



JUDICIARY OF
ENGLAND AND WALES

R v Christopher Halliwell

Bristol Crown Court

23rd September 2016

Sentencing remarks of Sir John Griffiths Williams

You have been convicted by a jury of the murder of Rebecca Godden. Sadly her young life was troubled and blighted by her drug abuse which forced her into prostitution to fund her addiction. While she had returned to the company of friends and to her life of drug taking, it remained her hope that she would one day free herself of her addiction and belatedly return to her family to live the decent life her early years had promised and of which her addiction had deprived her. When you murdered her, you deprived her of a potentially fulfilling life.

Your account of the circumstances in which she met her death bears all the hallmarks of a contrived explanation designed to avoid conviction in the hope that the minimum term you are presently serving will not be increased. But the account which you advanced so glibly with little or no regard to the truth made no sense at all.

You told Superintendent Fulcher that you had sex with an unnamed prostitute, strangled her before undressing her, you then left her body in bushes by the wall of Oxo Bottom field and returned the following night to dig the grave and bury her. I am firmly of the view that that was only partially truthful.

I have had the opportunity of observing you throughout the trial and listening to your evidence. I have no doubt that you are a self - centred and domineering individual who wants his own way. You are both calculating and devious.

Having heard the evidence, I am satisfied so as to be sure to the required criminal standard of proof of the following;

1) You knew Rebecca Godden and had known her for some time. It was not a conventional relationship. I consider it unlikely that you were besotted with her. In my judgment your behaviour towards her was controlling. You used her for sex whenever you wanted to, taking advantage of her vulnerability as a drug addict and prostitute. She had little or no time for you.

2) In the early hours of 3rd January 2003 when she was standing outside the Desire and Destiny club with Rebecca Boast, you drove up in your taxi and summoned her. That could only have been because you wanted her to go with you for sex but she was clearly not interested. She returned to join her friend but you remained and so she went to speak to you a second time. A row developed during which she yelled at you, clear evidence that she did not want to go with you. She returned again to her friend but you did not drive off and so it was that she went to your taxi and got in to a rear seat. Rebecca Boast described her as "huffed", that is to say annoyed and I conclude she joined you unwillingly.

3) You then drove to somewhere private, most probably to the south of Swindon and to Savernake Forest where 8 years later you took Sian O'Callaghan. What then happened must be a matter of inference. I take as my starting point the evidence of your injuries when you were examined later that day by your general practitioner – a broken little finger and scratches to your face. I reject your evidence that you had been involved in a fight with a would-be passenger. I conclude you must have attacked Rebecca Godden; that attack must have been prompted by her refusing you sex. When she put up a struggle, you killed her. You clearly intended to kill her. I add that I am certain she struggled desperately in an attempt to save her life but she was physically no match for you.

4) You then drove to Oxo Bottom field which you knew to be very isolated. There you had the presence of mind to remove her clothing to ensure, if her body was found, that there would be no forensic links to your taxi and to you. You returned the next night to bury her and returned again and again over the following years to make sure that her body was not visible in that shallow grave.

5) When on 24th March 2011 you realised you had no chance of avoiding detection for the murder of Sian O'Callaghan, you very briefly allowed the little conscience you have to prompt your confession to the murder of Rebecca Godden. I consider that but for that confession, there is every prospect that Rebecca Godden's remains would not have been found but such mitigation that provides is outweighed by your subsequent behaviour. Following your arrest you answered 'no comment' to all questions and you have since sought to manipulate, first the police investigation and then the court process in a futile attempt to avoid the punishment you so richly deserve.

I am satisfied that your conduct amounted to abduction. Rebecca Godden did not want to go with you and would certainly not have gone with you had she known you were

prepared to rape her and to use violence if she did not do as you told her. There was clearly sexual conduct and your offending was aggravated by your concealment of the body.

As the murder was committed between 31st May 2002 and 18th December 2003, I must have regard to the transitional provisions in section 276 and Schedule 22 of the Criminal Justice Act 2003 and the Practice Statement (Life Sentences) 2000 Cr App R 18 but the minimum term must reflect your culpability not only for the murder of Rebecca Godden but also for the murder of Sian O'Callaghan committed in March 2013. For that murder, the provisions of schedule 21 of the 2003 Act apply.

