



JUDICIARY OF
ENGLAND AND WALES

IN THE CROWN COURT AT SHEFFIELD

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PETER REDFERN

16 JANUARY 2014

SENTENCING REMARKS OF MR JUSTICE MALES

Peter Redfern, you have pleaded guilty to the manslaughter of your wife Jean and the murder of your daughter Sarah.

You married your wife in 1968 and lived all 45 years of your married life at 131 Sandygate in Wath. Your daughter Sarah was born in 1980 and so was 33 when you killed her. She was your only child. The three of you formed a close and reserved family unit with little or no outside social life. To all appearances you were a loving, self sufficient and contented family with no known problems or conflicts.

You are now aged 70 having retired some years ago from your job as a gas fitter, a job which you held all your working life. In May 2013 you were diagnosed with multiple myeloma, a form of bone cancer which is incurable. You underwent chemotherapy and participated in a national trial for treatment with particular drug combinations, but this produced unpleasant side effects which led to you ceasing this treatment. I need to emphasise that according to the information which I have been given, the drugs which you took were not in any way experimental but were recognised drugs. The nature of the trial was to determine the most effective combination of such drugs for treating your form of cancer. Studies have shown, however, that in a very small percentage of cases the drugs which you took can lead to an adverse psychiatric reaction, which when it occurs is generally mild or moderate but in a very small number of cases can be serious. Tragically, that was to prove to be so in your case.

On 22 July 2013 you were at home with your wife, while your daughter was at work. At some point in the afternoon you killed your wife Jean by strangling her. When her body was found by the police, there was a plastic carrier bag over her head, secured with white electrical flex wrapped round her neck and knotted tightly at the front. It is not clear whether you strangled her with this flex or, as I understand to be your case, you strangled her with your hands and put the bag over her head afterwards, using the flex to secure it. Why you would have done this if you did strangle her with your hands is a mystery which you have not explained.

The prosecution have accepted that your killing of your wife constituted manslaughter on the basis of diminished responsibility. They have done so on the basis that there is expert medical evidence to the effect that as a result of the drugs which you had been taking you were suffering from depression, which is a recognised medical condition, that this can lead to impulsive conduct and impairment of judgment, and that on the balance of probabilities you killed your wife on impulse when your mental functioning was abnormally affected in this way. Precisely how or why this happened may never be known.

After you had killed your wife, you realised that your daughter Sarah would be coming home from work and would see what had happened to your wife, to whom she was particularly close. They have been described as "best friends" as well as mother and daughter. You decided that this could not be allowed to happen. When Sarah arrived home you surprised her, with a carrier bag, electric flex and hammer which you had got ready for use. After managing to put the carrier bag over her head, you killed her by hitting her repeatedly on the head with severe force. In her case too, the bag was secured with the flex.

You then changed your clothes and made a telephone call to the police in which after giving your name and address you said, "I've just killed my wife and daughter".

Although the lifestyle which you and your wife and daughter had chosen means that they did not have many friends, it is important to recognise that they do not go unmourned. There are other family members who loved them and miss them, and will

continue to do so. Nothing I say or do can restore the loss which your conduct has caused, or can fill the gap which has been left. I have taken into account in particular the dignified and generous statement of Jean's brother, Sarah's uncle, who describes the impact which their deaths has had on him and his struggle to understand what happened on that dreadful day.

I will deal first with the sentence for count 2, the murder of your daughter Sarah.

The sentence for murder is fixed by law and is a sentence of imprisonment for life, but I must also set the minimum term which you must serve before you can be considered for release on licence. In your case the setting of a minimum term is in one sense academic, because your age and the cancer from which you suffer make it as certain as anything can be that you will die in prison whatever minimum term I set. Indeed I am told by your counsel that your condition has deteriorated notably in the months you have been in prison. Nevertheless it is important that the minimum term should mark the gravity of your crime.

It is common ground that the appropriate starting point in your case, applying the principles laid down by statute, is a minimum term of 15 years, although any starting point is subject to adjustment to take account of the particular circumstances of the case. Here there are both aggravating and mitigating circumstances which need to be taken into account.

