



# Courts and Tribunals Judiciary

## CARDIFF CROWN COURT

24 JANUARY 2025

REX

v.

DYLAN THOMAS

## SENTENCING REMARKS OF MRS JUSTICE STEYN DBE

*Dylan Thomas, you may remain seated until I tell you to stand up.*

### INTRODUCTION

1. Dylan Thomas, on the morning of 24 December 2023, on the eve of Christmas, in a sustained and ferocious knife attack, you murdered 23 year old William Bush, a young man who had been a firm and loyal friend to you for a decade.
2. On 20 November 2024, the jury at your trial convicted you, Dylan Thomas, of the murder of William Bush. I must now sentence you for that offence.
3. I have had the benefit of arguments on sentence from Mr Orlando Pownall KC, ably assisted by Andrew Taylor, on your behalf, and from Mr Gregory Bull KC, ably assisted by Alex Wright, for the Crown. I take account of everything they have eloquently said.
4. I have heard and read the extremely moving victim personal statements from Will Bush's father, John Bush, on behalf of himself and Will's mother, Liz; from Will's sister, Catrin Bush, on behalf of herself and her brother Alex (from whom I also heard directly at trial); and from Will's girlfriend, Ella Jefferies, who also gave evidence at trial. John, Catrin and Ella bravely read their own statements to the court this morning. The loss of each speaks vividly from their words.

5. It is clear that the person they knew and loved very dearly was a compassionate, loving, witty and vibrant young man. He would light up any room he walked into with, as Catrin put it, *“his cheeky grin and quick-witted humour”*, putting *“a smile on everyone’s faces”*. 800 people attended Will’s funeral in Brecon Cathedral, undoubtedly reflecting the fact that he was *“loved by so many”*, and *“popular with everyone he met”*. His father describes *“his kindness, his loyalty, his sense of justice and outrage at unfairness, his sense of humour”* and the enormous capacity to love of their beloved youngest son. He was a caring person who was, as Ella said, *“ready and willing to help anyone”*.
6. It is also manifest that Will was a talented young man with a bright future ahead of him. He did well at school and at university. He was a passionate sportsman and gifted golfer who played for his country. And he and Ella were planning for a future together.
7. You took a son away from his mother and father. You bereaved the woman he loved, with whom he was planning his future. You deprived his sister and brother of their young brother. The taking of a life is a terrible thing, not only because of the life which is cut cruelly short, but because of all the other lives which are damaged as well. But, as his father said, *“Will is the main victim here”*. He was only 23. Senselessly murdered, and deprived of many, many decades of happy and fulfilling life. *“Imagine all the things”* he will miss.
8. It is plain to me from these statements, and from the evidence I heard at trial, that for all of Will’s family, and for Ella, their lives will never be the same again. They are *“haunted”* daily by the horror of the fear and suffering Will must have endured. They have been left with a *“massive hole”* in their family, and *“a darkness”* in their lives. The timing of your attack means, as Ella put it, that for them, *“Christmas will no longer be Christmas”*. The *“almost unbearable”* pain of losing Will so young, and in such terrible circumstances, is, as Will’s father put it, *“beyond words”*. I am sure that all of us hope that they can find the strength to comfort and sustain each other.
9. The sentence I will pass is not intended as a measure of the value of Will’s life. That is beyond measure. Nor can it begin to put right what you have done. That is not possible. It cannot be undone.

## THE FACTS

10. In deciding upon the sentence for this offence I must set out my conclusions upon the evidence that has been called in this trial. I must sentence you only upon the basis of the facts of which I am sure. If I am not sure about something I must give you the benefit of the doubt.
11. William Bush was born on 12 February 2000. He was 23 years old when he died. You were born on 30 June 2000. You were 23 years old at the time of the offence, and you are now 24 years old.

