



JUDICIARY OF  
ENGLAND AND WALES

REGINA

-v-

JOSEPH JEREMY  
LEWIS AQUILINA  
ETHAN STRICKLAND  
KYLE RAISIS

**In the Crown Court at Newport**

**Sentencing Remarks of The Honourable Mr Justice Saini**

**13 April 2022**

1. On 10 June 2021, at around 9pm, Mr Ryan O'Connor, aged 26 years, was murdered and robbed on the Balfe Road roundabout in Newport, South Wales. Ryan lost his life because those responsible for his death wished to rob him of his Gucci man bag. That bag contained a small amount of cash and some cigarettes. Ryan did not know his killers and they did not know him. Minutes before the attack Ryan had enjoyed a meal with his family. He was on his way home when he was stabbed multiple times in a vicious and cowardly attack. Despite the brave efforts of passing members of the public, and the emergency services, to save his life, Ryan died next to the roundabout at around 9.30pm. The extensive knife wounds he had suffered made it impossible to save him. There remains a fitting memorial to him on that roundabout.
2. On 11 and 12 March 2022, Mr Joseph Jeremy, Mr Lewis Aquilina, Mr Ethan Strickland and Mr Kyle Raisia were convicted by a jury of a number of offences arising out of Ryan's death and robbery.
3. Mr Jeremy was convicted of the murder and robbery of Ryan. Mr Aquilina was also convicted of the murder and robbery of Ryan. Mr Strickland was convicted

of the robbery of Ryan. Mr Rasis was convicted of the manslaughter and robbery of Ryan.

4. Today it falls to me to impose sentences on Mr Jeremy, Mr Aquilina and Mr Rasis in respect of their offences. The sentencing of Mr Strickland will take place at a later date, when his Leading Counsel is available to address me.
5. I have received very helpful submissions from all Defence and Prosecution Counsel and my attention has been drawn to the relevant provisions of the Sentencing Act 2020 (the 2020 Act) and material guidelines concerning the offences, including the totality guideline and the guideline concerning sentencing children and young persons. This guideline is particularly relevant to Jeremy Joseph and Kyle Rasis who were each aged 17 at the time of the offences. But the relative youth of all the defendants is an important consideration in this case.
6. I have heard this morning the moving Victim Personal Statement from Lauren Flood, Ryan's sister in law, on behalf Ryan's family. Ryan was the son of Sharon and John, a younger brother to Danny, an uncle to his niece Dolly, and loving and doting father to his son, Teddy who had just turned 1 when his dad was murdered.
7. Ryan was a *happy go lucky* man who would do anything for anyone. He was taken away from his family in the prime of his life in a senseless act of brutality. Ryan was affectionately known to all as *Apple* but was also clearly the apple of his family's eyes. I cannot begin to imagine the void that will be left in the lives of all those who loved and cherished Ryan.
8. The family have suffered not only as a result of Ryan's brutal murder but the tragedy has been compounded by the fact that Ryan's father, John, passed away some two weeks before the verdicts at trial. John was not able to see justice done for his son.
9. I will begin by describing the facts leading to the murder and robbery. Where I have made factual findings, they are based on the oral and written evidence provided to the jury and my findings are made on the basis that I am sure of the facts to the criminal standard.
10. I turn to the facts.
11. In the early hours of the morning of 10 June 2021, Mr Elliott Fiteni, a defendant who was acquitted on all charges, and Mr Lewis Aquilina, were involved in stealing a number of cars in and around the Cardiff area. Mr Fiteni and Mr

Aquilina had struck up a friendship a few months before and had become partners in the business of car theft. By any standards they were prolific car thieves.

