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*Judgment: approved by the court for handing down (subject to editorial corrections)**	*Delivered:*	**06/11/2026**

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

THE KING

v

ZAK HUGHES

Ms McCullough KC with Mr McClean (instructed by the Public Prosecution Service) for the Crown
Mr MacCreanor KC with Mr Mullan (instructed by McCallion Jones Solicitors) for the Defendant

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SENTENCING REMARKS

McBRIDE J

I order that, in accordance with Article 22(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998, nothing should be disclosed which would lead to the children being identified as being concerned in these proceedings.

Introduction

[1] The defendant was charged with the murder of Sarah Montgomery and child destruction of her unborn child.

[2] He was arraigned on 5 June 2026 and pleaded guilty to both offences. The pleas were entered on a full facts basis as set out in the depositions.

[3] I immediately imposed a sentence of life imprisonment for the murder and adjourned the case to allow time for a pre-sentence report and victim statement to be obtained.

[4] I held a sentencing hearing thereafter to consider the updated materials and the submissions of the prosecution and defence. I wish to acknowledge the detailed

and skilful written and oral submissions made by Ms McCullough KC on behalf of the Crown and Mr MacCreanor KC on behalf of the defendant.

The deceased

[5] Sarah Montgomery was born on 23 December 1997. She was aged 27 years when she was murdered in her home on 27 June 2025. She was the mother of two girls, A who was born in 2018 and B who was born in 2020.

[6] At the time of her death she was 32 weeks pregnant with her third child, a boy, who was due to be born on 20 August 2025. She had already named him as Liam Arthur Montgomery.

[7] Sarah's parents both pre-deceased her. Her father Andrew Montgomery, died in 2017 when she was aged 20 years and her mother Lynda Montgomery in 2019. Her grandfather, William Arthur Arbuckle and her great aunt Sharon Boyd, assisted her with the children, daily routines and provided familial and financial support.

[8] Sarah was also a carer for her twin brothers who lived in a nearby Mencap assisted living complex.

[9] Sarah was trained in beauty and nails but due to mobility issues never was able to realise her dream of working on cruise ships.

Personal Statement

[10] I have read the personal statement of Mr William Thompson, Sarah's great uncle, which is written on behalf of the family including her grandparents, her great aunt Sharon, and her brothers. He writes movingly and eloquently of the pain, loss and devastation felt by the entire family. Her two young daughters, too young to understand why their mother left without saying goodbye are now forced to navigate the world without their mother's love, guidance and support. They have to live every day without a mother to "bandage their knees", "read them a bedtime story" or "tuck them into bed with a hug at night." Every day for them is described as "a battle against the grief that follows them." Since the murder, Sharon and William Boyd have become the full time carers of her two daughters.

[11] Her grandfather now aged 80 years old, a person who has lived a life of public service in the police and the RNLI has been left broken and haunted by finding Sarah's lifeless body. Mr Thompson describes how the whole family have to live daily with the trauma and unremitting grief caused by Sarah's death.

[12] In determining the sentence I will take these matters into account. I recognise that Sarah is not just a statistic – another woman joining the long line of women who have been murdered by their male partners. Rather, she was a mother, a grandchild,

a sister and a great-niece. She was loved by her family, she loved her family and her murder has destroyed the lives of two innocent children, caused the death of her unborn child and shattered the heart of her grandfather.

[13] Her family acknowledges that no sentence of imprisonment can bring Sarah or her unborn child back. It cannot undo the devastation caused and it cannot alleviate the pain the family live with daily. Nonetheless, these are matters which I will consider when I am determining the appropriate sentence.

Background

[14] Sarah Montgomery and the defendant had been in a relationship since second year when they met at Glastry Secondary School. After Sarah became pregnant with A the relationship faltered and thereafter continued on an on-off basis. A few years after A was born, Sarah informed the defendant she was pregnant with B. He initially denied that he was father until a DNA test proved paternity. Thereafter it became a normal routine for the defendant to collect his daughters after school on Friday and keep them over the weekend returning A to Sarah's address and B to Sharon Boyd's home on Sunday for one night where she also returned home to her mother after school on Monday.

[15] The defendant lived with his fiancée C and her two adult children. They have been in a relationship for about six years.

[16] On 9 February 2025, Sarah informed the defendant that she was pregnant.

[17] From about 30 May 2025, Sarah became aware through Instagram messages that the defendant had been accused of cheating on his fiancée with multiple unknown females and that his fiancée, C, was also pregnant.

