Life sentence and minimum term

19. There is only one sentence for murder. It is life imprisonment.
20. I must fix the minimum term that the Defendant must serve before he can be considered for release. The minimum term is exactly that. It is the period the Defendant will serve in custody before he can be considered for release by the Parole Board. It will not be reduced.

21. After he has served the minimum term, the Defendant will not be automatically released. The Parole Board will decide whether he continues to present a risk to the public. The Defendant will be released only if the Parole Board is satisfied that it is safe to release him. If he is released, the Defendant will remain on licence for the rest of his life and he may be recalled to prison if he breaches his licence conditions or commit further offences.
22. In fixing the minimum term, I must have regard to Schedule 21 of the Sentencing Act 2020. Both the prosecution and the defence submit that the appropriate starting point is 15 years. I agree.
23. This was not a case falling within the higher starting points in Schedule 21. In particular, I am satisfied that the Defendant did not take his walking stick to the scene intending to use it as a weapon. He needed the stick for his mobility, and that was not challenged.
24. The starting point is therefore one of 15 years' imprisonment before consideration of aggravating and mitigating factors.

Aggravating features

25. I turn first to aggravating features.
26. The prosecution identify Harold Turner's vulnerability. He was born on 14 December 1957 and was 68 at the time of his death. He suffered from hypertensive and ischaemic heart disease.
27. I accept that Harold Turner was, in fact, medically vulnerable because of his heart disease. But I am not satisfied that the Defendant knew of that condition, or of the extent of his cardiac vulnerability. That substantially limits the weight I can give to this as an aggravating feature.
28. The prosecution also rely upon the Defendant's refusal to get off Harold Turner when he was asking him to do so and saying that he could not breathe. That is a serious feature of the offence. Whatever may have happened at the outset of the altercation, by that stage Harold Turner was on the floor and in distress.
29. The Defendant's language during the incident was callous and disturbing. In particular, the words "*You can fucking die for all I care*" were spoken while Harold Turner was on the ground and after he had said that he could not breathe.
30. I am also satisfied that there was some physical violence after Harold Turner was on the floor. The recording captured thudding or banging

noises, and the Defendant accepted that he struck Mr Turner twice with the back of his hand and attempted to strike him in the testicles.

31. I am not able to make a sure finding as to the precise mechanics of every blow or sound recorded on the Dictaphone. I therefore do not sentence the Defendant on the basis that every unexplained thud was a deliberate blow. The pathology evidence does not support such a conclusion.
32. There was also a delay before the Defendant called an ambulance. He returned to his flat and spoke to his nephew before calling 999. I do not sentence the Defendant on the basis that an earlier call would necessarily have saved Harold Turner's life, but the delay is relevant to the Defendant's response after the violence had ended.

Mitigating features of the offence

33. There are also important mitigating features.
34. First, I proceed on the basis that Harold Turner began the physical altercation. The prosecution itself accepted that, given the location of the offence and the nature of the voicemail left, it could not rule out that Mr Turner began the physical altercation and that the Defendant may at least initially have reacted out of fear of violence.
35. Second, this was not a premeditated attack. The Defendant had called the police twice that morning. He had his Dictaphone switched on because, on his account, he feared that he might be attacked. The incident happened outside the Defendant's flat.
36. Third, I am satisfied that this was a case in which there was an element of excessive self-defence. My view of the evidence is that the Defendant initially faced a threat of violence from Mr Turner, but, by the stage captured on the Dictaphone recording, the force used by the Defendant had gone beyond what could lawfully be justified.
37. Fourth, I am not satisfied that the Defendant's intention was to kill. The prosecution invited me to consider intent to kill by reference to the repeated requests by Harold Turner to "*get off*", his statement that he could not breathe, and the Defendant's response, including "*you can die for all I fucking care*". The defence submits that those words were spoken in the heat of the moment and were not equivalent to an intention to kill. I find that, grave though the Defendant's conduct was, I cannot be sure that he intended to kill Harold Turner. I sentence the Defendant on the basis that he intended to cause him really serious harm.
38. Fifth, the Defendant is now 67 years old. He had no previous convictions.

39. Sixth, the defence relies on the Defendant's own physical vulnerability, including his very impaired mobility. That was a matter which featured in the evidence and is relevant to the context in which the Defendant said he feared violence from Harold Turner.
40. Seventh, the defence also relies on the Defendant's history of having been the victim of serious crime in South Africa and submits that this is relevant to fear and response to perceived threat.
41. Finally, I take into account that, because of his age and physical condition, the sentence of imprisonment will be more onerous for the Defendant than it would be for a younger and fitter man.

Assessment of the minimum term

42. Harold Turner lost his life. The last moments of his life included his repeated pleas for the Defendant to get off him and his statement that he could not breathe. The Defendant's response was angry, callous and cruel.
43. But this is not a case of a planned murder. It is not a case in which I am satisfied that the Defendant went looking for violence. It occurred against the background of threats made by Harold Turner, the Defendant's calls to the police, his own physical vulnerability, and a physical altercation that I am satisfied was started by Harold Turner.
44. The appropriate starting point is 15 years. The aggravating factors are the period during which the Defendant remained on top of Harold Turner while he was asking him to get off and saying that he could not breathe; the violence that I am sure occurred while he was on the floor; the delay in calling an ambulance; and Harold Turner's medical vulnerability, although I give that last factor limited weight for the reasons I have explained.
45. Against those factors, there are significant mitigating features: the lack of premeditation; the fact that Harold Turner began the violence; the element of excessive self-defence; the Defendant's age and state of health; his absence of previous convictions; and my finding that he did not intend to kill.
46. Standing back, and balancing those aggravating and mitigating factors, I conclude that the appropriate minimum term before deduction for time spent on remand is **13 years**.
47. The period the Defendant has spent in custody on remand, I am told, is 185 days. If that figure has been agreed, it should be recorded. If it later proves to be incorrect, an application can be made within 56 days to

correct it. Any applicable statutory surcharge will be added to the sentence.

Sentence

48. For the murder of Harold Turner, the sentence of the Court is one of **life imprisonment**.
49. The minimum term I impose is **12 years and 180 days' imprisonment**. That represents a minimum term of **13 years** less the **185 days** the Defendant has spent in custody on remand awaiting trial.