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IN THE COURT OF APPEAL

CRIMINAL DIVISION

ON APPEAL FROM THE CROWN COURT AT HULL

MR JUSTICE COTTER 16XP0425423

Neutral Citation Number: [2024] EWCA Crim 1643

CASE NO 202400162/A5

Royal Courts of Justice
Strand
London
WC2A 2LL

Wednesday 11 December 2024

Before:

LADY JUSTICE MACUR

MR JUSTICE GARNHAM

RECORDER OF MANCHESTER
(HIS HONOUR JUDGE DEAN KC)
(Sitting as a Judge of the CACD)

REX
V

AMIE LOUISE KEHOE

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NON-COUNSEL APPLICATION

J U D G M E N T

LADY JUSTICE MACUR:

1. We confirm that the section 45 restriction on reporting the name of one of the witnesses in this case shall continue.
2. On 24 November 2023, the applicant was convicted of murder. She was sentenced to imprisonment for life with the period of 28 years less 279 days spent on remand specified as the minimum term, pursuant to section 322 of the Sentencing Act 2020. This is her renewed application for permission to appeal against sentence.
3. The grounds of her application are that insufficient weight was given to her age and immaturity, to her previous good character, to the fact that there was no intention to kill, to the fact that she did not instigate violence, nor did she play the *leading role* or assist or enlist the assistance of others and that her sentence was disparate to the sentence of Keeran Edge who received a minimum term of 31 years.
4. The facts of what we regard to be senseless, fatal violence, as described by the judge, have been set out in the Court of Appeal office summary which has been served upon the applicant. In addition, it is pertinent to record the sentencing remarks specific to the applicant:

“Amie Kehoe, you were not involved in the initial assaults by Hailstone and Edge. You were tucked up in bed in your own home when you saw over Snapchat the assault by Edge on Lee Rhoades. Your reaction gives a clear indication of the person that you were that day. You made the significant effort to get back to the flats, with the clear and deliberate intention of joining in on a further assault on Lee Rhoades. Your arrival added impetus and, as is shown on the CCTV when you were going up in the lift, you were

hyped and ready for action, taking off your dressing gown, handing over your handbag and cigarettes and beer. You were then engaged in a sickening assault on Lee Rhoades during which you, I am sure repeatedly stamped on his head as he lay on the ground, causing the awful facial and head injuries which contributed to his death.

But that was not enough for you. Despite being told to leave him alone, you later went with Edge to Lee Rhoades' flat and engaged in sadistic torture. You acted together to insert the broom handle repeatedly, even after it was broken, and stabbed him in the foot. You then went back to Hailstone's flat to get the knife cleaned and boasted that what you had done would hurt him in the morning. Given that you acted with Edge to sadistically torture a man and, as I have indicated, the starting point must be thirty years.

As for aggravating features, there was significant determination and premeditation in your choice to travel to return to the flat to assault Lee Rhoades, and also a conscious decision to go to Lee Rhoades' flat to inflict further appalling injuries. However, I follow the same merciful approach urged upon me by Mr Cox on your behalf as I have outlined in respect of Edge as regards Lee Rhoades' suffering given the starting point.

As for mitigation, and as for the others, I take your intention as one to cause serious bodily harm rather than to kill. Unlike the others, you have no previous convictions. I am quite satisfied that any mental health issues you may have suffered played no part in this assault. As you admitted, you had been going out with Edge two or three times a week in the period running up to the attack and engaged in a very significant amount of drinking and drug taking that evening. There was no hint at all of depression or anxiety, or even mourning the passing of your cousin. As I have stated, there was a degree of flirting that took place and you required little encouragement to do what you did. You were twenty-three years of age at the time of the offences and only limited mitigation arises from relative youth and immaturity."

5. Those sentencing remarks were summarised by the single judge who said as follows:

"The applicant returned to the flat having viewed the appalling assault on the victim, sent to her by Edge on Snapchat. She did so in order to participate in the violence. Her return provided impetus for the further and lethal attack. Having readily joined in, she was

an equal participant in the murderous and sadistic violence, which included inflicting terrible internal injuries on a wholly vulnerable and very seriously injured man. The applicant boasted about what she had done afterwards.”

6. We respectfully adopt that summary of the participation of this applicant in the offence.

We have all individually and collectively considered this application afresh. However, having regard to the sentencing remarks, we too conclude, as did the single judge, that the sentencing judge, who had arrived at a starting figure of 30 years, did adequately consider the applicant’s youth, good character and lack of an intent to kill. We also agree with the single judge that, although she had not instigated the original violence, she played a full part in the escalating the attack which followed her arrival and she provided encouragement for it.

7. There is no real distinction to be drawn in her participation in the act as between Edge (her co-defendant who received 31 years) and her own acts. However, as the single judge said, the only real distinction to which the judge had regard was Edge’s considerable criminal record. For that reason he received a longer sentence.

8. This application must fail. The appeal is not in any sense arguable. The application is refused.

Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the

proceedings or part thereof.

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