



JUDICIARY OF  
ENGLAND AND WALES

**REGINA**

**-v-**

**HARLEY DEMMON**

**Gloucester Crown Court  
4 February 2022**

**SENTENCING REMARKS OF MR JUSTICE CHAMBERLAIN**

*At an earlier stage in these proceedings a direction was made restricting reporting of the identity of the defendant under s. 45(3) of the Youth Justice and Criminal Evidence Act 1999. However, on 4 February 2022 the judge made an excepting direction under s. 45(5) of that Act. This means that there is now no restriction on reporting the identity of the defendant.*

**Harley Demmon**, you may remain seated while I deliver my remarks.

- 1 Joshua Hall was 17 years old in April 2021. Josh was the son of Kirsty and Michael Hall. He had a six-year old brother. Josh was studying creative media and had good prospects of a successful career in that field. Those who knew him say he was a kind, intelligent, charming and charismatic young man. Think of the happiness he could have enjoyed and given others as an adult.
- 2 We are here because you, Harley Demmon, murdered Josh Hall. You have heard directly from Josh's mother and you have heard Mr Dawes read his father's victim personal statement. I know that you found those statements difficult to listen to. How much more difficult must they have been to write and, in Josh's mother's case, to read? They are testament to Kirsty's and Michael's love for their son, and his love for them and for his little brother.
- 3 You and I have seen a further version of Michael Hall's victim personal statement which gives more detail about the effect of Josh's murder on his brother. There is nothing I can do to take away the pain that you inflicted on this family. They will have to learn to live with it, but, because of what you did, it will never end.
- 4 My task today is to sentence you. The sentence is fixed by law. You are under 18, so it is one of detention during Her Majesty's pleasure. I have to set the minimum term. This is the term that you will serve, come what may. After that, you will only be released on licence when the Parole Board decides it is safe to release you.
- 5 I have considered written notes on sentencing and oral submissions from Mr Dawes QC for the prosecution and Mr Brown QC on your behalf. I have had regard to the principles in Schedule 21 to the Sentencing Act 2020, the Sentencing Council's Definitive Guideline on Sentencing Children and Young People and the Judicial College guidance

document *Youth Defendants in the Crown Court*, published in March 2021. I have also been referred to the decision of the Court of Appeal in *R v Odegbune* [2013] EWCA Crim 711.

- 6 The information I have used to decide the minimum term comes from four sources: first, the facts of which I am sure having seen and heard the evidence during your trial; second, the pre-sentence report dated 3 December 2021 from the Youth Support Team here at Gloucester; third, eleven letters I have received about your character from people who know you well; fourth a letter written by you, which was handed to me this morning.
- 7 On 16 April 2021, you were 15 years and 9 months old. There is no evidence that you were immature for your age or that you had any difficulties with learning. You had a good relationship with your mother, father, sister, brother and wider family. You were fortunate to have a close and supportive family. You were not happy at school and were excluded on eight occasions, four of which were for violence. At the trial, we saw a video, recorded on a mobile phone, of you as part of a group assaulting and humiliating another boy.
- 8 For several months before 16 April 2021, you had been carrying a knife when you went out. You said that this was because you were afraid of a local drug dealer and because other groups of boys had knives. This may have been part of the reason. Another was that carrying a knife made you feel like a big and powerful man.
- 9 You talked to your peers using messaging apps including Snapchat. You were teenagers in Gloucestershire, but you spoke in the patois of urban gangsters. You pretended to be fearless when in fact you were deeply insecure. You adopted the personas of hardened and fearless criminals. Perceived slights to honour or status were met by promises of violence.
- 10 You said that Josh had made a crude sexual remark about your sister in a telephone call, but you couldn't really understand what was said because there were about three people shouting at the other end. I do not accept that Josh ever made that remark, although you seem to have believed that he did. You let it be known that you and Josh had a disagreement to sort out.
- 11 At your instigation, you and Josh agreed to meet at a sports field in Cam known as Cam Bulldogs, after one of the teams that played there. You and he both expected there to be a fight. We heard evidence, which I accept as consistent with the other evidence, that another boy sent you a message asking if you were going to take a "ting", by which you meant a knife, and you replied that you might, "just in case". Even if it had not been for that evidence, I would have been sure that, when you left home on 16 April with a knife in the waistband of your joggers, you knew it was there and intended to have it available to use as a weapon against Josh if necessary.
- 12 You arrived at Cam Bulldogs with two friends at 1.18 in the afternoon. Josh was there with two friends. In your initial police statement, you said that as you approached him Josh had made the crude sexual remark about your sister that I have already mentioned. You have since accepted that this was untrue and claimed that you were confused. In reality, there was no confusion. What you said was a deliberate lie to bolster your false case that Josh was the aggressor and you were merely defending yourself.
- 13 You and Josh began pushing and pulling each other and swinging punches. You drew the knife you had been carrying and deliberately stabbed Josh at least four times. The