[18] When Sarah asked the defendant about this he initially denied that his fiancée was pregnant and later made up a story that she had lost her baby as a result of a road traffic accident and that the baby had been cremated. He also told Sarah that he and his fiancée were in the process of breaking up and stated that he wanted to sort things out with Sarah and he was worried about not being able to see his daughters.

[19] Subsequently, on 26 June 2025, Sarah learned from the defendant's mother that his fiancée was pregnant. Sarah sent screen shots of her messages with his mother to the defendant. He replied by text saying, "we need to talk about this and not over the phone."

[20] The defendant came to Sarah's flat at around 13:33 hrs. Sarah recorded their final conversation, which lasted approximately 15 minutes and ended with her screaming and pleading with the defendant as he attacked her.

[21] From all the available evidence, it appears that the defendant entered the flat with a blue water bottle with DAD emblazoned on the side. This was a Father's Day gift from his daughters on 16 June 2025. His daughter A left the flat a few minutes after the defendant arrived and waited outside in the car.

[22] The defendant and Sarah engaged in a conversation about the fact his fiancée was pregnant and that he had lied to her. The defendant is recorded as saying, "I'm fucking terrified of telling you anything … because of how in the past telling you stuff has … resulted in me not seeing them (the children)."

[23] Sarah then told the defendant that she had a message ready to send to his mother informing her that she was pregnant. Sarah then said, "how did you think you would get away it?" He replied, "I don't think of anything Sarah. I'm terrified."

[24] The final 24 seconds of the recording is when the defendant attacked Sarah and the recording notes her screaming "Zak" several times together with signs of a struggle and striking sounds.

[25] The attack commenced at approximately 13:48 hrs and the defendant left the flat at 14:07 hrs. He left with a blue Smyths toy bag which he put in the boot of his car. He lifted something out of the boot, returned to the flat and came back to the car. He then proceeded to drive with his daughter in the car to collect his other daughter at the local primary school. He returned briefly to the flat, knocked the door but he did not go in.

[26] At 14:46 hrs he went to Ards Shopping Centre with the daughters in the car. He bought a change of clothes in Primark and changed. At 15:31 approximately he drove to B&Q where he discarded Sarah's phone together with the house keys. All of these items were stained with Sarah's blood. At 15:56, he drove to Titanic Boulevard and discarded the Smyths toy bag which contained the water bottle, wooden shaft, face cloth, hand towel, socks, money, keys and cards. All of these were stained with Sarah's blood. He also discarded his original clothes, which were in the Primark bag together with some cash. Again, all of these items had stains of Sarah's blood. Thereafter, he sent messages to Sarah's phone including a photo of himself and his two daughters.

[27] The next day, he and A and B attended a baby shower for his pregnant fiancée's baby. On the same date, Sarah's family were trying to contact her by phone but were receiving no response. Sarah's great-aunt, Sharon Boyd, also telephoned the defendant to ask if he had heard from Sarah. He said he had not heard anything from her and asked Mrs Boyd to let him know if she heard anything.

[28] Sarah's grandfather, Mr Arbuckle, then went to Sarah's flat using his keys to unlock the door. He found Sarah partly on the living room floor and partly on the hall floor, lying on her side, face down, covered in blood, stiff and cold. There was a yard brush and shaft lying underneath her legs. The head of the brush appeared to

be broken. Sharon Boyd arrived within minutes and phoned for an ambulance. CPR was attempted without success and Sarah was confirmed dead at 14:28 hrs. Police arrived at the scene and noted blood and bloodstains throughout the flat. Carpets were scrunched up, doors were damaged and there were signs of a struggle. It was also clear that there had been some attempt to clean up the scene.

[29] The FSNI report, prepared following forensic examination of numerous items and bloodstains lifted from the crime scene, noted that in the front hallway there were multiple blood smears on all doors and doorframes and on a floor brush. Lighter blood smears were on the carpet. The hall side of the living room door showed extensive impact type damage and multiple heavy blood smears coincided with his damage. In the living room where the deceased was found lying on the floor, there were heavy areas of bloodstaining on her face, arms, hair and on her clothes. The carpet around the deceased was saturated with extensive bloodstaining. Bloodstaining was also found throughout the rear hall, bathroom, kitchen and in the children's bedroom. In the main bedroom, the duvet and pillows showed extensive areas of bloodstaining. The scene summary was described as follows:

> "The distribution of blood spots in the main bedroom and living room suggest more than one forceful bloodletting event had occurred in both rooms with carpet disturbance, having likely occurred during bloodletting events. Passive drops of blood were found in numerous rooms to indicate blood being shed from a heavily bleeding person or wet blood falling from a heavily bloodstained object. In the living room it is likely the wet bloodstained hair had been in contact with the lower drawer unit frame under the TV, the damaged door to the front hallway and the child's apron hanging on the rear hallway door handle. Contact had also occurred in the storage cupboard door in the front hallway."