Passing sentence on you for the murder of Sian O'Callaghan, Mrs Justice Cox observed that your account in mitigation bore all the hallmarks of an account clearly designed to try and explain away separate aspects of the evidence relied upon by the prosecution. She was satisfied so as to be sure that in the early hours of Saturday night 19th March 2011, you turned your taxi handset off and then drove around the area of Swindon Old Town for some 40 minutes until you saw Sian O'Callaghan. You offered her or persuaded her to have a taxi ride home and she got into your taxi. She would have suddenly realised with horror that you were not taking her home because you drove in the opposite direction out of Swindon towards the Savernake Forest. Mrs Justice Cox rejected the suggestion that you were initially told to drive to Collingham. In the forest, you assaulted her and murdered her and left her body somewhere in the forest area. It was accepted you had the knife used to murder Sian O'Callaghan to use as a weapon and so the starting point was 25 years. Mrs Justice Cox was satisfied that you intended to kill her. At some point on Monday 21st March, you moved her body from the place you had first hidden her to the place on the Downs where she was eventually found by the police on Thursday 24th March 2011. Her body was partially concealed. The condition of her clothing proved that her murder involved sexual contact. There were

the stab wounds to the head, deep bruising and abrasions to her face consistent with punching or kicking and bruises and abrasions to her breasts, particularly her left breast and nipple caused possibly by biting. Mrs Justice Cox said Sian O'Callaghan would have been terrified and panic stricken right from the moment she realised you were not going to drive her home. She was satisfied that you made extensive efforts to conceal her body and would have made more but for the police activity searching the area for her. She ignored, as I shall ignore your previous convictions, all for offences of dishonesty and committed many years ago. She allowed a discount of 5 years for your guilty plea and determined the minimum term as 25 years.

I observe that you lied to the jury about the circumstances of the murder of Sian O'Callaghan just as you lied to the jury about the circumstances of the murder of Rebecca Godden. A feature of your evidence which I would have not been alone in considering disgracefully unfeeling was the contradiction in your claims that you wanted to spare the family of Sian O'Callaghan further grief and yet you did not take the police straight to her body and despite your confessions to Superintendent Fulcher, you made no comment answers when you were interviewed about her murder; you then pleaded not guilty and so compounded and added to the grief of her family.

You have put the family of Rebecca Godden through similar anguish, first confessing to her murder and then answering no comment to all questions in interview. After what must have been hours of trawling through the prosecution papers, you devised a cock and bull story about two drug dealers. I cannot add to your sentence for such cynical indifference to the concerns of the families but it is clear to me that there is nothing which can mitigate your sentence.

I have considered the heartfelt evidence of Rebecca Godden's mother and father.

I am satisfied that there are real similarities between the two murders. The fact that some nine years elapsed between them probably reflects the absence of opportunities.

With the Transitional Provisions in mind, I have considered paragraph 18 of the Practice Statement under the heading “Very Serious Cases” – “A substantial upward adjustment may be appropriate in the most serious cases, for example, those involving a substantial number of murders or if there are several factors identified as attracting the higher starting point present. In suitable cases, the result might even be a minimum term of 30 years ... which would offer little or no hope of the offender’s eventual release. In cases of exceptional gravity, the judge, rather than setting a whole life minimum term, can state that there is no minimum period which could properly be set in that particular case”. I have considered also the judgment of the Court of Appeal, Criminal Division in SULLIVAN & others [2004] EWCA Crim 1762 and in particular paragraphs 26 and 27 of the judgment.

Applying Schedule 21 of the Criminal Justice Act 2003, I have concluded both murders involved the abduction of the victim and sexual conduct and both were aggravated by the concealment of the bodies. I am satisfied your offending is exceptionally high and satisfies the criteria for a whole life term and that the Transitional Provisions do not require me to impose a minimum term. Were I to impose a minimum term it would be of such length that you would in all probability never be released.

I sentence you to Life Imprisonment and direct there will be a whole life order.

I want to take the opportunity of saying a few words to Mrs Edwards and Mr Godden. You have had to live with every parent’s nightmare of a missing child and then the discovery that she had been dead for some years, buried naked in a field. You have been deprived of the opportunity we all want to say farewell to our closest and dearest. And

then you have had to live through the criminal processes as Christopher Halliwell was brought eventually to justice. There must have been moments when you wondered whether the case would ever be completed. If I may say so, you have behaved throughout with quiet dignity and courtesy. I hope you will feel that justice has been done and that while that cannot bring Becky back, that it may at least bring you some solace.

I will include Mr and Mrs Callaghan because this trial must have been an ordeal for them as they had to relive the evidence of how Sian died. They too have behaved with dignity and courtesy.

I pay tribute to you all.