

ENGLAND AND WALES / JUDGMENT

R v Jason Hall

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IN THE COURT OF APPEAL CRIMINAL DIVISION ON APPEAL FROM THE CROWN COURT AT WOLVERHAMPTON HHJ GOSLING CP No: 20DY230221 CASE NO 202502663/A3 Royal Courts of Justice Strand London WC2A 2LL Wednesday, 6 May 2026 Before: LORD JUSTICE DOVE MRS JUSTICE MCGOWAN DBE HER HONOUR JUDGE MONTGOMERY KC (Sitting as a Judge of the CACD) REX V JASON HALL

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MR C TEMPLAR-VASEY appeared on behalf of the Appellant

J U D G M E N T

1. LORD JUSTICE DOVE: On 10 March 2025, on day seven of his trial, the appellant pleaded guilty at the Wolverhampton Crown Court to an offence of robbery, which was count 14 on an indictment charging a number of defendants with a variety of offences associated with the activities of an organised crime group. Unlike many of the other defendants, the appellant was only charged with a single offence, the facts of which are set out below.

2. On 1 July 2025 the appellant was sentenced to nine years and eight months' imprisonment together with the imposition of the statutory victim surcharge and forfeiture and destruction orders in relation to phones which had been seized. He had been charged under count 1 on the indictment with conspiracy to commit robbery, but this was ordered to lie on the file. The appellant appeals against this sentence with leave of the single judge.
3. Prior to proceeding further, we would wish to place on record our thanks to Mr Templar-Vasey, firstly for accepting this appeal as a relatively late return and enabling the case to be heard, and secondly, for his thoughtful, careful and realistic submissions in relation to the grounds of appeal.
4. The activities of the organised crime group which were charged on the indictment covered an extensive period between August 2021 and February 2022. Participants in the group changed over the course of time but the nature of the offences committed by the organised crime group remained relatively constant.
5. The group targeted small scale commercial properties such as public houses and convenience shops with a view to robbing cash, alcohol and cigarettes. It was a feature of the offending that they used stolen cars with cloned number plates to travel to and from the location of the offences. At the premises, weapons and threats of violence were used to intimidate both shop workers and customers in order to enable the theft of cash and goods.
6. The facts of count 14 were as follows. On 7 February 2022, early in the morning, the appellant was driving a grey Nissan Qashqai vehicle. The rear registration plate of the vehicle had been covered up by a cloth. He drove the vehicle to shop premises which had been targeted for a robbery.
7. Two people alighted from the vehicle, one of whom was the appellant's brother Stephen Hall, who was his co-defendant on count 14. The appellant remained in the car whilst they went inside the shop, carrying a knife and a crowbar. Stephen Hall was the person carrying the crowbar which he used to pry out the cash boxes from the tills, following which he stole bottles of alcohol and cigarettes from the shop's shelves. The other person took shop workers to the back of the premises to try to access the safes but owing to them being on a time delay lock this was unsuccessful.
8. At the time of this offence there was an elderly customer in the shop who described the second person as having a knife. The customer was afraid that he was going to be stabbed. As the two offenders attempted to leave the premises they were hampered by the magnetic lock on the door. One of shop workers released the door and followed them out, trying to grab the cloth which covered the car number plate. This was unsuccessful in particular when one of the men came towards this person.
9. On 14 February the Nissan Qashqai was recovered and it was using false registration plates. It was in the car park of the premises from where Stephen Hall was arrested. It contained a black and white fabric mask which had DNA on it matching that of the appellant.

10. Following his arrest the appellant was interviewed and answered no comment.
11. It appears that the appellant, along with his brother Stephen Hall, committed a further offence on 14 February 2022 of a similar type of robbery within a shop. The appellant and his brother were brought before Birmingham Crown Court on 19 January 2023, well before the arrests in the present case and whilst that case was still under investigation. The appellant and his brother were sentenced to four years nine months' imprisonment when they appeared before the Birmingham Crown Court and, as the judge in this case observed, ideally the offending on 14 February 2022 would have been before the court at the time of the sentencing which is under appeal. The judge indicated in both the appellant and his brother's case that had the 14 February 2022 offending been before him, he would not have increased the sentence which he had in mind in any event. He did however subtract from the sentence which he proposed to pass the time which was spent in custody in relation to the case concerning the offending on 14 February 2022, which was a period of two years four months' imprisonment.
12. The appellant was aged 49 at the date of his sentence and between 1991 and 2022 he had accumulated 29 convictions for 108 offences, 61 of which were theft or like offences.
13. The judge faced rival submissions from prosecution and defence as to which category these offences ought to fall into. The prosecution contended that they should be characterised as professionally planned commercial robberies, whereas the defence argued that they were less sophisticated commercial robberies. The judge concluded that they were professionally planned commercial robberies on the basis that they were organised and planned with the participants being heavily disguised and forensically aware. The planning included the stealing of high powered vehicles and the use of cloned registration plates to conceal the fact that the vehicles had been stolen. The businesses who were the victims of the robbery were carefully targeted so as to be small enough to allow staff or customers to be easily overcome and subdued but of sufficient scale to produce a worthwhile yield. Whilst the judge accepted that not all of the robberies ended up resulting in large amounts of money and goods being obtained, nevertheless the rewards from some of the offences had been significant and all of the small shops had been significantly affected by the offences against them.
14. The robberies were also high culpability offences in that they involved machetes or large knives being produced, along with other weapons and tools in order to terrify the staff into submission. Significant force had been used in a number of the incidents and serious psychological harm had been caused to some of the victims. As a result of this categorisation, the starting point for a single offence was 16 years with a category range of 12 to 20 years.
15. There was limited personal mitigation available to the appellant but a pre-sentence report identified that he had had difficulties whilst growing up as a child which had a detrimental impact upon him and that he was now estranged from his former partner and adult

