

R v Maughan (Northern Ireland)

Case ID: 2020/0103

Case summary

Issue

- (1) Whether the term "proceedings" should be confined to court proceedings in the context of considering reductions to defendants' sentences when they plead guilty to a crime at an early stage.
- (2) Whether such reductions to sentences may be reduced where the defendant is caught "red handed".

Facts

Owen Maughan and John Maughan were charged together and separately with a series of offences committed between 13 July 2015 and 25 July 2016. They pleaded guilty to these offences when they were formally charged on 14 September 2017. Both men had previous convictions and the pre-sentence report stated that they both presented a high likelihood of reoffending.

On 21 December 2017, both men were sentenced at Belfast Crown Court to imprisonment for fourteen years (seven years in custody and seven years on licence). Their sentences were somewhat reduced because they had pleaded guilty at an early stage. However, they were not afforded the maximum discount on their sentences because they did not co-operate with the police on arrest and because, for certain of the offences, they were either caught "red handed" or the evidence against them was overwhelming.

Both appealed their sentences to the Court of Appeal (Northern Ireland) on the basis that they were manifestly excessive (Owen Maughan) and wrong in principle (John Maughan). The Court dismissed both appeals. Owen Maughan now appeals to the Supreme Court.

Judgment appealed

[2019 NICA 66](#); [2020 NICA 19](#)

Parties

Appellant(s)

Owen John Maughan

Respondent(s)

Director of Public Prosecutions

Intervener

Lord Advocate

Appeal

Justices

Lord Hodge, Lord Hamblen, Lord Burrows, Sir Declan Morgan, Lord Lloyd-Jones

Hearing start date

27 January 2022

Hearing finish date

27 January 2022

Watch hearing

27 January 2022

[Morning session](#)

[Afternoon session](#)

Judgment details

Judgment date

18 May 2022

Neutral citation

[2022] UKSC 13