12. You and William Bush met when you were both about 13 years old and attended the same school. You were more reserved than your outgoing and sociable friend, Mr Bush. You had two or three friends, of whom he was your best friend.
13. You lived in Cardiff, in a house owned by your grandfather, called Ty Matthew. Mr Bush moved into Ty Matthew, where he lived with you for over two years, from about September 2021. After graduating from university he had gained a job as a business rates surveyor. About two months before his death, after a period of about a month on sick leave, due to suffering from migraines and nausea, Mr Bush decided to leave his job and look for alternative employment. He was planning to start a new, less stressful job in the new year, and he and his girlfriend, Ms Jefferies, were looking forward to finding a place of their own where they could live together. While he was working, Mr Bush paid you rent, but you waived that requirement when he was out of work. Mr Bush frequently helped you by taking on much of the responsibility for looking after your dog, and giving you lifts in his car.
14. Prior to this offence, you had no convictions or cautions. But in the months leading up to the offence you engaged in some strange and erratic behaviour, giving Mr Bush concern about the state of your mental health. These behaviours included the incident at Buckingham Palace on 6 November 2023, when you tried to climb a 14 metre fence at the Palace, and had to be rugby-tackled to the ground when you failed to respond appropriately to instructions from armed police to get on the floor. You told the police you were trying to explore the energy pattern between Buckingham Palace and Cleopatra's Needle. On another occasion, which Mr Bush recounted to Ms Jefferies, you told him that you were wondering about what it would be like to kill him. Mr Bush was sufficiently concerned that he barricaded himself into his room, and then heard you trying, unsuccessfully, to enter.
15. On 23 December 2023, Mr Bush and Ms Jefferies went Christmas shopping. They returned to Ty Matthew in the afternoon, shortly before you left, saying you were going to stay with your aunt. You discussed the care of your dog, and you said you would be back on Boxing Day to pick him up. You hugged Mr Bush and Ms Jefferies, and wished them a merry Christmas. At around 5.30pm, Mr Bush dropped Ms Jefferies home. Mr Bush returned to Ty Matthew, where he spent the night alone, intending to join his family in Brecon the following day, Christmas Eve.
16. On 23 December, you went out for an evening meal with your family to the Miskin Arms. It wasn't planned that you would stay that night with your grandmother, but during the evening you told her that you were lonely and depressed, and so she said, *"You're coming down with me then for a while"*, to which you agreed. You did not elaborate on how you were feeling but the evidence shows that on that morning you had been undertaking searches indicative of suicidal feelings.
17. During the evening of 23 December and the following morning, you and Mr Bush exchanged messages on snapchat. You asked him if he'd left a key for you, and he responded at 11:04pm, *"Yeah sorry lad only just seen my phone. I'm here still"*. At 18

minutes past midnight you replied, “*Ok nice*”. At the same time you were inputting searches on the internet for “*veins and arteries*” and “*veins and arteries in the wrist*”. About 18 minutes later these searches resulted in you pulling up an image showing the location of jugular veins. And at 1:29am you searched “*reap what you sow*”. At 2:24am you messaged Mr Bush, “*What time are you leaving tomorrow ?????*”, following that up 18 minutes later with “*I need to see you before you leave the house tomorrow [let me know] what time you go*”. Mr Bush replied at 5:37am, “*Leaving a bit later on mate*”, to which you responded, “*ok no worries*”. You searched for a taxi at 3.31am, and again at 8:54am.

18. At about 9am you went to your grandmother’s bedroom and told her you hadn’t slept all night. While she went to make you a hot drink and give you an over-the-counter sleeping tablet, you stepped out on the balcony in horrendous weather. She told you to come in and left you to get a few hours’ sleep. But you quickly got up, went to the kitchen and said you had to go home. Your grandmother asked why and the reason you gave was your dog.
19. For about half an hour between 9:53am and 10:20am you made various searches indicative of continuing suicidal thoughts. At 10:22am you messaged Mr Bush, “*You home???*”. He replied a few minutes later, “*Yeah I’m home*”. Following an exchange of missed calls, you spoke on the phone to Mr Bush. Only you know what was said during that call. In circumstances that cannot be held against you, given the deterioration in your mental health condition that has resulted in you being detained in Ashworth High Secure Hospital for the last 11 months or so, you did not give evidence.
20. At 10:41am, your grandmother drove you to Ty Matthew, where you arrived, parking at the rear of the property, at 11:16:50. During the journey your grandmother noticed you were jumpy and wound up. You insisted that everything was fine and you just needed to take the dog out. I am sure that was not the true explanation for your wish to go to Ty Matthew that morning, as you knew Mr Bush was still in the house and able to take the dog out.
21. Your grandmother stayed in the car and you got out, saying you would be no more than ten minutes.
22. In the ensuing 5-10 minutes, you murdered William Bush. You used two knives, a flick knife and a kitchen knife, to inflict 37 stab wounds and additional sharp force injuries. You stabbed Mr Bush repeatedly in the neck, head, chest and back. The precise details of what occurred when you went into the house are known only to you. But based on the evidence heard at trial, including from forensic scientists, a pathologist, and from witnesses of fact who were in the vicinity, I am sure that your ferocious attack began in Mr Bush’s bedroom, continued down the stairs, in the kitchen, then onto the patio, and finally on the stairs up to the car port, as he sought to flee from you.
23. In the kitchen, Mr Bush suffered very serious injuries at your hands. Passersby heard horrific screams, and cries for help, which I am sure emanated from Mr Bush. Mr

