

ENGLAND AND WALES / JUDGMENT

R v Rhys Billy Hedges

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[2026] EWCA Crim 607 Royal Courts of Justice Strand London WC2A 2LL Wednesday, 29 April 2026 Before: LORD JUSTICE HOLGATE MR JUSTICE SOOLE THE RECORDER OF LUTON HIS HONOUR JUDGE MICHAEL SIMON (Sitting as a Judge of the CACD) REX V RHYS BILLY HEDGES

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MR K MONTEITH KC and MR T COPELAND appeared on behalf of the Appellant MR R RITCHER and MISS E THORNTON appeared on behalf of the Crown

J U D G M E N T

1. LORD JUSTICE HOLGATE: On 29 November 2024 at the Crown Court at Lewes before Her Honour Judge Laing KC, the appellant pleaded guilty to having an article with a blade or point, contrary to s.139(1) of the Criminal Justice Act 1988 (count 2). On 28 March 2025 the appellant (then aged 17) was acquitted of murder (count 1) but convicted of the alternative offence of manslaughter.

2. On 23 May 2025 the judge sentenced the appellant on count 1 to eight years' detention in a young offender institution, less 263 days spent on remand, and imposed no separate penalty on count 2.
3. He appeals against conviction by the leave of the single judge restricted to two grounds of appeal. He applies for an extension of time of four months in which to renew the grounds of appeal upon which leave was refused. He also renews his application for leave to appeal against sentence following refusal by the single judge.
4. The appellant and the deceased, Billy Ripley, were cousins. Mr Ripley was aged 20. In the early evening of 29 August 2024 they had a chance encounter in Hailsham Town Centre. They were both in possession of large knives. Part of the incident was captured on CCTV. It showed the deceased arrive in the town centre and sit on a bench with a female. The appellant then arrived outside a nearby shop on his bicycle. He entered the shop and then looked outside in the direction of the deceased. As he left, there was an exchange of words and gesturing between the appellant and the deceased who were on opposite sides of the road. Mr. Ripley then walked to a nearby graveyard and the appellant pushed his bicycle up the High Street. He left it against a wall and crossed the road to go towards the deceased in the graveyard.
5. As he crossed the road he took out a large knife from his trousers. The two males stood opposite one another for a few seconds, then the deceased swung his large machete towards the appellant who moved backwards. A fight took place between the two males during which the appellant was cut three to four times by the deceased's machete. The appellant then struck the deceased's chest once with his knife causing a fatal stab wound. Despite medical intervention Mr Ripley died at the scene.
6. The appellant left on his bicycle. He was arrested shortly afterwards at his home and was found to have a cut to his arm and cuts to his fingertips and thumb on his left hand. He was taken to the police station and interviewed. He provided a prepared statement saying that he had acted in self-defence.
7. The prosecution case was that there had been an ongoing issue between the two males. When they saw each other they each took the opportunity to confront the other. They engaged in a knife fight. The appellant did not act in lawful self-defence. He deliberately stabbed the deceased with moderate to severe force and must have had, at the very least, the intention to cause the deceased really serious bodily harm. 8. In summary, to prove its case, the prosecution relied on:
 - (1) The CCTV footage of the incident;
 - (2) The evidence of Ella Doe who was with the deceased at the time. She said that the appellant asked the deceased twice to "come round the corner";