12. One of the cars they stole on the morning of 10 June 2021 was a blue Ford Fiesta ST. Despite their efforts, Mr Fiteni and Mr Aquilina had failed to obtain a buyer for the car. Later during that day Mr Fiteni and Mr Aquilina collected Mr Jeremy, Mr Strickland and Mr Rasis from Mr Strickland's house in Ely. Mr Rasis and Mr Aquilina are cousins. The group of five then travelled towards Newport in the Fiesta.
13. At the time they entered the car, Mr Jeremy, Mr Strickland and Mr Rasis were each armed with horrendous-looking hunting knives and four of those travelling in the stolen car with cloned plates had balaclavas. I am satisfied that the purpose of the trip as regards those who went armed and with balaclavas was to undertake some form of theft or robbery within Newport. This was not an innocent summer evening drive into a neighbouring city.
14. Despite his young age, Mr Jeremy has had an obsession with knives since his early teens. Two of the knives in the car that day were 15" Anglo Hunting knives he had bought for himself and Mr Rasis a few days before. Mr Jeremy was at this time and in his own words *wanted* by the police, having cut off an electronic tag which required him to stay out of Cardiff. He had the tag as part of a sentence for another serious knife crime he had committed a few months earlier. That crime had caused very serious and disfiguring injuries to a young man, Sammy Osman, in Cardiff. I will return to that matter in due course.
15. On arriving in Newport, the behaviour of those in the car was such that that they were clearly looking around to rob someone. Their unfortunate victim was Ryan, a local man, who had just enjoyed a family meal and was walking home near to the Balfe Road roundabout. Ryan was wearing a Gucci manbag which contained a small amount of money, £40.00.
16. I turn to the murder on the roundabout. Despite the nearby presence of a police car, the driver of the Fiesta, Mr Aquilina, suddenly stopped the vehicle on the roundabout, and exited it in the direction of Ryan. I am satisfied Mr Aquilina was carrying one of the 15" Anglo hunting knives and that this had been provided to him by Mr Rasis during the journey from Cardiff to Newport. Immediately out of the car and following behind Mr Aquilina was Mr Jeremy. Both Mr Aquilina and Mr Jeremy were wearing balaclavas.
17. Mr Aquilina first approached Ryan and shouted at him: "*Oi, come here*". It is no surprise that Ryan, confronted with a threatening masked male carrying

large knife, started to run across the roundabout to get away from Mr Aquilina. Unfortunately, as he ran Ryan stumbled and fell on the grassy area in the middle of the roundabout. I find that at that point, Mr Aquilina came upon him and stabbed him through the hand with the knife in an attempt to steal the Gucci bag. Ryan's defensive hand injuries as described in the post mortem show desperate attempts by Ryan to save himself from this horrendous weapon.

18. As I have said, closely following Mr Aquilina was Mr Jeremy. Mr Jeremy stabbed Mr O'Connor, who was on the floor, with two forceful knife blows. Like Mr Aquilina, Mr Jeremy used a 15" Anglo hunting knife. There were horrific injuries passing through Ryan's lungs and heart. The pathologist's evidence satisfies me that the knife attack was of a most violent nature. It went way beyond an attack aimed simply at getting Ryan's bag.
19. Not being satisfied with having chased down and stabbed Ryan, I find that Mr Aquilina kicked the fatally wounded Ryan as he lay on the ground. This act is in stark contrast to the false case run by Mr Aquilina at trial that he was trying as some form of hero to save Ryan from Mr Jeremy.
20. Mr Aquilina and Mr Jeremy then made their getaway in the Fiesta which was driven by Mr Fiteni. Mr Aquilina took over the driving. Before the defendants left Newport they returned to the roundabout in the Fiesta to view Ryan lying on the ground receiving life-saving treatment. Although I cannot be sure who it was, I find some of those in the car laughed at the dying Ryan and I find that Mr Jeremy shouted words to those helping Ryan to the effect *I am coming back for your boys*.
21. During the exit from Newport Mr Rasis took possession of Ryan's Gucci bag. Mr Strickland took over the driving from Mr Aquilina.
22. Following an extensive and dramatic car chase by the police, the defendants were stopped. The driver in this chase was Mr Strickland. The police had to deploy a stinger and then two vehicles to ram the Fiesta to get it to stop. The dashcam footage from the police BMW chasing the defendants is terrifying and it is only by chance that Mr Strickland did not kill or injure anyone. Each of the defendants tried to run away from the car once it had been rammed by the police.
23. As he ran from the car, Mr Strickland threw away a green-handled hunting knife. This knife had not been used in the attack on Ryan. It was found abandoned by the police following the chase at the time the defendants were apprehended.