Bush's blood on the underside of the kitchen drawer in which the kitchen knife was ordinarily kept suggests that, in a desperate attempt to fend off your attack, he may have picked up that knife. In any event, whatever the precise facts, it is clear that he was able, momentarily, to get hold of a knife with the result that, during your attack on him, you sustained cuts to your hands.

24. Mr Bush again sought to escape, going through the sliding door from the kitchen to the patio. By then, he was so seriously injured that he was seen by passersby lying prone on the patio, collapsed in a large pool of blood. He could barely raise himself onto all fours. With the flick knife in your hand, you calmly, and relentlessly, followed him out to the patio. I am sure that you used both the flick knife and the kitchen knife, which you picked up from the ground where it lay, to continue your vicious attack, stabbing Mr Bush again and again, with the intent to kill him.
25. You then alerted your grandmother that you had killed Mr Bush, claiming it was self-defence. She sought to do all she could for him until the emergency services arrived, but nothing could be done. One of the passersby, John Ivins, had made a 999 call at 11:24am. You made a 999 call, using your grandmother's phone, at 11:32am. The police arrived at the scene at 11:36, followed shortly by the ambulance services. At 12:10, after it was confirmed that Mr Bush had died, you were arrested on suspicion of murder.
26. You did not seek to maintain at trial the false claim of self-defence. You pleaded guilty to manslaughter on the basis of diminished responsibility. But the jury rejected that defence. You are guilty of murder.

## **SENTENCING PRINCIPLES**

27. There is only one sentence that the law allows to be passed for the offence of murder: that is a mandatory life sentence. For an adult, it is called a sentence of imprisonment for life. That is the sentence that I will pass.
28. I am then required by section 322 and Schedule 21 to the Sentencing Act 2020 to specify the minimum term.
29. The minimum term is not your sentence: your sentence is imprisonment for life. It is important to explain to you – and everyone concerned with this case or reading or reporting this sentence – that a minimum term is not a fixed term after which you will automatically qualify for release. A minimum term is exactly that: it is the shortest period that you will serve in custody before the Parole Board can conduct its first review of whether, and, if so, when you might be released on licence.
30. Let me make this quite clear. You will not be released before that minimum term has expired. There is no guarantee that you will be released at that time, or at any particular time thereafter. After that period elapses the Parole Board will consider your case. It is then only if the Parole Board decides you can safely be released that you will be

released. If the Parole Board concludes that it remains necessary for public protection, you will continue to be detained.

31. If and when you are released, you will be subject to licence and this will remain the case for the rest of your life. If for any reason your licence were to be revoked, such as if you reoffend, you will be recalled to continue to serve your sentence in custody. It is in these ways that a life sentence protects the public for the future.

### **THE PRINCIPLES APPLIED**

32. There were essentially two points at issue between the Prosecution and Defence as to the approach. The first relates to the applicable starting point for setting the minimum term.
33. Paragraph 4 of Schedule 21 provides that if an offender was aged 18 or over when he committed the offence (as you were) and if he took a knife or other weapon to the scene intending either to commit any offence, or have it available to use as a weapon, and he then used that knife or other weapon in committing the murder, the offence is normally to be regarded as sufficiently serious for the appropriate starting point, in determining the minimum term, to be 25 years.
34. The Prosecution submit that there is “*an argument*” that the case falls into paragraph 4. They contend you must have taken at least one of the knives upstairs to the bedroom, intending to attack and kill Mr Bush, and on that basis submit the case falls within paragraph 4.
35. I agree with your Counsel that there is no safe or proper basis on which the Court could conclude that you were armed with a knife before entering the house. Indeed, the Prosecution recognise the court cannot be sure you took a knife to the house. There is no evidence that you armed yourself before entering the house, as the Prosecution acknowledged during the trial. There is no evidence that either knife was not normally kept at Ty Matthew. There was evidence from Ms Jefferies that a single silver chef’s knife was kept in the top drawer under the cooker at Ty Matthew, and that description is consistent with the kitchen knife you used to stab Mr Bush, whereas the kitchen knife did not match cutlery from your grandmother’s address. There was also evidence from Ms Jefferies that Mr Bush had kept a knife in his bedroom, hidden under the television console. No knife was found there by the police. It is possible that Mr Bush had been using a knife, in his bedroom, to prepare a cannabis cigarette, before you arrived.
36. Nor can I be sure that you took either knife upstairs. For the reasons I have given, it is possible a knife was already upstairs in Mr Bush’s bedroom, and it is impossible to be sure that more than one knife was used in the first phase of the attack, while you were upstairs. In any event, taking a knife from one room of your house to another would not constitute taking a knife to the scene for the purposes of paragraph 4 of Schedule 21.