Post mortem

[30] A post mortem examination conducted on 29 June 2025 by Pathologist Dr Mark Eakin concluded that Sarah's death was due to a head injury consistent with blunt force trauma. He noted at least 25 separate applications of mild blunt force trauma to the head causing multiple bruises and abrasions. There was no skull fracture. The injuries raised the possibility of use of a circular weapon but he opined that the injuries could have been acquired as a result of a blow from a fist or from being slammed into unyielding furniture or door frames. There were also at least six separate applications of mild blunt force trauma to the torso causing several bruises and two lacerations. Additionally, there were a total of 33 bruises and abrasions to the arms. Some of these were defence injuries. The pathologist further noted 13 bruises and abrasions to the lower back, again consistent with punches, slaps and

being thrown into furniture. The deceased was therefore subjected to a sustained blunt force trauma assault involving a minimum of 59 applications.

[31] Dr B Heron, Consultant Neuro Pathologist, described the head injuries to include a subdural haematoma, a traumatic subarachnoid haemorrhage, a traumatic contusion and a mild cerebral oedema. These findings point to a traumatic brain injury.

[32] The peri-natal post mortem report of Dr C Gannon, Consultant Paediatric Pathologist, confirmed that Sarah Montgomery was 32 weeks pregnant with a well-grown and normally developed viable male baby. The baby died as a result of the death of his mother and the consequent oxygen deprivation because of cessation of maternal circulation.

The defendant's arrest and interviews

[33] The defendant was arrested on 28 June 2025 at 21:50 hours at his mother's address. He made no reply after caution. He was interviewed over three days. Initially, he gave untruthful accounts regarding his movements. On 1 July 2025, after six hours and 41 minutes of interviews, the defendant said after caution:

> "… this is the right thing to do. I killed Sarah. We were in her flat talking about [C's] pregnancy. Sarah pushed me and said that I would not be seeing my girls again. I hit her with my water bottle. Next thing I remember is being in my car driving to collect [B] …"

[34] When police asked him if he thought of calling for help for Sarah, he said that he was terrified for himself and in self-preservation mode. When asked whether he had used a pick axe or his foot to inflict injuries, he stated that he could not recall. In a further interview when he was informed the baby only died because of Sarah's death he stated, "I hear that, yes. I didn't, I didn't intend, I didn't go there to kill Sarah. I didn't mean for any of this to happen and I'm accepting responsibility."

[35] The defendant now accepts, as is apparent from Sarah's recording of their final conversation, that there no threats issued by her and there was no aggression on her part.

The defendant's personal circumstances

[36] The defendant was born on 13 February 1997, he was aged 28 on the date of the murder. He is now aged 29 years. He has no previous criminal convictions. The defendant had a settled childhood. He left school with some O levels and thereafter trained as a personal trainer and has worked in this capacity since 2024.

[37] Since his incarceration, he has been compliant and engaged with prison staff. He has shown a keen desire to seek out support and has engaged with Sycamore Tree Programme and Barnardos.

[38] When describing the relationship with the deceased, there was an element of victim blaming. He alleged coercive sexual control by the deceased in relation to her giving him contact with his children. He further stated that when he told the deceased that he was going to attend a maternity appointment with his fiancée she threatened him with no contact. There is no evidence to substantiate either of these statements. The audio recording by the deceased records Mr Hughes voicing his concern that she had previously stopped contact but at no point can the deceased be heard threatening to stop contact.

[39] In respect of the offence, he accepted his responsibility and expressed remorse and demonstrated insight into the impact of his offending. He found it challenging to recall the incident but admitted that he was dishonest regarding the pregnancy of his partner. He further accepted that contrary to what he had told police, the deceased did not push him prior to the assault and that he was the person who had instigated the incident. He recalled hitting the deceased with a water bottle but could not recall more of the incident. He stated that he had lost control and expressed remorse.