24. I am satisfied that the jury found Mr Jeremy and Mr Aquilina guilty as principal offenders, as the persons who directly robbed and stabbed Ryan. They found Mr Rasis guilty of manslaughter on the basis that he encouraged or assisted them in this crime and he and Mr Strickland were found guilty of robbery on the basis that they encouraged or assisted the two principals in the robbery.

### **Joseph Jeremy**

25. I turn to the sentence for you, Joseph Jeremy. You were born on 22 January 2004 and were therefore 17 years of age at the date you murdered and robbed Ryan. As at the date of this sentencing hearing, you are 18 years of age.

26. The only sentence which can be imposed upon you for the offence of murder is one of Detention at Her Majesty's Pleasure. This is the sentence which I impose upon you in respect of that offence, count 1. That means a life sentence under statute.

27. Where a court imposes the mandatory life sentence the law requires me to identify a "minimum term" which must elapse before the Parole Board can consider your release on licence. The law requires me to take into account the seriousness of the combination of offences in determining this minimum term.

28. In relation to the determination of the minimum term of detention for the offence of murder, due to your age, the law requires me to take the starting point as 12 years.

29. However, I must then consider what aggravating and mitigating factors exist in order to determine the appropriate minimum term. I will take into account the other offence, robbery, of which you have been convicted as an aggravating matter in determining the minimum term but will pass a concurrent sentence in respect of that offence.

30. In my judgment, there are the following aggravating factors:

- (i) First, as it is not accounted for in paragraph 6 of Schedule 21, I take into account the use of a knife. If you had been 18 at the time of the offence, as opposed to 17, the starting point would have been 30 years (up from a starting point of 15 years). I consider this to be a material consideration.

- (ii) Second, your conviction for the violent planned robbery of Ryan in the course of the murder. This was a group action of 4 robbers, 3 of whom were armed with a knife, all with the means to disguise their identity, and who were in a stolen car on cloned plates.
- (iii) Third, the extremely violent nature of the knife attack on Ryan involving multiple and forceful stab wounds against a man who had fallen to the ground and was seeking to protect himself. Also relevant is the location of the offence, namely a bright summer evening and in a very public place where Ryan's friends and family were likely to be around. Ryan was entitled to feel safe in these surroundings.
- (iv) Fourth, your 'drive-by' glorying in Ryan's stabbing and the words I find you shouted at the local people seeking to save Ryan's life.
- (v) Fifth, your previous convictions. The most relevant of these is your conviction for a serious section 20 knife assault on Sammy Osman in Cardiff. That attack, which you boasted about in due course on social media, had striking similarities to the attack on Mr O'Connor. It underlines how dangerous you are and your obsession with readily available knives. Indeed the most shocking feature of the evidence before the jury is that you were able to obtain online delivery of over 10 hunting and other knives over a short period using your father's driving licence. I emphasise however that I do not factor your dangerous into the minimum term.

31. Before I turn to mitigating factors, I should record that I have considered the medical and other reports already before me and the parties have agreed that there is little to be gained by waiting for further PSRs. I agree. The existing detailed reports have given me an insight into your family and personal life and the challenges you have faced. As Mr Rees QC submitted on your behalf you are an outsider and have struggled to form meaningful relationships and have had engagement from an early age with CAMHS. He referred me to the NRM decision and the evidence of suicidal ideation, as well as what the professionals have said about the nature of your emotional responses and approach to violence in the context of your mental health issues.

32. As to mitigating factors, there are the following main matters, which were raised in your Counsels' written and oral submissions:

- (1) First, it was submitted that you suffer from a mental disorder or mental disability which lowers your degree of culpability. I have considered the evidence from the expert witnesses in the PSRs concerning the ADHD and ASD diagnoses. I accept that to a limited extent this is mitigation. However, your neurodiversity does not substantially in my judgment reduce your culpability.
  - (2) Second, reliance was placed on your age as it relates to your maturity. I consider this a matter of limited relevance because this is a case where credit for your age is accommodated by the starting point. There is no justification on the facts for yet further credit.
  - (3) Thirdly, I accept there was no premeditation, and the purpose was robbery. I do not however accept the submission that you did not intend kill Ryan. Although the attack on Ryan was part of your impulsive aggression, as identified in the medical reports, I find the violent nature of the attack is consistent only with an intent to kill. That does not however increase the starting point.
33. Standing back from all these factors, it is clear to me that there must be substantial upward movement on the starting point. There is limited mitigation in your case and your Leading Counsel Mr Rees QC has been characteristically measured and realistic in this regard. Mr Rees QC, his junior Ms Smith and your solicitor Mr Pennington have represented you with real skill in this difficult trial.
34. Before I can determine the minimum term, I must address the other offence that that day. The robbery was in my judgment High Culpability Category 1 Harm with a starting point of 8 years with a range of 7-12 years. I find it was at the top of the range so impose a concurrent term of 12 years for the robbery.
35. In taking into account the robbery as part of the determination of the minimum term, I have not double counted the circumstances of the robbery as a factor because I have taken them into account when identifying the aggravating features of the murder.
36. I turn then to the minimum term.
37. I am of the view that the appropriate minimum term is one of 24 years.
38. Accordingly, the sentence which the court imposes on you for the offence of murder is one of Detention at Her Majesty's Pleasure and the minimum term which you will have to serve in custody prior to the Parole Board considering whether it is safe to recommend your release, is one of 24 years.

39. It is important to emphasise, so that you and the public can understand the position what the minimum terms means. This 24-year minimum term is just that – it is a minimum period which cannot be reduced in any way. After it is served, there is no guarantee that you will be released at that time, or at any particular time thereafter. It is then only, if the Parole Board decides you are fit to be released, that you will be released. It is possible you may never be released.
40. Moreover, if and when you are released you will remain subject to licence for the rest of your life, and may therefore be recalled to continue your life sentence if you reoffend or otherwise breach the conditions of your licence. It is in these ways that a life sentence protects the public for the future.
41. I impose a concurrent sentence of 12 years in respect of the robbery, Count 3.
42. The statutory surcharge will be added to the record. I direct that time spent on remand is to be deducted from the minimum term. You have spent 303 days in custody

**Lewis Aquilina**

43. I turn to you, Mr Aquilina.
44. You are now aged 20 but were 19 years of age when you murdered and robbed Ryan.
45. In respect the murder of Ryan there is only one sentence that the law allows to be passed. That is custody for life. That is a life sentence under statute.
46. Although this is a mandatory life sentence, I am required to specify the minimum term which must elapse before you can be considered by the Parole Board for release on licence. The law requires me to take into account the seriousness of the combination of offences you committed that day.
47. The first step, in determining the minimum term, is to identify the appropriate starting point. This is a clear case of a murder done for gain. I see no reason not to take a starting point of 30 years. I accept that the law does not require me to take that as a starting point but despite the cogent and well-structured submissions of Mr Heslop QC and Ms Niciliu as to the flexibility the law permits me, the facts in my judgment wholly justify taking that starting



point.

48. It will be clear from my findings that I reject the submission that you should be treated as some form of *secondary party* as your Counsel argued before me. I accept, however, that I should recognize and take into account Mr Jeremy's minimum term when addressing your term and weigh your relative levels of culpability. There was just a 2 year age difference between you at the time you both killed Ryan.
49. In choosing the 30 year starting point I have considered all aspects of the offending that day and factored in the use of a knife in a violent group robbery. I have also factored in that you were the person who initiated the robbery and ran after Ryan and first attacked him as he sought to get away in a public place which was in his locality. I will accordingly exclude those matters when I come to identifying the aggravating factors to avoid any double-counting.
50. I do not consider there are additional aggravating factors in your case beyond these. I exclude the claimed bad character evidence as an aggravating factor. I also exclude any submission that you were involved in laughing at Ryan.
51. As to mitigation, you have no previous convictions and I accept that although you were the initiator, your role was lesser than that of Mr Jeremy in the physical attack. Your level of culpability was lower than Mr Jeremy. I also accept that you did not intend to kill Mr O'Connor. I give each of these factors substantial weight, as well as your age which was rightly emphasized by your counsel. I have also considered the references and letters of support addressed to me from your girlfriend Ms Gauci and many others.
52. As to the robbery, it was in my judgment High Culpability Category 1 Harm with a starting point of 8 years with a range of 7-12 years. I find it was at the top of the range so impose a concurrent term of 12 years for the robbery. As I have said, I have taken into account the robbery and the facts surrounding it in determining the murder starting point and will not in addition take it into account in determination of the minimum term. I have also not added to the minimum term to include the robbery..
53. Standing back and having regard to all the factors to which I have made reference, the appropriate minimum term for murder in your case is one of 22 years.

