Judicial Communications Office

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COURT SENTENCES ZAK HUGHES TO MINIMUM TERM OF 20 YEARS FOR MURDER OF SARAH MONTGOMERY

Summary of Judgment

Lady Justice McBride, sitting today in the Crown Court in Belfast, imposed a minimum term of 20 years' imprisonment on Zak Hughes for the murder of Sarah Montgomery and the destruction of her unborn child on 27 June 2025. This is the minimum period of time which he must serve in prison before the Parole Commissioners assess whether he can be released.

Background

Sarah Montgomery ("the deceased") was 32 weeks pregnant at the time of her death. She had already named her son, who was due to be born on 20 August 2025. The baby died as a result of her death and the consequent oxygen deprivation. The deceased already had two daughters with the defendant, and the baby was to be their third child. The defendant had contact with the two girls at weekends. At the time of the murder, the defendant was living with his fiancée who was also pregnant.

On 26 June 2025, the deceased learned from the defendant's mother that his fiancée was pregnant and texted him. He replied by text saying they needed to talk but not over the phone. The defendant went to the deceased's flat the next day. The deceased recorded their conversation which lasted approximately 15 minutes and ended with her screaming and pleading with the defendant as he attacked her. The defendant had entered the deceased's flat carrying a water bottle with "DAD" on it, which was a Father's Day gift from his daughters. One of his daughters was in the car outside when he was in the flat. The attack commenced at approximately 13:48 hrs. The defendant left the flat at 14:07 hrs carrying a Smyths toy shop bag which he put in the boot of the car and proceeded to drive to collect his other daughter from school.

At 14:46 hrs the defendant went to a local shopping centre with his children in the car. He bought a change of clothes and got changed. At approximately 15:31 hrs he drove to B&Q where he discarded the deceased's phone and housekeys. These were later retrieved and found to contain the deceased's blood. At 15:56 hrs he drove to Titanic Boulevard and discarded the Smyths bag which contained the water bottle, a wooden shaft and other items which were all stained with the deceased's blood. The defendant also discarded his original clothes which were blood stained and then sent messages to the deceased's phone including a photo of himself and their girls.

The deceased was discovered on 27 June 2025 by her grandfather after her family had been unable to contact her. She was lying on the floor with the shaft of a brush under her legs. The police noted blood and bloodstains throughout the flat and that there had been some attempt to clean up the scene. A post-mortem examination established that death resulted from head injury caused by blunt force trauma. The deceased had sustained a minimum of 59 applications of blunt force trauma causing multiple injuries to the head, torso, arms and back. Her unborn child, who was assessed as a well-grown and normally developed viable male baby, died because of the death of his mother.

The defendant admitted responsibility for the murder during police interview. He stated that he had lost control and later accepted that he instigated the incident and that there had been no aggression or threats by the deceased. He subsequently expressed remorse and showed insight into the impact of his offending.

Determination of starting point

The principal issue for the court was the determination of the appropriate tariff for the life sentence and the appropriate sentence for the child destruction offence in accordance with the principles governing murder tariffs, sentencing for child destruction and the principle of totality.

There are no specific sentencing guideline cases in respect of the offence of child destruction. The authorities point to a range of 14-22 years when considering a determinate custodial sentence. The court said that when determining the appropriate sentence in this case for child destruction it was necessary to have regard to the principle of totality, to ensure that the sentence imposed is one which is just and proportionate.

To achieve an overall sentence which is just and proportionate the prosecution and defence agreed that the murder of the deceased should be treated as the headline offence with the offence of child destruction being treated as a serious aggravating factor.

The court held that the use of gratuitous violence by the defendant and the multiple injuries inflicted upon the deceased before her death placed the defendant's culpability within the exceptionally high category in the sentencing guidelines and, therefore, the normal starting point was one of 20 years. The court considered this starting point must be increased to take account of the following significant aggravating factors in this case:

- 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. The court said that although there was no history of domestic violence in their relationship, the pre-sentence report opined that the patterns of manipulation and deception towards intimate partners by the defendant suggested a tendency to prioritise the maintenance of control within relationships. It said this points to a person who was coercively controlling within intimate relationships. The court noted that the deceased was attacked in her own home 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. The attack also took place when the deceased's daughter was nearby. The court considered the deceased's vulnerability and the domestic context of the offending to represent a significant aggravating factor.

- The court considered the most serious aggravating factor to be the fact that the defendant is charged with the offence of child destruction. The unborn child was totally defenceless, and the murder of his mother ended his prospects of being born a living healthy child. The court said this was an unspeakably wicked and heinous act to commit against not only the deceased, but against an unborn defenceless child. The fact the child was capable of being born alive meant this was a significantly more aggravating feature than the simple fact the deceased was pregnant. The gravity of this was reflected in the fact the defendant is charged with the separate offence of child destruction. The court said this

crime alone would attract a determinate custodial sentence of between 14 and 22 years and the offence of child destruction amounted to a significant aggravating factor.

- The defendant attempted to conceal his actions by trying 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. The defence submitted that these actions arose because the defendant was in flight mode and in a state of panic. The court commented, however, that although these actions were aggravating factors, it was accepted that that they did not materially adversely impact on the police investigation and are therefore not of the most serious nature.

The court noted the mitigating circumstances in the case. It said the murder occurred when the defendant's sustained deception and lies about his relationships and pregnancies were 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. The defence pointed to the defendant's previous good character and personal circumstances, but the court said that in the context of the offending, these factors carry little weight. The defence also referenced the remorse demonstrated by the defendant and the fact that he has been permitted to undertake a restorative justice programme in prison which is only offered to those who are willing to discuss their offending and he has indicated that he intends to engage in programmes in the future to address his offending.

The court concluded that, having regard to the aggravating factors together with the mitigating circumstances and, in particular, the spontaneous nature of the offending, but excluding the guilty plea, the appropriate starting point is one of 25 years.

Reduction for guilty plea

Article 33 of the Criminal Justice (Northern Ireland) Order 1996 provides that in determining what sentence to pass on an offender who has pleaded guilty to an offence a court shall take into account the stage in the proceedings for the offence at which the offender indicated his intention to plead guilty, and the circumstances in which this indication was given. In *R v Turner* [2017] NICA 52 at para [40], the Court of Appeal stated that there are likely to be very few cases which would be capable of attracting a discount close to one-third for a guilty plea in a murder case. It also noted that where 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 this case, the defendant pleaded guilty at first arraignment after making admissions at police interviews. The court commented that 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. The guilty plea also provided vindication and a sense of justice for the deceased's family and friends at the outset.

The defence submitted that the early pleas and remorse shown by the defendant merited a reduction of one third, but the court did not agree saying that a reduction of this level is

restricted to exceptional cases such as mercy killings and this was not such a case. The court considered the appropriate reduction is one of five years and accordingly, imposed a tariff of 20 years.

Conclusion

In conclusion, the court addressed the defendant saying:

> "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. 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."

The defendant was sentenced to a term of 20 years in prison which must be served in full before he can be considered for release. After that time, it will fall to the Parole Commissioners to decide whether he should be released on licence subject to specific conditions. The court also sentenced the defendant to a concurrent determinate custodial sentence of 20 years in respect of the count of child destruction.

NOTES TO EDITORS

1. This summary should be read together with the judgment and should not be read in isolation. Nothing said in this summary adds to or amends the judgment. The full judgment will be available shortly on the Judiciary NI website (https://www.judiciaryni.uk/).

ENDS

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