[40] The defendant was assessed as posing a medium likelihood of reoffending and as presenting a significant risk of serious harm to others within the context of intimate relationships.

Sentencing principles - Dangerousness

[41] Child destruction is a serious and specified offence under Chapter 3 of the Criminal Justice (Northern Ireland) Order 2008. Ordinarily, the court would be required to determine whether the defendant is dangerous within the meaning of the legislation.

[42] In this case, I consider it is unnecessary to make such an assessment as the life sentence already imposed will supersede any subsequent sentence imposed that is based on a finding of dangerousness – see generally *R v Bracas* [2026] NICC 1 at paras [30]-[34].

Murder tariff

[43] The Life Sentences (Northern Ireland) Order 2001 ("the 2001 Order") applies to the fixing of a minimum term which a prisoner sentenced to life imprisonment must serve before he is considered by the Life Sentence Review Commissioners for release from prison. Article 5(2) provides that the minimum term will be the period that "the court considers appropriate to satisfy the requirements of retribution and

deterrence having regard to the seriousness of the offence or of the combination of the offence and one or more offences associated with it."

[44] The relevant legal principles the court should apply in fixing a minimum term were set out in *R v McCandless* [2004] NICA 1 and were recently updated by the Court of Appeal in *R v Whitla* [2024] NICA 65.

[45] In *McCandless*, the Court of Appeal held that the Practice Statement issued by Lord Woolf CJ and recorded at [2003] 3 All ER 412, should be applied in this jurisdiction when fixing tariffs under the 2001 Order. The relevant parts of the Practice Statement are as follows:

> "**The normal starting point of 12 years**
>
> 10. Cases falling within this starting point will normally involve the killing of an adult victim, arising from a quarrel or loss of temper between two people known to each other. It will not have the characteristics referred to in para 12. Exceptionally, the starting point may be reduced because of the sort of circumstances described in the next paragraph.
>
> 11. The normal starting point can be reduced because the murder is one where the offender's culpability is significantly reduced, for example, because: (a) the case came close to the borderline between murder and manslaughter; or (b) the offender suffered from mental disorder, or from a mental disability which lowered the degree of his criminal responsibility for the killing, although not affording a defence of diminished responsibility; or (c) the offender was provoked (in a non-technical sense), such as by prolonged and eventually unsupportable stress; or (d) the case involved an overreaction in self-defence; or (e) the offence was a mercy killing. These factors could justify a reduction to eight/nine years (equivalent to 16/18 years).
>
> **The higher starting point of 15/16 years**
>
> 12. The higher starting point will apply to cases where the offender's culpability was exceptionally high or the victim was in a particularly vulnerable position. Such cases will be characterised by a feature which makes the crime especially serious, such as: (a) the killing was 'professional' or a contract killing; (b) the killing was politically motivated; (c) the killing was done for gain (in

the course of a burglary, robbery etc); (d) the killing was intended to defeat the ends of justice (as in the killing of a witness or potential witness); (e) the victim was providing a public service; (f) the victim was a child or was otherwise vulnerable; (g) the killing was racially aggravated; (h) the victim was deliberately targeted because of his or her religion or sexual orientation; (i) there was evidence of sadism, gratuitous violence or sexual maltreatment, humiliation or degradation of the victim before the killing; (j) extensive and/or multiple injuries were inflicted on the victim before death; (k) the offender committed multiple murders.

Variation of the starting point

13. Whichever starting point is selected in a particular case, it may be appropriate for the trial judge to vary the starting point upwards or downwards, to take account of aggravating or mitigating factors, which relate to either the offence or the offender, in the particular case.

14. Aggravating factors relating to the offence can include: (a) the fact that the killing was planned; (b) the use of a firearm; (c) arming with a weapon in advance; (d) concealment of the body, destruction of the crime scene and/or dismemberment of the body; (e) particularly in domestic violence cases, the fact that the murder was the culmination of cruel and violent behaviour by the offender over a period of time.

15. Aggravating factors relating to the offender will include the offender's previous record and failures to respond to previous sentences, to the extent that this is relevant to culpability rather than to risk.

16. Mitigating factors relating to the offence will include: (a) an intention to cause grievous bodily harm, rather than to kill; (b) spontaneity and lack of pre-meditation.

17. Mitigating factors relating to the offender may include: (a) the offender's age; (b) clear evidence of remorse or contrition; (c) a timely plea of guilty.