37. This means that the case is one to which paragraph 5 of Schedule 21 applies. The starting point for setting the minimum term laid down by Parliament is therefore 15 years. However, the starting point is not necessarily the end point. These provisions must not be applied mechanistically and I must decide whether to adjust the minimum term taking into account the relevant aggravating and mitigating factors.
38. There were then some differences between the Prosecution and Defence as to which aggravating and mitigating factors were engaged and to what extent; in particular as to planning/premeditation, the nature of the attack, intent to kill, and remorse.
39. I shall first consider the aggravating factors.
40. A significant degree of planning or premeditation, where it exists, is identified in paragraph 9 of Schedule 21 as an aggravating factor. The Prosecution contend that the internet searches that you undertook demonstrate a degree of planning. However, I cannot be sure that you engaged in any, or any significant, planning of the offence. You pulled up an image of the location of jugular veins having searched for “*veins and arteries*” and “*veins and arteries in the wrist*”. While those searches could be interpreted as indicating you were thinking about attacking Mr Bush, considered in the context of the evidence as a whole, they are at least as consistent with you continuing to have suicidal thoughts. It is not possible to be certain of the immediate trigger. The prosecution case was put to the jury on the basis that a sudden loss of temper, leading to extreme violence, may have arisen from an accumulation of (unknown) factors coming to a crescendo. You had had thoughts of killing Mr Bush before, but the murder was not part of a careful plan. On the contrary, you travelled to Ty Matthew with your grandmother, then committed a frenzied attack in broad daylight without any escape strategy.
41. The Prosecution also rely on the extremely violent and persistent nature of the attack, your use of two knives, and the level of pain and distress that you inflicted on the deceased. While recognising that the events leading to the death of Mr Bush were horrific, Mr Pownall contends that as this was not a case involving torture, or a protracted course of violent or sadistic conduct, this cannot properly amount to a significant aggravating circumstance, albeit he acknowledges that the extremely violent nature of the attack might amount to an aggravating feature.
42. On this issue, I agree with the Prosecution. As a consequence of the extremely violent and persistent nature of the attack, using two knives, Mr Bush endured more than the level of physical and mental suffering that is inherent in being a victim of a murder falling within paragraph 5. The nature of the attack was such that it must have terrified the deceased, and caused him great pain and distress. It must have been particularly terrifying and horrifying for Mr Bush to be attacked in his own home – indeed in his own bedroom – by one of his closest friends. He could be heard to scream and cry for help, and he plainly struggled to fend off your brutal assault. The nature of the attack, and the suffering inflicted on Mr Bush are very important aggravating factors.