- (3) The evidence of eye witnesses Kieran Fox and Jack Crick who said that when the deceased was sitting on the bench, the appellant was calling to him;
- (4) The evidence of a forensic pathologist who described the deceased's injury and said that the force used to inflict it would have been approaching severe because of the body structures that the knife had penetrated;
- (5) The appellant's admission that for the last couple of years he had been carrying a knife in public;
- (6) Telephone calls the appellant made to his girlfriend in October 2024 whilst on remand at YOI Feltham, which were inconsistent with his claim of self-defence;
- (7) Messages found on the deceased's mobile telephone.
9. The defence relied on self-defence and denied any murderous intent. Although the appellant was in possession of a knife, he was not the aggressor, was not looking for a fight, and only got the knife out as a deterrent when he saw the deceased holding his knife. The appellant feared that he would be attacked and believed that if he did not use his knife he would be killed. The appellant did no more to defend himself than was reasonable in the circumstances, where he feared immediate attack with a machete by the aggressor who was bigger than him and whom he believed to be violent.
10. The appellant gave evidence that he was shocked and confused when he saw the deceased produce a knife from his waistband. He said that he produced his own knife in order to deter the deceased. He did not want to stab him and had no intention to cause him serious harm. However, the deceased attacked him and, despite managing to block some blows, he fell to the ground. Once he got up he had to defend himself. The appellant accepted landing one blow on the deceased because he thought he would be killed. The appellant denied intending to use the knife. The blow was instinctive to prevent the deceased from continuing to attack him.
11. The appellant relied on the bad character of the deceased; he said that he believed the deceased was dangerous, had seen pictures of him holding large knives and believed that he had stabbed someone. As for the calls he had made to his girlfriend from Feltham YOI, the appellant said that he was locked up for very long periods of time, he was very bored and he regretted having made some of the comments. The appellant relied on the fact that there were no defensive injuries to the deceased.
12. We are grateful to Mr Keir Monteith KC for the appellant and Mr Ryan Ritcher for the prosecution for their written and oral submissions. Renewed application for leave to appeal against conviction

13. It is convenient to deal next with the two grounds of appeal against conviction for which leave was refused and which both relate to evidential rulings made by the judge during the trial. The question of whether an extension of time should be granted depends to a large extent in this case upon whether the grounds are arguable.
14. Counsel for the appellant applied to the judge to adduce non-defendant bad character evidence under section 100(1)(b) of the Criminal Justice Act 2003 namely:
 - (1) The appellant's prepared statement relied upon in his police interview: "I know Billy Ripley. I believe his father and my grandfather were brothers. Billy and I have never had a close relationship, but I know of him, and know he can be dangerous. I know that his father went to prison and received a long prison sentence, I believe for kidnap and torture. I believe his father is currently a serving prisoner also";
 - (2) Bad character evidence known to the appellant at the time of the incident e.g. the deceased was known to carry knives;
 - (3) Matters which the appellant believed to be true about the deceased's father and brothers acting violently together and having a reputation for violence;
 - (4) Bad character evidence which came to light during the investigation i.e. Facebook messages.
15. The prosecution contested the application in its entirety save for the passage in the prepared statement that related to the deceased. The Crown submitted that any assertions about the deceased's family were irrelevant and did not meet the test for admissibility under section 100(1)(b) of the 2003 Act.
16. The judge ruled that the appellant could rely on the prepared statement insofar as it related to the deceased, but not his father, and that he could also rely upon any matters he saw or believed to be true at the time but solely about the deceased. The judge said that the jury's focus had to be on what was in the appellant's mind when he was crossing the road. There was no basis for admitting general assertions about family members or their reputations as those assertions did not have substantial probative value, indeed they were irrelevant.
17. The appellant submits that the judge was correct to concentrate on what was in the appellant's mind, but that that should have related to the time when the violence took place, rather than when he was crossing the road to go to the graveyard. In our judgment, given the speed with which the events took place, this is really splitting hairs.
18. Counsel then submits that the fact that the deceased came from a family with a reputation for violence was relevant to his state of mind at the time and that the appellant should have been allowed to give this evidence as part of his story, his account of what took place on the day and his state of mind.
19. The test for admissibility is whether the evidence is of "substantial probative value" in relation to a matter in issue and is of substantial importance in the context of the case as a whole. In *R v Al-Shumari* [2025] EWCA Crim 1317 the court said this at [74]: "Leaving aside

cases where as a matter of logic bad character evidence has no probative value in relation to an issue, in other words it is irrelevant, the issue of whether that evidence has substantial probative value or "force" on that point is a matter of judgment. Where a judge has made no error as to the legal principles to be applied, this court will not interfere with his or her decision on the admissibility of that evidence unless the judgment made in the application of those principles was plainly wrong or Wednesbury unreasonable. The assessment made by a trial judge is highly fact-sensitive and his or her feel for the case is often crucial (see *R v Hanson* [2005] EWCA Crim 824; [2005] 1 WLR 3169; *R v Renda* [2005] EWCA Crim 2826; [2006] 1 Cr. App. R.24 at [3]; *R v Lawson* [2006] EWCA Crim 2572; [2007] 1 WLR 1191 at

[39] and [44]; *Braithwaite* [2010] EWCA Crim 1082; [2010] 2 Cr. App. R. 18 at [12])."

