

R v ERNEST GRUSZA

Cambridge Crown Court

Sentencing Remarks – 9 November 2021

1. Ernest Grusza, you are attending this sentencing hearing by video link from a secure hospital for reasons that will become apparent. After a number of days of deliberation, the jury delivered their verdict on the one count on the indictment you faced in this trial, namely the charge of murder. Their unanimous verdict was that you were Not Guilty by Reason of Insanity. You had killed your mother, Wieslawa Mierzejewska, in an extremely tragic case. She met her death in her own flat on the night of 21 February 2021.
2. Both your mother and you have Polish nationality. You were both hard working people, living and working here in the UK, and you had both done so for a number of years. Until the events which I will now describe, you were of entirely good character, had a good work record, and had no convictions at all. All the witnesses who spoke about you described you as a quiet and private man, with no hint of violent behaviour at any time.
3. However, you had become increasingly mentally ill from late January 2021 onwards. You stopped going to work, you stopped paying your rent, and you began to behave increasingly strangely. Your landlady became concerned about you, and phoned both 111 and 999 a number of times. Your boss at Clifton Rubber became concerned about you, and came to visit you at your lodgings. You were asked to leave your lodgings due to non-payment of rent. Your mother became increasingly concerned about you, as did her very close friend Zeneta Chuchulska. All of these people, but in particular your mother, tried to get you help. Your behaviour was increasingly bizarre. Your mother phoned social services, the First Response Service, 111 and 999, and she tried to get you an appointment with the GP. Ms Chuchulska's daughter also tried to get you help by phoning social services on your behalf.
4. All of these efforts were rebuffed at every turn. The First Response Service closed their file on you. You were taken to hospital by ambulance on 14 February 2021 yet

simply allowed to leave. Your mother started visiting her GP surgery after work every day trying to get you help. She asked for you to be sectioned under the Mental Health Act. None of these increasingly desperate attempts by her were heeded. Tragically, she finally managed to arrange a GP appointment for you on 23 February 2021 but by then she had been killed.

5. During the day on 21 February 2021, the police were called to the corner shop near to where she lived in St Ives by Mr Ramasamy, the shopkeeper, because of how you were behaving. The shopkeeper knew your mother too and phoned her that afternoon as well, and she arrived at the shop shortly after the police. The two police officers attended expecting to deal with a robbery. When they found out that no crime had been committed, they were not prepared to take any concrete steps to assist either your mother, or you. They were asked both by your mother, and by her friend Ms Chuchulska who spoke to them over the telephone, to help in having you sectioned. They said there was nothing they could do.
6. Any trial involving the death of a person is always tragic. However, here, the very person seeking to obtain the help you so desperately needed, who no doubt loved you deeply, was the person who met their end at your hands. One of your delusions that was increasing in severity was a belief that your mother was the devil, or possessed by the devil. You also heard voices from God, telling you what to do. These hallucinations also seem to have increased in seriousness.
7. On the night of 21 February 2021, sometime between about 8.00pm and 7.00am the next day, you killed your mother at her flat. You dismembered her body into 11 separate parts, including removing her head. You used a meat cleaver to do this, and then wrapped her body parts (including her head) in cling film/plastic and put them into the cupboard and the fridge.
8. On the morning of 22 February 2021, you went to the corner shop, covered in blood. Mr Ramasamy was again running the shop, and it was he who had called the police using 999 the afternoon before. He called them again. Two officers attended and after some discussion with you went to your mother's flat. Again, you were acting very strangely indeed. Once they arrived, they discovered what can only be described as an utterly nightmarish scene. These officers realised fairly quickly that there were assorted human body parts in the flat. You told them they belonged to your mother,

saying she was the devil. Other officers, including firearms officers, attended – the reason for this was you had both a meat cleaver and a wooden bat in your hands at times. There is body worn camera footage of all of these events. It is very disturbing. You spent some time in the flat, showing the police officers, through the kitchen window, what you had done. You unwrapped some of the body parts, and held up her head to show them. You were arrested.