Very serious cases

> 18. A substantial upward adjustment may be appropriate in the most serious cases, for example, those involving a substantial number of murders, or if there are several factors identified as attracting the higher starting point present. In suitable cases, the result might even be a minimum term of 30 years (equivalent to 60 years) which would offer little or no hope of the offender's eventual release. In cases of exceptional gravity, the judge, rather than setting a whole life minimum term, can state that there is no minimum period which could properly be set in that particular case."

[46] In *R v Whitla*, the Court of Appeal held that the time had come to refresh the *McCandless* categories. The court held that the normal starting point is 15-16 years based on high culpability. In cases of exceptionally high culpability, the starting point is 20 years.

[47] The Court of Appeal also emphasised the fact that sentencers have flexibility within the guidelines and, in particular, stated as follows at para [39]:

> "[39] Recently, in *R v McKinney* this court reiterated that each murder case is fact specific. In this jurisdiction the Court of Appeal has also consistently said that the guidelines that derive from *McCandless* applying the Practice Statement of Lord Woolf should not be applied in a rigid compartmentalised way. The benefit of *McCandless* is that in this jurisdiction it allows flexibility to sentencers in the myriad of different scenarios that arise in murder cases. We repeat what we have said in many previous decisions that judges should be free to consider factors not specifically mentioned in *McCandless* as aggravation in a particular case …"

[48] It further stated at para [44]:

> "[44] It is not necessary for us to redefine *McCandless* any further as the factors that feed into each starting point and aggravating or mitigating factors are comprehensively set out. In addition, sentencing judges are expressly reminded that they have the flexibility to vary the starting point upwards or downwards to take into account the particular circumstances of each case."

[49] The Court of Appeal also stressed that judges should be free to consider factors not specifically mentioned in *McCandless* and noted that it is "important to avoid an overly mechanistic approach to the issue, while guarding against the danger of double-counting."

Child destruction – sentencing guidelines

[50] There are no specific guideline cases in this jurisdiction nor are there sentencing guidelines in England & Wales in respect of this offence. The authorities point to a range of 14-22 years when considering a determinate custodial sentence – see *R v McDonald* [2002] NI 54 and *R v Campeanu* [2020] EWCA Crim 362.

Totality

[51] When determining the appropriate sentence for murder and child destruction it is necessary to have regard to the principle of totality.

[52] In *R v Hutton* [2024] NICA 19 at para [41], the court cited Blackstone's Criminal Practice 2024 E13.22 on the issue of totality referencing the England & Wales Sentencing Guidelines which comprises two elements:

> "(a) the overall sentence should reflect all the offending behaviour with reference to overall harm and culpability, together with aggravating and mitigating factors; and
>
> (b) be just and proportionate."

[53] The court noted that there are no inflexible rules as to how the sentence should be structured. The ultimate test is to reach a sentence which is just and proportionate.

[54] In *R v ZB* [2022] NICA 69, the court stated at para [62]:

> "[62] … the judge … should decide what is an appropriate overall sentence having considered both offences which in this case are equally serious. ... The real question is whether when standing back does the total sentence appear to be manifestly excessive."

[55] Both the prosecution and defence considered that the murder of Sarah Montgomery should be treated as the headline offence. The prosecution further submitted that the court should assess an appropriate sentence for the offence of child destruction and increase the tariff in a way that was just and proportionate having regard to the principle of totality and thereafter impose a concurrent sentence for child destruction given that it arose out of the same incident.

[56] I agree that the charge of murder should be treated as the headline offence with the offence of child destruction being treated as a serious aggravating factor.

The starting point

[57] The deceased was subjected to a brutal, savage and sustained attack which was carried out throughout the property, as was evidenced by blood found in numerous rooms within the flat. The attack lasted approximately 19 minutes and during this time the defendant inflicted at least 59 applications of blunt force trauma upon the deceased causing multiple injuries to her head, torso, arms and legs. Although there were no broken bones, she sustained injuries to her head including a subdural haematoma, traumatic subarachnoid haemorrhage, traumatic contusion and a mild cerebral oedema which caused her death. The defendant accepted, when interviewed by the probation officer, that he had hit the deceased once with force using a metal water bottle. The pathologist opined that the injuries sustained by the deceased could have been inflicted by a weapon or by a blow from a fist or by being slammed into unyielding objects such as furniture.