children. He has a close relationship with his mother and sister. The pre-sentence report also recorded the difficulties which the appellant has had with drug misuse, which have been associated with his offending behaviour over the course of time, as the appellant has used previous offending and the current offence to raise money for his drug habit.

16. The pre-sentence report also noted that the appellant had a diagnosis of schizophrenia and ADHD which may have contributed to the offence as a result of him behaving impulsively and recklessly. He was noted by the author of the report to pose a medium risk of general re-offending within the next two years and a low risk of further serious re-offending. The author noted that taking into account matters such as the appellant's long term drug misuse, the extent of his previous offending and his thinking skills, it would be appropriate to assess that his risk of re-offending could sit more comfortably within the higher range. It was also noted that the appellant had responded well to previous supervision by the Probation Service.
17. In his sentencing remarks, the judge noted that the appellant was entitled to a nominal five per cent credit for the plea that he entered during the course of the trial. In relation to the guidelines, the judge concluded that the appropriate starting point was one of 12 years. It is notable that that starting point incorporated the offending for which he was convicted and sentenced by the Birmingham Crown Court. He noted the appellant's "string of less serious convictions" and also that his mental condition had been badly affected by his drug misuse, albeit that he was now engaging with the mental health team. The judge considered that aggravating and mitigating factors balanced each other out and then stated as follows: "... the sentence on count 14 is twelve years. I must apply to his sentence -- for the reasons I have already explained -- the reduction I apply to his brother's so I reduce the term on that account by two years four month. That results in a sentence of nine years eight months."
18. The appeal in this case was originally advanced on three grounds. Only one of these grounds has been advanced by Mr Templar-Vasey in his submissions this morning and we consider realistically so.
19. For the record, the first ground was that it was contended that the judge was wrong to characterise the offences as professionally planned commercial robberies and they should have been subject to the less sophisticated commercial robbery guideline. For the reasons which the judge gave, endorsed by the single judge, we do not regard this ground of appeal as good.
20. The second ground of appeal was that the addition of the sentence of nine years and eight months to the sentence of four years and nine months (to which the appellant had already been sentenced) was manifestly excessive, in particular because the appellant did not enter the premises as part of the robbery. Again, we do not regard that as a good ground of appeal and as we have noted realistically Mr Templar-Vasey did not advance that as part of his submission this morning.

21. The third ground which Mr Templar-Vasey did support and upon which leave was granted concerns the relationship between the offending on this occasion and the previous offending and the way in which the judge calculated the sentence in the appellant's case, in particular including the need to make a deduction for the appellant's guilty plea.
22. The single judge was persuaded that it was arguable that the judge had miscalculated the interaction between this offence and the offences from 14 February 2022 for which he had been earlier sentenced. Having considered the issues and Mr Templar-Vasey's submissions, we are only satisfied that there was, in truth, one error in the judge's approach to calculating the appropriate sentence in this case, and that is his apparent failure to make the five per cent deduction to which the appellant was entitled as a result of his guilty plea.
23. The starting point which the judge alighted upon of 12 years was in our view unarguably correct, bearing in mind his need to apply the guidelines, and we can see no error in the conclusion that the aggravating and mitigating factors balanced one another out in this case. It was a realistic starting point to take account of all of the offending that the appellant had engaged in, including that which was sentenced by the Birmingham Crown Court. Whilst the appellant had a significant number of previous convictions on the one hand, he clearly had had difficulties with his mental health on the other and had other personal mitigation available to him which needed to be taken into account. Reducing the sentence by the amount of time that the appellant had spent in custody in relation to the offending on 14 February 2022 was, in our judgment, an appropriate way of taking that offending into account in the context of the judge concluding that it did not aggravate the sentence in the appellant's case any more than it did in that of his brother.
24. The difficulty in this case is that it does not appear that the judge afforded the appellant the five per cent credit to which he was entitled as consequence of his guilty plea. That was an error of principle since it involved a failure to apply the relevant guidelines which the judge was obliged to do. Making that adjustment to the starting point leads to a sentence of 11 years seven months from which the two years and four months already served had to be deducted, leading to a sentence of nine years and three months. To that extent this appeal will be allowed and the sentence of nine years eight months quashed and a sentence of nine years three months substituted. Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof. Lower Ground Floor, 46 Chancery Lane, London, WC2A 1JE Tel No: 020 7404 1400 Email: rcj@epiqglobal.co.uk

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