54. Mr Aquilina, the sentence I impose on you for the offence of murder of Ryan O'Connor is custody for life. The minimum term which you will have to serve in custody prior to the Parole Board considering whether it is safe to recommend your release, is one of 22 years. I have considered the submissions made as to the *Manning* case but consider them to raise issues of little relevance in the context of the sentence you will have to serve.
55. As I have done in relation to Mr Jeremy, it is important to emphasise, so that you and the public can understand the position, that this 22 year minimum term is just that - a minimum period which cannot be reduced in any way. After it is served, there is no guarantee that you will be released at that time, or at any particular time thereafter. It is then only, if the Parole Board decides you are fit to be released, that you will be released. It is possible you may never be released.
56. Moreover, if and when you are released you will remain subject to licence for the rest of your life and may therefore be recalled to continue your life sentence if you reoffend or otherwise breach the conditions of your licence. It is in these ways that a life sentence protects the public for the future.
57. I impose a concurrent sentence of 12 years in respect of the robbery, Count 3.
58. The statutory surcharge will be added to the record. I direct that time spent on remand is to be deducted from the minimum term. You have spent 303 days in custody.

### **Kyle Rasis**

59. Mr Rasis you are now 18 years of age but you were 17 at the time Ryan was robbed and killed. I have, as cogently argued on your behalf by Mr Lobbenberg QC and Ms Cox, given specific attention to your age in approaching your sentencing. I have to sentence you in respect of the manslaughter and robbery of Ryan but also in respect of a number of unrelated offences which I will deal with at the end of these sentencing remarks and where I will pass concurrent sentences.
60. As I have said, I am satisfied that you supplied your cousin, Mr Aquilina, with the 15" Anglo Hunting Knife which Mr Aquilina used in the attack and robbery of Ryan. I find that you provided this weapon to Mr Aquilina at around the time you approached the Balfe Road roundabout in Newport, knowing full well that he intended to use the knife to intimidate and potentially harm the

unfortunate victim of the robbery which the group in the car intended. You travelled in a group intent on criminal wrongdoing.

61. You were convicted of manslaughter in respect of your acts of encouragement and assistance of Mr Aquilina and Mr Jeremy in their acts of physically robbing and killing Ryan. It is important however that I underline that the jury acquitted you of murder and found you guilty of manslaughter on the basis that you intended harm to Ryan short of serious harm. I, of course, must respect that verdict. I find that you intended to cause harm falling just short of serious harm.
62. The jury also found you guilty of the robbery of Ryan. I will take the robbery count into account as a matter when determining the appropriate categorisation in respect of the manslaughter count and will pass a concurrent sentence in respect of the robbery.
63. As to your previous convictions, they are relatively minor and nothing approaching the seriousness of the present matters.
64. Turning to your conviction for manslaughter, I conclude the Crown is correct to argue that that this matter falls into Category A case of the unlawful act manslaughter guideline. There was a combination of culpability B features: death was caused in the course of an unlawful act which carried a high risk of death or GBH which was or ought to have been obvious to the offender *and* the death was caused in the course of committing a serious offence (robbery) in which the offender played more than a minor role (in fact a leading role-provision of one of the weapons). These matters elevate this from a Category B to a Category A unlawful act manslaughter, but at the lower end of that category.
65. The starting point for Category A manslaughter is 18 years' custody with a range of 11 to 24 years custody.
66. As to aggravating features, I have referred to your relatively minor previous convictions (which are of minimal relevance) and the use of a weapon the nature of the robbery have already been taken into account in my categorisation of this as a Category A manslaughter. They must not be double counted.
67. As to mitigation, I have taken into account what has been eloquently submitted in your behalf by Mr Lobbenberg QC. I note in particular your lack of serious prior offending, lack of premeditation and your remorse. Your age and the NRM decision and your exploitation are also of importance. I take into account your extremely challenging family background. Although I have found you

supplied the weapon to Mr Aquilina, I accept you played a substantially smaller role in Ryan's death than your co-defendants. I also accept that the evidence before me shows a real lack of emotional maturity. I have given weight to your young age. I have also considered the handwritten letter you sent to me and accept your show genuine remorse and have taken into account your troubled childhood.