20. Applying those well-established principles, this proposed ground of appeal is wholly unarguable. We have not been shown any error of legal principle made by the judge and her decision did not fall outside the scope of rational decisions which trial judges could have properly taken, presented with the material in this case. Indeed, in our judgment the judge was not merely "not plainly wrong"; she was plainly right.
21. Next, counsel for the defence submitted that two telephone calls made by the appellant whilst on remand in custody at Feltham YOI should be excluded for the following

reasons:

- (1) There was no evidence of compliance with the requisite legislative framework and/or there was no evidence that the appellant received any warning that his personal calls would be recorded and potentially used in his trial;
 - (2) Disclosure had been inadequate and tardy; and
 - (3) The very limited probative value of the material was outweighed by its highly prejudicial effect (see section 78 of PACE 1978).
22. This third point was based on three matters: (1) the very existence of the calls would reveal that the appellant was in custody which would prejudice the jury against him; (2) the jury might find the appellant's use of language disrespectful and hold it against him;
- (3) the comments the prosecution sought to rely upon had such limited effect on the issue of self-defence that the evidence should be excluded.
23. Having considered the statement of David Morse, an adviser in HM Prison and Probation Service, the judge ruled that she was satisfied that the system in place at Feltham YOI for recording calls from prisoners was in compliance with the relevant legislation and that, in accordance with *R v Mahmood* [2013] EWCA Crim 2356 at [42], the appellant had consented to his calls being recorded and monitored which were, therefore, admissible.

24. As for the late service of evidence, the judge observed that it would have been preferable if matters could have been dealt with more expeditiously and in a less piecemeal fashion but the late service in itself had not caused any injustice. The judge did not accept that the prosecution had cherry-picked the calls upon which they wished to rely and did not require the prosecution to obtain or disclose any other calls to the defence. She ruled that whilst it was a matter entirely for the jury, there was material that on the face of it was capable of being treated as inconsistent with the appellant's account of self-defence. Its probative value outweighed any prejudicial effect. Therefore, there was no reason to exclude the material.
25. The Crown also said in response to this ground of appeal that in view of the argument being advanced, it had had particular regard to its disclosure obligations during the trial. However, there was simply no material to disclose. The judge was so informed and the defence made no application under section 8 of the Criminal Procedure and Investigations Act 1996.
26. In our view this ground of appeal is unarguable. The judge gave an impeccable ruling. She made no error of legal principle and her judgment on the matters in issue cannot be faulted. Appeal against conviction
27. We turn to the grounds of appeal for which leave has been granted. In summary they are as follows: 1. 2. The judge misdirected the jury on the law of self-defence by directing that if the appellant behaved aggressively and entered voluntarily into a knife fight then self-defence did not arise; The judge failed to provide a specific direction in the route to verdict, or in the summing-up, that to convict the appellant of the lesser alternative of manslaughter the jury had to be sure of a mental ingredient of the offence, in particular that he had an intent to cause the deceased some harm, albeit less than really serious harm. Ground 1
28. The judge provided the jury with written legal directions embodied within which they were also given a route to verdict, posing specific questions that they should answer in relation to the allegations of murder and, in the alternative, manslaughter.
29. When she introduced murder, the judge, at paragraph 4 of her written directions, summarised first the prosecution case and then the defence case. In relation to the prosecution case, the judge said this: "... Both of them were in possession of large knives. It is the prosecution case that both of them were acting unlawfully, engaging in a knife fight and that Billy Ripley came off worst in that short fight with Rhys Hedges..."
30. In summarising the defence case, the judge said this: "... They argue that the defendant was not the aggressor and only got the knife out when he saw Billy Ripley holding his knife because he feared he would be attacked by Billy Ripley. When the defendant was attacked by him, he feared for his life and believed if he did not use his knife, he would be killed. The defendant denies any initial intention to actually use the knife. He accepts it was he who inflicted the fatal stab wound, but he maintains that it was an instinctive blow to prevent Billy Ripley from continuing to attack him..." The appellant makes no criticism of either of those two passages.