[58] The use of such gratuitous violence and the multiple injuries inflicted upon Sarah before her death, I find, places the offender's culpability within the exceptionally high category and, therefore, the normal starting point is one of 20 years.

[59] I consider that this starting point must be increased to take account of a number of significant aggravating factors in this case. Firstly, the deceased had a close personal relationship with the defendant. He was the father of her children and her unborn child and she was in an on-off relationship with him. Although there was no history of domestic violence in their relationship, the pre-sentence report opines that the patterns of manipulation and deception towards intimate partners by the defendant suggest a tendency to prioritise the maintenance of control within relationships. This points to a person who was coercively controlling within intimate relationships. The deceased was attacked in her own home, somewhere where she should have felt safe and secure. She was attacked by a person she should have trusted and someone whom she reasonably expected to protect her. Her vulnerability was further heightened by the fact she was heavily pregnant and therefore unable to defend herself when attacked. The attack also took place when the deceased's daughter was nearby. I consider Sarah's vulnerability and the domestic context of the offending to represent a significant aggravating factor.

[60] Secondly, I consider the most serious aggravating factor to be the fact that the defendant is charged with the offence of child destruction. The unborn child was 32 weeks old and was therefore only two months away from birth. The bond between Sarah and her unborn child was very strong and she had already named him. The unborn child was totally defenceless, and the murder of his mother ended his prospects of being born a living healthy child. This was an unspeakably wicked and

heinous act to commit against not only Sarah, but against an unborn defenceless child. The fact the child was capable of being born alive means this is a significantly more aggravating feature than the simple fact the deceased was pregnant. The gravity of the difference in these two scenarios is reflected in the fact the defendant is charged with the separate offence of child destruction.

[61] As I have already outlined, this crime alone would attract a determinate custodial sentence of between 14 and 22 years. I will have to consider carefully the principle of totality and the fact that there is a significant overlap in the aggravating features of this case with the murder when I determine what is a just and proportionate sentence. Nonetheless, the offence of child destruction amounts to a significant aggravating factor.

[62] Thirdly, the defendant attempted to conceal his actions by attempting to clean up the scene and by removing possessions of the defendant. He later purchased new clothing and footwear and discarded his original clothing. He also presented with a normalised life by sending messages to the deceased's phone after he murdered her and lied to her family when they asked about her whereabouts. All of these actions were conducted whilst his two young daughters were with him.

[63] The defence submit that these actions arose because the defendant was in flight mode and in a state of panic.

[64] Although these actions are aggravating factors, it is accepted that that they did not materially adversely impact on the police investigation and are therefore of a less serious nature.

[65] The Crown further asked the court to consider that the case was aggravated by the fact the defendant engaged in victim blaming. I note that the defendant did engage in victim blaming as noted in the pre-sentence report. Later he accepted that he instigated the assault and retracted his statement that the deceased had pushed him before the assault. Further, although there is no evidence that the deceased made any threat to end his contact with the children, I accept that the defendant believed this may have been a consequence of his lies to her about the pregnancy of his fiancée.

[66] The Crown further sought to argue that this case was aggravated because the defendant did not alert emergency services. Although this would normally be an aggravating factor, the burden is on the Crown to establish that the deceased was alive at the time when the defendant left the flat after the assault. The Crown accepted that they were unable to establish this and, accordingly, this legally cannot be an aggravating factor.

[67] Similarly, the Crown accepted that the use of the weapon was not an aggravating factor. I consider this concession was correct on the basis that the attack

was not premeditated and therefore the defendant did not "arm" himself with a weapon in advance.

[68] The defendant has therefore committed a most heinous crime, not only against Sarah, but against her unborn child. Notwithstanding the nature of the offending and the aggravating factors, there are nonetheless a number of significant mitigating circumstances in this case.

[69] The murder occurred when the defendant's sustained deception and lies about his relationships and pregnancies was about to be exposed. Rather than managing the consequences of deception and lies appropriately, he responded with extreme violence. Most significantly however the attack occurred spontaneously and was not premeditated in any way. *McCandless* specifically references spontaneity and the lack of premeditation as mitigating factors.

[70] The defence also points to his previous good character and personal circumstances. In the context of the present offending, I consider that these factors carry little weight.

[71] The defence further reference the remorse demonstrated by the defendant. This is evidenced in the pre-sentence report in which he has expressed remorse and shown insight into the impact of his offending. He has been permitted to undertake a restorative justice programme in prison which is offered to those who can and are willing to discuss their offending. He has indicated that he intends to engage in programmes in the future to address his offending.