fatal wound to Josh's torso was 11 cm deep. It passed through his liver, severed his aorta and made a notch in his spine. There was another wound to Josh's upper left arm, which passed 8cm upwards in the direction of his shoulder. There was a third, gaping wound to the web space between Josh's left thumb and forefinger, which almost severed his thumb. And there were other defensive injuries to both hands.

- 14 You inflicted all these wounds in less than a minute. You acted in anger using the knife you had brought to the scene. Josh was unarmed. You gave him no chance to defend himself.
- 15 As Josh staggered back, gravely injured, you and your friends ran away. Within a short time, you had called your parents and girlfriend and then the police in a state of considerable distress. You waited for them to come and did not resist arrest, though by that time it was obvious to you that there was a major police search involving a helicopter and you would soon be found. I am satisfied that you would have shown the police where you had dropped the knife if they had not decided that it would be wrong to ask you.
- 16 The jury found that you acted with the intention necessary for murder. I am sure that when you inflicted the fatal wound you acted with the intention to cause really serious injury, but your reaction afterwards is not consistent with an intention to kill. You were immediately horrified by what you had done. However, the recording of what you said to the arresting officers satisfies me that a large part of that horror was generated by the realisation of what it would mean for you.
- 17 Joshua Hall died at 0105 on 17 April 2021 at Southmead Hospital as a result of the stab wound you inflicted on his abdomen. Everything that could have been done to save him was done, including emergency operations both at the scene of the stabbing and in hospital.
- 18 When setting the minimum term for a murder committed by a person under 18, the starting point is 12 years. But you committed this offence using a knife that you had brought to the scene intending to have it available to use as a weapon if necessary. That is a very powerful aggravating factor. Sentencing is not an arithmetical exercise, but I bear in mind that, if you were 18 or over, it would increase the starting point from 15 to 25 years. That you stabbed Josh at least four times is a further aggravating factor, as is the fact that you instigated the confrontation.
- 19 Against that, I bear in mind that you intended to cause really serious harm, but not to kill, and that you were considerably younger than 18 when you committed this offence. Both these factors provide significant mitigation. I bear in mind that, for someone of your age, the term I impose will seem like a lifetime. I also bear in mind that you have no previous convictions or cautions, though this has limited weight in your case given the video evidence we have seen of you attacking and humiliating another boy.
- 20 The fact that you called the police and asked them to come and get you so soon after the stabbing also counts in your favour, as does the fact that you would have pointed out the location of the knife. Again, however, these matters are of relatively limited weight, because it was obvious that you would soon be found and so would the knife.
- 21 The pre-sentence report provides no evidence of any real remorse, though the letters I have from your family paint a different picture and suggest that your distress at what you have done is not focussed solely on yourself. More generally, the letters I have read speak

of the genuine surprise of those who know you that someone they consider polite, caring and hardworking could have taken another life.

- 22 The impact of Covid on the conditions of your detention to date is unfortunate but its relevance is close to minimal, given the inevitable length of your sentence.
- 23 I hope that, once you have had the opportunity to reflect properly on what you did, and to process it, the qualities that others have seen in you will come to the fore. First, you will have to develop a fuller understanding and acceptance that it is you who are responsible for your current predicament and, more importantly, for the catastrophe that has befallen Josh's family and friends.

**Harley Demmon, stand up.**

**For the murder of Joshua Hall, I sentence you to be detained during Her Majesty's pleasure. The minimum term will be 14 years, less the period of 291 days you have served in detention before trial and while awaiting sentence.**

**If the calculation of time spent on remand is later shown to be wrong, it will be corrected administratively without a further hearing.**

**After you have served the minimum term you will only be released when the Parole Board decides that it is safe to do so. You will then remain on licence for the rest of your life and will be liable to recall if you commit any further offence or breach the conditions of your licence.**

**The surcharge provisions apply. The court will draw up the necessary order.**