31. In her written legal directions the judge dealt with self-defence before going on to the issue of intention for the offence of murder. On this first issue she explained first of all that self-defence was an absolute offence which, if the prosecution failed to prove, would result in the appellant being entitled to be acquitted of murder and manslaughter.
32. She then said this: "The law of self-defence is really just common sense. A person who is under attack or genuinely believes that they are about to be attacked is entitled to defend themselves and is not acting unlawfully, so long as they use no more than reasonable force. Your consideration of self-defence will require you to answer two factual questions. Firstly, was there a need to use force at all, and if there was, secondly, was the amount of force used reasonable? Dealing with the first question, namely whether the defendant believed he needed to use force to defend himself, you will bear in mind there are situations where two people fight and both are acting unlawfully, in other words not in self-defence. If, on the evidence, the Prosecution have made you sure that Rhys Hedges was behaving aggressively and entered voluntarily into a knife fight with Billy Ripley, then no question of self-defence arises, and you would move on consider the defence no.2 If, however you consider it was or may have been the case that Rhys Hedges was or may have genuinely believed he was about to be attacked and/or then was under attack from Billy Ripley, you must go on to consider whether the defendant's response was reasonable in the circumstances as he believed them to be."
33. In the route to verdict, the first question posed in relation to self-defence was: "Are we sure that when Rhys Hedges used his knife and stabbed Billy Ripley that he was involving himself and acting as an aggressor in a consensual knife fight and did not believe he was under attack?"
34. If the jury answered that question 'yes', they were directed to go straight to question 3 which dealt with the issue of intention. If, on the other hand, they answered that first question 'no', they were directed to go to question 2 which raised the second part of the legal test for self-defence, namely whether the defendant had used more force than was reasonable on the facts.
35. This first ground of appeal challenges the correctness of two passages in the legal directions, namely the paragraph beginning with the words "dealing with the first question" and the following paragraph (see [32] above). It is said that the judge was effectively giving a legal direction that self-defence could not, as a matter of law, arise if the jury were sure that Rhys Hedges had behaved aggressively and entered voluntarily into a knife fight with Billy Ripley. In relation to the route to verdict, the appellant criticises the reference to whether the appellant had been acting as an aggressor in a consensual knife fight. The other parts of the questions on self-defence are not criticised.
36. Mr Monteith in his perfected grounds of appeal drew attention to the difference between the concept of entering voluntarily into a knife fight and the concept of a consensual knife fight. He said that a consensual knife fight was not defined by the judge, but, properly understood,

it refers to an agreement between the two persons involved to enter into a fight rather than simply one person voluntarily entering into a knife fight. He also submits that in any event it was wrong in law for the judge to direct the jury that if they were sure the appellant was behaving aggressively and voluntarily entered into a knife fight then self-defence did not arise. He submits that instead the standard direction set out in the Crown Court Compendium should have been given.

37. In our judgment the judge was seeking to apply the standard directions in the context of the evidence before the jury. On one view of that evidence the jury could say that this was a case where two people had decided to fight each other of their own free will. That raised at least a factual question for the jury as to whether either could genuinely have thought that they were acting in self-defence, that is to say that it was the other who was acting as the aggressor and they were simply being attacked by that other person.
38. The passages criticised by the appellant have to be read in the context of the direction as a whole. The judge introduced the subject in the passage which starts with the words "self-defence is an absolute defence" and ends with the words "firstly was there a need to use force at all and, if there was, secondly was the amount of force used reasonable?"
39. Accordingly, the judge made it clear that the issue of whether the appellant or indeed the deceased needed to use violence was a factual issue. It was for the prosecution to prove to the criminal standard that there was no such need. Then she explained that that factual issue involved the jury deciding whether the appellant was under attack, or genuinely believed that he was under attack. If so, he was entitled to defend himself by using proportionate violence and to that extent would not have been acting unlawfully. It was in that context that the judge then indicated that people who fight each other are not acting lawfully in self-defence without reiterating that, as a matter of fact, neither could genuinely think that they needed to use force because they were a non-aggressor simply being attacked by the other.
40. The passage in the legal directions criticised by counsel simply flowed from a view of the evidence that it was open to the jury to consider and adopt and which reflected the issue between the prosecution and the defence.
41. That this was left as a question of fact for the jury to address is confirmed by the antithetical passage (indicated by the use of the word "however") which then followed: "If, however you consider it was or may have been the case that Rhys Hedges was or may have genuinely believed he was about to be attacked and/or then was under attack from Billy Ripley, you must go on to consider..."
42. Accordingly, we reject the submission that the written legal directions contained a misdirection in this respect.