68. I impose a sentence of 12 years in respect of the manslaughter count, and I impose a concurrent sentence of 8 years in respect of the robbery.
69. I emphasise that I have not increased the manslaughter sentence to take into account the robbery because as I have explained the nature and facts of the robbery were very largely factored into my categorisation of the manslaughter.
70. I have however taken into account the additional unrelated offences to which I now turn in determining the manslaughter term. These offences will all be subject to concurrent sentences.

#### **Raisis: additional offences**

71. Turning to these offences, they are not related to Ryan O'Connor's death. Your Counsel and the Crown have agreed they should be dealt with by me. These are drugs and weapons charges in indictments T20210625 and T20210626. You pleaded guilty at the PTPH hearings to both indictments on 17 August 2021.
72. The offences are as follows. There are 3 counts from April 2020. They are Count 1, having an offensive weapon – a knuckleduster; Count 2, possession of crack cocaine with intent to supply it to another; and Count 4, simple possession of cannabis. There are 2 counts from June 2020: Count 1, possession of crack cocaine with intent to supply it to another; and Count 3, possession of diamorphine/heroin with intent to supply it to another.
73. At the time of all of these offences you were 16 and the young person's guideline is relevant. Your Counsel and Counsel for the Crown have also identified for me the relevant drugs and weapons guidelines and the totality guideline.

#### **Drugs offences**

74. I consider that the possession with intent to supply drugs offences are offences which fall to be sentenced within category 3 on the Definitive Guideline. It is accepted that this is a case that would fall within the *significant role* category. The starting point is 4 years 6 months custody with a range of 3 years 6 months

custody to 7 years custody. There are no aggravating factors in this case. I also accept that the following mitigating factors apply: no previous convictions or relevant convictions regarding drug trafficking offences; your age and lack of maturity; the positive NRM conclusive grounds decision; and the lack of any financial gain. I will impose concurrent sentences of 2 years in respect of each of the 3 possession with intent to supply counts and no separate penalty for the simple cannabis possession. These sentences will be concurrent to the manslaughter term and take into account the early guilty pleas.

### **Weapons offence**

75. In relation to the weapon offence, I agree with your Counsel that this was a category 2C within the guidelines. However this is a second offence so the minimum term of 6 months applies unless it would be unjust not to impose it. It is not unjust to impose it. A 6 month term less a 25% discount for guilty plea will be imposed. That sentence will also be concurrent to the manslaughter count.

### **Conclusion for Rasis**

76. Mr Rasis you will be released from custody two-thirds of the way through the 12 year sentence and the remainder of the sentence will be served on licence in the community. You must comply with all the conditions of your licence, failing which you will be at risk of recall to prison to serve the remainder of the term in custody.

77. Time spent on remand will be deducted from your sentence. You have spent 303 days in custody.

78. Finally, I am not satisfied on the evidence before me that the requirements are met in respect of the imposition on you Mr Rasis of a required life sentence, or extended sentence, within the 2020 Act.

79. A victim surcharge order will be drawn up. There will be forfeiture of drugs and related paraphernalia, as well as the weapon.

80. As to proceeds of crime applications, I will set a timetable on the terms proposed by the Crown. That is by the 29 April the Crown shall indicate whether they wish to pursue an application. If so, by 11 May there shall be a defendant's statement of means, by 8 June a Crown response.

### **FINAL OBSERVATIONS**

81. Finally, I pay tribute to the skill and moderation with which Mr Brady QC, Mr Wilson and Ms Jackson have represented the Crown in a challenging trial during the Pandemic. The work of the CPS and the Officer in Charge, Simon Reed, and their teams also deserve specific commendation.