

Neutral Citation No: [2025] NICC 34	Ref: OHA12842
<i>Judgment: approved by the court for handing down (subject to editorial corrections)*</i>	ICOS No: 22/055115
	Delivered: 17/11/2025

**IN THE CROWN COURT IN NORTHERN IRELAND
SITTING AT LAGANSIDE COURTHOUSE, BELFAST**

THE KING

v

JOHN SCOTT

**Mr R Weir KC with Mr I Tannahill (instructed by the PPS) for the Crown
Mr N Connor KC with Mr S Devine (instructed by Finucane Toner Solicitors) for the
Defendant**

SUPPLEMENTARY SENTENCING REMARKS

O'HARA J

Introduction

[1] On 18 June 2024, the defendant pleaded guilty to four charges involving attacks on Ms Natasha Melendez who had been his partner. Those charges included one of murder. I imposed a life sentence on him and then came in June 2025, to set the tariff for the murder and the “necessarily” concurrent sentences for the other three assaults. The tariff is the minimum number of years which the defendant must serve in prison before his release is even considered by the Parole Commissioners. I set the tariff at 19 years but noted at paragraph [73] of my sentencing remarks that there was an outstanding issue about that term because of a complication which I explain below. My original sentencing remarks are found at [2025] NICC 15.

[2] In normal circumstances, when a murder is committed and the offender is identified to the police quickly, that individual is arrested and charged. If and when he is convicted of the murder, the life sentence and the tariff will start to operate from the date of the charge and detention in custody, provided that the detention has been continuous and that the period in custody relates directly to the murder charge.

[3] The fatal attack on Ms Melendez by the defendant which caused her death was committed on 22 March 2020 but she did not die until 1 April 2020. The defendant was identified as the attacker and arrested soon after 22 March but not, obviously, for the murder because Ms Melendez was still alive at that point.

[4] By the time Ms Melendez died on 1 April, Covid-19 lockdown had been ordered across Northern Ireland. As a direct result of this, the defendant was not arrested, questioned and charged with her murder until January 2022. It was only then that it became possible for him to be interviewed in the presence of a solicitor by the police.

[5] Save for two intervening periods of detention which I will deal with below, the defendant has been in custody continuously by reason of his assaults on Ms Melendez which culminated in the fatal attack in March 2020. Despite that fact, the life sentence and tariff of 19 years can only operate from January 2022, because only then was he charged with the murder.

[6] It is the defence submission, not resisted by the prosecution, that there is a level of injustice in this and that the way to avoid that injustice is to reduce the tariff to reflect the period between April 2020 and January 2022 when the defendant was in custody but not on the murder charge. I was invited, therefore, to reduce the tariff by 21 months to 17 years and three months. The result would therefore be that the defendant would still serve a minimum of 19 years from April 2020, but not a minimum of 19 years from January 2022.

[7] I accept this proposition in general terms. The exceptional circumstances which were brought about by Covid-19 restrictions should not lead to prisoners serving longer sentences than would otherwise be the case. For that reason, I will reduce the tariff from 19 years.

[8] As referenced at paragraph [5] above, however, there were two periods between April 2020 and January 2022 when the defendant was a sentenced prisoner, serving time in jail for crimes which did not relate in any way to his attacks on Ms Melendez. The first period was because a sentence of 12 months was imposed on him on 21 August 2020 for cultivating cannabis and dishonestly using electricity. Those 12 months were to be divided between six months in custody and six months on licence. The second period arises from another sentence of 12 months imposed on him on 26 May 2021 for assault occasioning actual bodily harm and assault on a police designated person. Those 12 months were also to be divided equally between six months in custody and six months on licence.

[9] The effect of those two sentences is that for 12 of the 21 months between April 2020 and January 2022, the defendant was not in custody due to his attacks on Ms Melendez but because he was a prisoner serving sentences for other offending. It would, therefore, be wrong to allow those 12 months to be taken off his tariff.

[10] During a short court hearing on 26 September 2025, when I discussed my approach with counsel, I stated wrongly that I would reduce the tariff by 15 months rather than by nine months. That mistake (which was not spotted or corrected by counsel during or after the hearing) was made because I misread and treated the two separate sentences as involving only three months in custody rather than six months each. Having identified that mistake, which was clearly a slip on my part, I must now correct it.

[11] I allowed the parties to make further submissions in relation to the mistake before finalising sentence. The prosecution accepted the correction. For the defendant it was submitted that had it not been for Covid, it might have been that the second sentence imposed in May 2021 would have been “overtaken” by the life sentence. This might have been so if the defendant had been charged with the murder in the normal way, in April 2020. With respect I do not agree because I do not see how that could have happened. The suggestion is of a very unlikely scenario, namely that there would have been an early plea of guilty and that sentence would have been passed by May 2021. In our jurisdiction, sadly, that would not have occurred. An alternative possibility advanced for the defendant is that if the murder charge had been brought in the ordinary way, either or both of the two lesser cases might have been adjourned until the murder was resolved. I accept that there is some prospect, albeit limited, that this could have happened. For that reason, doing the best I can to put a figure on the different possibilities, I will grant the defendant some latitude and allow the tariff to be reduced by 12 months.

[12] The result of all of this consideration is that the tariff is to be reduced by twelve months (rather than by 15 months). I, therefore, impose a tariff on the defendant of 18 years operative from January 2022.