43. I have borne in mind that the Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2024 came into force after the offence was committed, and so paragraph 9(fa) of Schedule 21 does not apply but the statutory list of aggravating factors is not exhaustive.
44. The aggravating features that I have identified would result, before considering your mitigation and making a deduction for the days you spent on remand, in an uplift from the starting point to a minimum term in the region of 22 years.
45. I turn to the mitigating factors. First, I shall address certain factors that do not apply. A person who commits murder with an intention to cause serious bodily harm rather than to kill can rely on that fact in mitigation, pursuant to paragraph 10(a) of Schedule 21. Such mitigation is not available to you. As your Counsel accepts, the Court is entitled to proceed to sentence on the basis that you had an intention to kill. I am sure that you intended to kill Mr Bush. The extent of his injuries, and the way in which you calmly and deliberately continued your assault after he had fled to, and collapsed on, the patio, demonstrates your unequivocal intention to kill Mr Bush. I note that the Prosecution sought to rely on your intention to kill as an aggravating factor. However, the law is clear that intent to kill does not fall to be treated as an aggravating factor because it has already been taken into account in the starting point fixed by Parliament.
46. Second, if I were satisfied that you are genuinely remorseful that would be a mitigating factor, albeit one carrying limited weight in the circumstances. There is some evidence from your aunt and from Dr Xavier, a Consultant Forensic Psychiatrist and your responsible clinician, that you deeply regret the death of your friend and feel for his family. But that evidence is very limited and does not satisfy me that you feel genuine remorse for your actions. I note that the Prosecution sought to rely on your lack of remorse as an aggravating factor. That submission is wrong in principle. The Sentencing Council's *General Guideline: overarching principles* makes clear that lack of remorse should never be treated as an aggravating factor. But, as I have indicated, its absence means that is not a mitigating factor in your favour.
47. Third, although I have rejected the contention that your offence is aggravated by significant planning or premeditation, in the circumstances, and bearing in mind the sustained nature of the attack, you cannot rely on lack of planning or premeditation as a mitigating factor. Mr Pownall wisely does not suggest otherwise.
48. I turn then to the mitigating factors which do apply.
49. It is common ground that your age at the time of the offence (23) and your lack of any previous convictions are mitigating factors. In relation to those factors I bear in mind the evidence I heard during the trial that you were young for your age, and that you have no history of violence. I will make some reduction for these factors, but any allowance for them must be very limited in the circumstances of this case.



50. The most significant mitigating factor is that you were suffering, at the time of the offence, from a psychotic mental disorder, namely schizophrenia. By their verdict, having heard factual and expert evidence in relation to your killing of Mr Bush, including the evidence of two psychiatrists, one called for the Defence (Dr Xavier) and one for the Crown (Dr Jayawickrama), the jury rejected the partial defence of diminished responsibility. The two psychiatrists agreed that when you killed Mr Bush you were suffering from schizophrenia. Dr Xavier was of the opinion that all four of the criteria to establish the defence of diminished responsibility were met, whereas Dr Jayawickrama's opinion was that the final two criteria were not met. His evidence was that your schizophrenia was unlikely to have caused a substantial impairment in your ability to understand the nature of your conduct, to form a rational judgment, or to exercise self-control, and he was unable to conclude that it provided a clear explanation for your conduct. It is plain that the jury preferred the evidence of Dr Jayawickrama where he disagreed with Dr Xavier.
51. Paragraph 10(c) of Schedule 21 recognises that an offender's mental disorder may lower his degree of culpability, even though it was not sufficient to afford him a partial defence of diminished responsibility. In considering this issue I have borne in mind the factual and expert evidence I heard at trial, including the evidence of your behaviour in the months, days and hours before the offence, and the agreed expert evidence that you were not in the prodromal phase but were suffering from a psychotic mental condition by the time of the offence. I am satisfied that as a result of your schizophrenia your ability to form a rational judgment was impaired (albeit not to the substantial level required to establish the defence of diminished responsibility), which has the effect of lowering your degree of culpability.
52. Mr Pownall submits that there is a further, non-statutory aggravating factor, namely the fact that opportunities to refer you to a psychiatrist in the period leading up to the commission of the offence. While I accept that opportunities were missed, and that you were not best placed to appreciate that you were suffering from a mental health disorder, I do not consider that fact reduces the minimum term further.
53. Taking all these matters together, I am satisfied that the balance of aggravating and mitigating factors weighs against you and raises the minimum term substantially above the starting point.
54. The statutory surcharge will apply.

### **THE SENTENCE OF THE COURT**

*Dylan Thomas, please stand.*

55. Dylan Thomas, for the murder of William Bush, I sentence you to imprisonment for life. Taking account of all the relevant circumstances, and the aggravating and mitigating factors that I have set out, the minimum term I impose is one of 17 years and

337 days' imprisonment. That is a minimum term of 19 years' imprisonment minus the 393 days that you have spent in custody on remand pending trial.

*Mr Thomas, you will go now to begin your sentence.*

**Before leaving this case:**

I want to recognise and thank all Counsel involved for their diligence on behalf of their clients, the teams sitting behind them and all those supporting them in Court, the CPS, the police, and all those who have played their part in bringing the defendant to justice.

I would also like to thank the jury members for their commitment to the case, and the Court staff, so often unsung heroes, whose work in this trial was exemplary.

Lastly, and most importantly, I wish to pay tribute to the dignity, fortitude and restraint of William Bush's family, including his partner, throughout this difficult trial.