9. You were assessed at the police station by no fewer than four mental health professionals, including two psychiatrists, one of whom was a consultant forensic psychiatrist. That doctor was Dr Jeyapackiam, and he diagnosed you as suffering from bi-polar affective disorder current episode mania with psychosis. He gave evidence at the trial. Bi-polar affective disorder is also sometimes called manic depression. The doctors who saw you at the police station concluded that you were experiencing a severe psychotic episode, with both delusions and hallucinations. These doctors concluded both that you were not fit to be interviewed, and were not fit to be detained at the police station. They authorised your removal to a secure mental hospital for treatment.
10. The defence instructed two expert psychiatric witnesses, Dr Galappathie and Professor Rix. They gave evidence at the trial. Between them they have almost 60 years of collective experience as consultant forensic psychiatrists, and yet further experience as psychiatrists from the period before they became consultants. They are both approved by the Secretary of State under s.12(2) of the Mental Health Act 1983. They agreed on all material matters. They both diagnosed you as suffering from bi-polar affective disorder, and agreed that you were experiencing a severe psychotic episode, with both delusions and hallucinations, being what is called floridly psychotic at the time of the killing. They both agreed that you met the criteria for insanity under the criminal law, that your reasoning was substantially impaired as a result of your mental condition, and that you did not know what you were doing at the time was wrong by the standards of reasonable ordinary people. This is, of course, a matter which has been accepted by the jury as demonstrated by their verdict. One of these experts described you as a textbook example of someone who met the requirements for criminal insanity. You believed you were Jesus Christ, and that God gave you instructions. One of your most compelling delusions was that your mother

was the devil; that God was telling you to kill her, and dismember her body, in order to destroy the devil. You were convinced she would resurrect if you poured holy water and blood upon her dismembered body parts.

11. These two expert psychiatrists also agreed that you were amongst the most ill of patients they had ever seen. They agreed your condition was extremely rare, and each of them had only come across one other patient of this severity in a case of murder in their entire professional careers. Letters you sent from prison prior to the trial make it clear that you did not, in the months following your arrest, understand that you had killed your mother, who I have no doubt that you loved as you describe in those letters. It is the desperately tragic circumstances of what happened that led to her meeting her death at your hands. Your awareness of all of this is very limited.
12. I have had the benefit of having had further evidence from both the defence expert psychiatrists for the purpose of passing this sentence. Dr Galappathie gave his in written form and I heard in person further oral evidence from Professor Rix. They are both agreed that a hospital order with a restriction is entirely justified, indeed, required in your case. Dr Thomas from Northside Hospital has confirmed that there is a bed available for you there.
13. In law, given the sentence for murder is one fixed by law, when a special verdict such as the one returned in this case is the decision of the jury, the only possible sentence is a hospital order with a restriction. These are orders under the Mental Health Act. I am satisfied that the necessary arrangements have been made for you to be held in a secure hospital, in any event, within the time period required under the Act. I therefore sentence you to a hospital order with a restriction as I have explained. Your detention is likely to be for a considerable period of time, but that is a matter for the mental health professionals and the Secretary of State. It is not possible to say for how long you will require treatment, or for how long you will be detained. The question of whether and/or when you are released is a matter for the Secretary of State.
14. I would like to pay tribute to the way this trial has been conducted by all of those involved, in particular by counsel, and also for the diligent way the members of the jury approached their task. They had to view some extremely distressing material during the trial, and this must have been harrowing. The body worn camera footage of the discovery of what had happened to your mother makes for very difficult viewing.

15. Finally, PC Amos is the police officer who engaged with you on the morning after the killing after the shopkeeper called 999, came to the scene of your mother's death, and walked into a scene that is almost impossible to describe. He took immediate steps to secure the location, protect other occupants of the building, and contain the situation until the firearms officers arrived. His conduct was both impressive and highly professional. I know that the impact upon him of the events of that morning have been considerable. I commend him to the Chief Constable for the exceptional way in which he dealt with the situation.

The Hon. Mr Justice Fraser

9 November 2021