



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FOURTH SECTION

Application no. 57592/08
Arthur HUTCHINSON
against the United Kingdom
lodged on 10 November 2008

STATEMENT OF FACTS

The applicant, Mr Arthur Hutchinson, is a British national, who was born in 1941. He is currently detained at HMP Frankland. He is represented before the Court by Ms J. Ramjeet, a lawyer practising in London with Julian Young & Co. Solicitors, assisted by Mr C. Donnellan QC, Mr D. O'Callaghan and Ms K. Howarth, counsel.

A. The circumstances of the case

The facts of the case, as submitted by the applicant, may be summarised as follows.

On the night of 23/24 September 1983, the applicant broke into the home of a family in Sheffield. Earlier that day the family had been celebrating the wedding of one of their daughters. The applicant stabbed the parents and one of their sons to death. He then repeatedly raped one of the other daughters of the family, after having taken her past the body of father, into the marquee where the wedding had taken place, and handcuffing her. He also stole a watch and money from the property.

On 14 September 1984, he was convicted by a jury sitting in the Crown Court at Sheffield of triple murder, aggravated burglary and rape.

The trial judge sentenced him to life imprisonment and subsequently recommended to the Home Secretary that he, the Home Secretary, set a tariff of eighteen years. The Lord Chief Justice, by contrast, recommended a whole life tariff. On 16 December 1994, the Home Secretary set a whole life tariff.

Following the enactment of the Criminal Justice Act 2003, the applicant applied to the High Court for review of his whole life tariff. On 16 May 2008, having conducted that review, the High Court made a whole life order

in the applicant's case. The applicant's appeal against that decision was dismissed by the Court of Appeal on 6 October 2008.

B. Relevant domestic law and practice

The relevant domestic law and practice on whole life orders is set out in the Grand Chamber's judgment in *Vinter and Others v. the United Kingdom* [GC], nos. 66069/09, 130/10 and 3896/10, §§ 33–58, 9 July 2013.

COMPLAINT

The applicant complains that his whole life order is in violation of Article 3 of the Convention.

QUESTION TO THE PARTIES

Has there been a violation of Article 3 of the Convention?