43. However, in oral submissions today a further point was advanced by Mr Monteith on behalf of the appellant not contained in the perfected ground. We heard argument on this. He submitted that question 1 contained an error, because the issue of self-defence the jury was required to consider was temporally confined to the moment of stabbing.
44. We do not accept this criticism. The passage needs to be read as a whole and in context. This was a fight which we are told lasted about 19 seconds. On a fair reading of the directions, it is plain that the judge required the jury to consider this question in the context of the incident as a whole. There was no direction by the judge which told them that they should ignore what had happened before or after the stabbing. Indeed, there was an express direction which make it clear that the jury had to consider the defendant's position in terms of whether he believed he was being attacked or was about to be attacked.
45. Turning to the route to verdict, this can and should be read compatibly with the written legal directions. It began with the words, "Are we sure... ". By that stage the jury would have understood perfectly well that they had to decide whether they were sure about matters which were for them to determine, that is matters of fact. It is perhaps unfortunate that a new term was introduced at this point, namely "a consensual knife fight", but in our judgment the jury would have understood this in the context of the legal directions in the single document of which the route to verdict formed part, that is to say the explanation we have already set out above. Whether the jury considered that only the appellant or the deceased wanted to enter into a fight or that both men wished to do so, the route to verdict continued to direct the jury to decide whether the appellant, when he stabbed the deceased, was acting as an aggressor and did not believe that he was under attack from the other male. For these reasons, there was no misdirection to the jury. Ground 2
46. The judge then gave the jury directions on the intention which the prosecution had to prove for murder about which the appellant makes no criticism. This issue was dealt with in question 3 of the route to verdict: "Are we sure that the defendant intended to either kill Billy Ripley or to cause him really serious injury? If your answer is 'Yes', your verdict will be Guilty of Murder. If your answer is 'No', your verdict will be 'Not Guilty of murder, but Guilty of manslaughter'."
47. The appellant criticises the judge for failing to direct the jury, that they had to be sure that the appellant intended to cause at least some harm, albeit not really serious bodily harm. It is submitted that this was all the more important here because it was the appellant's case that he only acted instinctively when he struck the deceased with his knife, meaning, according to counsel, by natural instinct or without conscious thought.