[72] Having regard to the aggravating factors which I have set out together with the mitigating circumstances and, in particular, the spontaneous nature of the offending, but excluding the guilty plea, I consider that the appropriate starting point is one of 25 years.

Reduction for guilty plea

[73] Article 33 of the Criminal Justice (Northern Ireland) Order 1996 provides:

> "33.—(1) In determining what sentence to pass on an offender who has pleaded guilty to an offence a court shall take into account—
>
> (a) the stage in the proceedings for the offence at which the offender indicated his intention to plead guilty, and
>
> (b) the circumstances in which this indication was given."

[74] In *R v Turner* [2017] NICA 52 at para [40], the Court of Appeal stated:

> "[40] We consider, therefore, that there are likely to be very few cases indeed which would be capable of attracting a discount close to one-third for a guilty plea in a murder case. The circumstances of a mercy killing for example might possibly achieve that outcome. Each case clearly needs to be considered on its own facts but it seems to us that an offender who enters a not guilty plea at the first arraignment is unlikely to receive a discount for a plea on re-arraignment greater than one-sixth and that a discount for a plea in excess of 5 years would be wholly exceptional even in the case of a substantial tariff. We have concluded, however, that it would be inappropriate to give any more prescriptive guidance in this area of highly fact sensitive discretionary judgement. Where, however, a discount of greater than one sixth is being given for a plea in a murder case the judge should carefully set out the factors which justify it in such a case."

[75] The defendant pleaded guilty at first arraignment after making admissions at police interviews. During the course of the magistrates' court proceedings, he appropriately indicated he would not be opposing committal on the charges and accepted his responsibility. The defendant was arraigned during the recent criminal Bar withdrawal of services in the Crown Court. He did not delay or prolong proceedings by availing of the opportunity of speaking with his counsel.

[76] As a result of the guilty plea at the first opportunity, there has been no delay in this case and, accordingly, the family have not been left in limbo as happens in many other cases of this nature.

[77] The guilty plea has also provided vindication and a sense of justice for Sarah's family and friends at the outset. As Morgan LCJ stated in *Turner* at para [50]:

> "Where a plea of not guilty at arraignment is entered the friends and relatives of the deceased are generally deprived of that vindication and sense of justice at that time."

[78] The court also recognises that early guilty pleas support the good administration of our criminal justice system as there is value and a public interest in encouraging offenders to face up to their responsibilities as quickly as possible because this saves court time and costs.

[79] Although the defence submitted that the early pleas and remorse shown by the defendant in this case merited a reduction of one third, I do not agree. A reduction of this level is restricted to exceptional cases such as mercy killings and this is not such a case.

[80] Nonetheless, given the stage in the proceedings at which the defendant pleaded guilty, namely at interview and upon first arraignment and the circumstances in which this indication was given, I consider, having regard to *R v Turner,* that the appropriate reduction is one of five years.

[81] Accordingly, I impose a tariff of 20 years.

Conclusion

[82] You are guilty of the brutal, completely unjustified murder of a defenceless heavily pregnant mother. When she confronted you with your lies and deception, you relentlessly and savagely beat her to death. When she screamed out for mercy, you continued to strike her at least 59 times until you killed her and her unborn baby.

[83] There was rightly public outrage at this attack. Yet another femicide in a long line of femicides committed in this jurisdiction. Your conduct has rightly invoked the abhorrence of right-thinking people.

[84] Sarah is not just a statistic. Everyone who knew Sarah spoke loudly of their love and support for her and the depth of friendship that they shared with her. She was a much loved 27-year-old mother of two young children, a devoted sister, a granddaughter and a great-niece who brought much joy. Your actions have caused serious harm and loss. Her daughters now live with the devastating impact of losing their mother, knowing that their mother was murdered by you, their own father. You have robbed Sarah's family, her grandparents, her great-aunt and husband, and her two brothers who depended on her for their daily requirements of the loving relationship they had with Sarah. You have left a baby son, D, born to C, without a father. You have also denied Sarah's numerous friends of the joy of her friendship.

[85] I now sentence you to a term of 20 years in prison. You will serve this time before you will be considered for release. After that time, it will fall to the Parole Commissioners to decide whether you should be released on licence subject to specific conditions.

[86] I also sentence you to a concurrent determinate custodial sentence of 20 years (50% in custody and 50% on licence) in respect of count 2.