The killing of your daughter was aggravated by your use of a weapon, the hammer, and by the fact that it took place in your daughter's own home, where she was entitled to feel secure and protected. Instead she suffered a cruel death at the hands of her own father. We cannot imagine how she must have felt in what must thankfully have been those brief moments before she died, with a bag over her head and hammer blows raining down. Her killing involved also a degree of planning, as you assembled the items which you would use to kill her and laid in wait for her return. There is no question here of acting on impulse. The killing was aggravated too by the fact that you had just killed your wife. If you had been convicted of the murder of your wife, in which case it would have been a double murder, I would have been required to take a

starting point of the order of 30 years. As it is, your killing of your wife was manslaughter and not murder, but it still represents a significant aggravating factor.

On the other hand, there are also mitigating factors. You had hitherto lived a blameless life and I accept that on the evidence these tragic events would never have taken place if not for the side-effects of the drugs which you had been taking. Although in the case of your daughter's killing, there is no question of a plea of diminished responsibility, the fact that you were suffering from depression as a result of these drugs and acted in all probability under the influence of that depression reduces your culpability to some extent. That this may be so is a factor which the law recognises. In the present case, however, the reduction in culpability is limited. Having killed your wife apparently on the spur of the moment, you made a deliberate and dreadful decision that you would kill your daughter too. She was a young woman with most of her life before her, happy in her job as a shop assistant, and appreciated by those with whom she worked. Even though you were depressed, you knew what you were doing, you planned how you would do it and you had time to think about it while you waited for your daughter to come home. So although I can reduce your minimum term to some extent to take account of your depression and its effect, I cannot do so by much. I take into account also by way of mitigation your age and the devastating blow which the diagnosis of your bone cancer represented, transforming as it did a contented family life and amounting already to a different kind of life sentence. I recognise also that although you only pleaded guilty on the first day of your trial, you have never denied that you killed your wife and daughter, and that from the outset your telephone call to the police acknowledged that you had.

Balancing these considerations, and before taking specific account of your guilty plea, I would have concluded that the appropriate minimum term would be 18 years. I shall reduce this by one year to take account of your plea.

Accordingly the sentence on count 2 for the murder of your daughter Sarah is life imprisonment with a minimum term of 17 years less the time that you have spent on remand in custody.

I turn now to deal with count 1, the manslaughter of your wife Jean. For this I propose to pass a determinate sentence. Even without your conviction for murder on count 2, there would be no question of any alternative disposal on count 1. I bear in mind that I have already taken Jean's killing into account as an aggravating feature in fixing the minimum term for the murder of your daughter. Sentences for manslaughter are not fixed by law in the way murder sentences are, and the statutory aggravating and mitigating factors do not apply in quite the same way. Nevertheless the harm done by manslaughter, namely the loss of a life and the devastating impact which that loss has on friends and family is much the same as in cases of murder. The culpability of an offender is less than in a case of murder, but is by no means extinguished. Although your responsibility was diminished, you did still intend to kill. The sentence for manslaughter must therefore bear some relationship to what the sentence would have been for murder and I must and do have regard to the statutory factors to the extent that they are capable of applying. I bear in mind also that in the case of a determinate sentence, only half of the sentence would be served in prison, so that the minimum term of 17 years which I have fixed in the case of count 2 is equivalent to a determinate sentence of 34 years.

In your case the sentence on count 1 is in a sense academic in view of the life sentence which you must serve on count 2, but once again the sentence is important in order to mark the gravity of your offence and the precious and irreplaceable nature of human life.

Taking all these matters into account, and taking account also of your guilty plea on the first day of the trial, I conclude that the sentence on count 1 will be 12 years.

Peter Redfern, the sentences which I pass on you are, on count one, 12 years, and on count 2, a life sentence with a minimum term of 17 years less time served on remand. The sentences will of course be concurrent.

I order the destruction of the hammer, flex and carrier bags.