48. We reject this ground of appeal. Given both the nature of the knife used by the appellant and the force with which he struck the deceased's chest, we consider that even if the jury had been directed to answer an additional question which required them to be satisfied of the mens rea for manslaughter, as formulated by Mr Monteith, no reasonable jury could have failed to say that there was an intention to cause at least some harm - that is the degree of harm necessary for unlawful act manslaughter.
49. Mr Monteith goes on to submit that the appellant did not have the chance to answer during the trial a question directed at the mens rea for manslaughter. We note that this point was not raised before the judge when directions to the jury were being discussed with counsel. But in any event, the appellant gave evidence explaining why he denied the allegation that he intended to cause really serious bodily harm. We consider that there is no reason to think that that answer would have been any different if he had been asked expressly about the lesser intent required for the offence of manslaughter.
50. Mr Monteith said that what the appellant would or might have responded that he was acting instinctively. But in our judgment, this submission does not alter the legal analysis. In section 4 of her legal directions, the judge directed the jury as follows: "The defendant denies any initial intention to actually use the knife. He accepts it was he who inflicted the fatal stab wound, but he maintains that it was an instinctive blow to prevent Billy Ripley from continuing to attack him. He says that he did no more to defend himself than was reasonable in the circumstances... "
51. In other words, according to the appellant's case, the suggestion that the blow was instinctive simply went to the issue of self-defence. Indeed, it is clear from page 14G of the transcript of the summing-up that that aligned with the evidence given by the appellant himself on this very point. He made exactly the same point. The blow was instinctive in that it was struck in self-defence. But by this stage, of course, the jury would have rejected self-defence, according to the directions they were given by the judge. So, with respect, the description of the blow as "instinctive" adds nothing.
52. We mention for completeness a new point that appeared to be raised in a supplemental set of written submissions filed on behalf of the appellant. It was suggested for the first time that the judge erred in leaving manslaughter to be considered by the jury at all. Very properly in his oral submissions Mr Monteith confirmed that he was not pursuing this as a ground of appeal.
53. We see no merit in ground 2 of the appeal and reject it.
54. Having reviewed all the issues raised on behalf of the appellant, we see no basis for finding the conviction to be unsafe. Renewed application for leave to appeal against sentence

55. We turn to deal with the renewed application for leave to appeal against sentence. The appellant was aged 17 at conviction and sentence. He was born on 26 May 2007. He had no previous convictions but had received three cautions in 2021, 2022 and 2023, two of which related to offences against the person and one related to a drugs offence. This was his first custodial sentence.
56. The pre-sentence report assisted the judge by providing an assessment of the appellant as a young person, the offence itself, parenting support, risk to the appellant as a young person and risk to public safety. The author assessed the appellant as posing a high risk in relation to factors impacting his safety and wellbeing (page 7), a high risk of re-offending and a high risk to public safety. There were concerns that he was likely to re-offend through the commission of further specified offences (page 8). It was noted that the appellant admitted to having carried a knife in the community since he was 14. Because the police had identified him as an habitual knife carrier, the Youth Justice Service had carried out offender behaviour work with the appellant in May 2022 to make him aware of the risks of carrying knives and the possible consequences for himself and others. That intervention occurred after the incident in 2021 when the appellant had been threatened by a peer with a knife when he was 14.
57. We have read also the moving victim personal statements of Tracey Puttick (the mother of the deceased) and of Erin Eade (his partner and the mother of their daughter).
58. Towards the beginning of her sentencing remarks, the judge referred to the circumstances of the offence and the nature of the knife used by the appellant. It was a weapon of substantial size which would inevitably do dreadful damage if used against someone, even if that was not the handler's intention. The size was clear from the CCTV. She referred to the appellant's admission of having carried knives in public for two years.
59. The judge was satisfied that there was a history of difficulty between the appellant and the deceased but she accepted that the incident did not result from a planned meeting. The appellant had said that he acted in self-defence but, in the judge's view, the jury, unsurprisingly having seen the CCTV, rejected that account. The judge said that on all the evidence she had no hesitation in rejecting that too. At the moment when the appellant saw the deceased across the road from the shop, he had not been seen by the deceased. The appellant could easily have left the area on his bicycle if he had really been in fear of the deceased as claimed. Instead the appellant chose to attract his attention and the two of them came together for a knife fight. The appellant moved swiftly towards the graveyard getting his knife out in readiness, as was clearly to be seen on the CCTV.
60. Accordingly, the appellant was to be sentenced on the basis that he was not acting in self-defence but on the other hand did not intend to cause the deceased really serious harm. The evidence was that the appellant had struck the deceased with only one blow, but that had caused an unsurvivable injury.

61. The judge gave her assessment of the appellant. She said that it was clear from the way he had given his evidence that he was intelligent and very articulate. However, the Youth Offending Team had assessed him as being emotionally immature with poor thinking skills. Whilst in custody, the appellant had been found in possession of an improvised weapon. He also had some minor matters recorded against him but the judge said she would ignore those. The judge then said this (at 4D-F): "In determining your culpability I have borne in mind at all times the guidelines on sentencing children and young offenders and all the material set out in the Youth Offending Team report. I have also taken very much into account the character references that have been provided to me and the very high regard in which you are clearly held by a number of people. I pay particular attention to the Youth Offending Team report and particularly to the information about your upbringing and the inevitable impact that will have had on your development. And I also bear in mind the serious incident that led to you moving schools and on your account starting to carry a weapon, and the effect particularly that moving schools will have had on both you personally and your education."
62. The judge was sure that the appellant had not told the truth about his involvement with Mr Ripley and until he did and began to work with professionals to help him address his behaviour, she was satisfied that he should be categorised as a dangerous offender. But because the appellant would mature during his period in custody she did not consider that it was necessary to impose either a life sentence or an extended sentence.
63. The judge said that from the CCTV footage and the evidence it was impossible to escape the conclusion that the death of Mr Ripley was caused by the appellant's unlawful act of violence by which he had intended to cause at least some harm, or which carried a high risk of death or grievous bodily harm which was or ought to have been obvious to the appellant. The case fell into category B culpability for manslaughter which has a starting point of 12 years. The offence was aggravated by the possession and use of a very large knife and the appellant's willingness to involve himself in a fight in a public place in broad daylight. As a mature adult the sentence would have been one of 15 years' imprisonment. Given the appellant's age, immaturity and life experiences to date, the sentence was reduced to 8 years' detention.
64. In summary the proposed grounds of appeal are as follows:
 1. The judge was wrong in principle to adopt an offence-focused approach rather than an individualistic one having regard to the principle aims when sentencing young people;
 2. The judge was wrong in principle to disregard self-defence as a relevant factor in establishing the factual basis of sentence in circumstances where the jury acquitted the Appellant of murder but convicted him of manslaughter;
 3. The judge gave insufficient weight to mitigating factors and too much weight to aggravating factors.

65. In refusing leave to appeal against sentence the single judge said this: "There is, upon examination, nothing in your grounds, the Judge did not err in principle and the sentence passed was not arguably manifestly excessive:-
- (1) As is clear from her sentencing remarks the Judge did start from an individualistic youth based approach expressly starting from a consideration of factors relating to you, the Guideline on Sentencing Children and Young Offenders, and the material set out in the YOT team report. Only thereafter did she turn to the adult Sentencing Guidelines in relation to manslaughter.
 - (2) The Judge was best placed to conclude that you were the aggressor and that self-defence did not arise in such circumstances.
 - (3) The Judge rightly categorised your offending as High Culpability B with a starting point for an adult of 12 years' custody and a range of 8 to 16 years custody. There were a number of aggravating factors requiring a very significant uplift from the starting point (history of violence towards victim, offence involved use of a large hunting knife type weapon and actions after the incident with discard of the weapon, clothing and hiding of mobile phone).
 - (4) The Judge had express regard to your available mitigation, of which your age was the greatest mitigating factor, and she made a very substantial, and appropriate, reduction to 8 years' detention.
 - (5) Such sentence was not arguably manifestly excessive."
66. We entirely agree with the single judge. We would add that we reject the criticism that the judge passed a sentence as if the appellant were a "mini-adult" (see *R v ZA* [2023] EWCA Crim 596; [2023] 2 Cr App R (S) 45 at [52]). The judge carefully took into account the various considerations applicable to the appellant as a young offender with a number of difficulties, in the context of sentencing him for a very serious offence. The proposed grounds of appeal against sentence are unarguable.

Conclusion

67. The outcome is that we refuse the application for an extension of time within which to renew the application for leave to appeal against conviction on additional grounds, and we refuse that application for leave to appeal. We dismiss the appeal against conviction. We refuse the renewed application for leave to appeal against sentence.
68. The sentence passed by the judge was expressed in open court as eight years' detention in a young offender institution, less 263 days spent on remand. Given that the appellant was only 17 at the date of conviction, that sentence was not available under section 262 of the Sentencing Act 2020. Instead, that sentence should have been expressed as detention pursuant to section 250 of the Act. This is a technical point which requires correction. We therefore quash the sentence imposed and substitute a sentence of detention pursuant to section 250 of the Sentencing Act 2020 for eight years less 263 days. We direct that any court

record inconsistent with that sentence be corrected. 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 16

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