



JUDICIARY OF
ENGLAND AND WALES

R

-v-

Stephen Searle

Ipswich Crown Court

18th July 2018

Sentencing remarks of THE HON MR JUSTICE GREEN

1. Stephen Searle the jury has found you guilty of the murder of Anne Searle, your wife. By your own hands you have brought grief and distress untold upon your family. You have deprived your children of the mother that they loved. You have deprived your grandchildren of their grandmother and you have deprived Anne of the remaining years of her life.
2. I have listened with great care to the victim statement prepared by your son, Stephen, which has been read to the court. He spoke of the quite awful impact which his mum's death has had upon him and he told the court that not only has he lost his mum but has also, in effect, lost you, his dad.
3. I think that it must go without saying that your actions have caused devastating waves of pain and anguish to crash through your entire family. No sentence that I impose can ever undo that suffering.
4. I must now sentence you for murder. As to this there is only one sentence recognised by law, which is one of life imprisonment. I must also set the minimum term which you must serve before you are eligible to apply to the Parole Board for release. I should make clear that the minimum term that I will set is the actual number of years that you will serve in prison before you may apply to the Parole Board. It will then be up to the Board to decide whether and when to release you.
5. In deciding upon the minimum term I must set out my conclusions upon the evidence that I, along with the jury, have heard during this trial. I must sentence you only upon the basis of the facts that I am sure about. If I am not certain about something I must give you the benefit of the doubt.
6. At some point in the late evening on Saturday 30th December 2017 you killed Anne Searle, your wife of 45 years. She was 62 at the time and can have expected many years of life ahead of her. You were 64.

7. I am sure that on that evening a row broke out between you and I have no doubt but that it concerned your infidelity. You had been having an affair with Anastasia Pomiateeva, your daughter in law.
8. By the late summer of 2017 your affair with Anastasia had been going on for some months. It was a sexually active affair.
9. You were discovered when Anne overheard you on the phone early one morning talking to Anastasia and her suspicions were confirmed when she, subsequently, interrogated the messages on your phone and found explicit texts passing between you and Anastasia.
10. And then the truth was out. When confronted you first of all wriggled, squirmed and denied. You even claimed at one stage that you were seeing a man. But then you admitted to the affair and it came to an end.
11. As a result of all of this Anne was bound to have been profoundly upset. At the end of August 2017 she and Anastasia almost came to blows on your doorstep when Anastasia came to your house to see or confront Anne. If we are to believe what was said in court Anastasia told Anne that she had not properly looked after you and she jibed Anne about her drinking.
12. You told the jury that in fact after the revelation of the affair everything went back to normal between you and Anne. But evidence given in court shows a much more complex picture. Anne was considering moving on and seeking to re-build the marriage. But I have no doubt that she was still deeply hurt and angry.
13. And so there was a row on Saturday 30th December. Almost certainly it concerned your affair. Anne has not been able to come to Court to describes to us what really happened. We have only your version and the jury has rejected it. We will not now find out what the truth is.
14. Anne died because you compressed her neck for a substantial period of time. At some point, probably after 8-15 seconds, she would have gone unconscious. But then you continued to compress her neck causing haemorrhaging within the head and brain. Eventually the brain will have stopped, and it would have then ceased sending messages to Anne's vital organs, including her heart. And so she died.
15. For the purpose of sentencing I have to make a decision about a number of matters.
16. First, I need to decide how you killed her and whether it was from behind her using a choke hold or in a face to face tussle. I cannot be sure that you used a

neck or choke hold upon her to strangle her and kill her. I therefore take it that you killed her when you were face to face with her.

17. Second, I need to decide whether your killing was premeditated or occurred during the heat of a fight that was unplanned and unexpected. As to this I proceed upon the basis that the attack was not premeditated. It occurred during a fight with her that was unexpected.
18. Third I need to decide whether Anne started the fight and threatened you with the serrated steak knife. This is an area which is clouded in uncertainty. For the purpose of sentencing I will proceed upon the basis that it is possible that Anne came at you with the knife and that you and she struggled and that she then fell backwards.
19. Fourth, I need to consider whether there is any significant difference in sentence depending upon whether this is a case of intentional killing or instead an intention to cause really serious bodily harm. The pathology evidence puts this into context. When you lay upon Anne with your right hand over her neck, pinioning her to the floor, and forcibly pushing down, she would have gone unconscious in a matter of seconds. But for her to die needed you to continue to push down upon her neck for longer. We do not know for how long you continued to use downward force on Anne's neck. But at some point Anne went limp and stopped struggling. She was no longer scrabbling at you to release the pinion-like grip you had on her throat. She was no threat to you. Yet you continued and she was at your mercy. In the event you pressed until the life inside her was extinguished and snuffed out.
20. After the police arrived you said to them "*sometimes you've just had enough*". Later you said, "*I totally fucked it tonight*". Then you said, "*everyone has their breaking point*". You also said, "*sorry I've been a very naughty boy*". You also said, "*What the fuck have I done*".
21. I have concluded that whether you intended to kill or merely intended to cause extreme physical harm does not alter my view of the proper sentence.
22. By law I am required to have regard to the guidelines set out in the Criminal Justice Act 2003 in relation to sentencing for murder. In a case such as this the sentence that I must impose is one of life imprisonment. The guidance given as to the starting point for the minimum term is that you serve 15 years before you can apply for parole. I then have to adjust this starting point taking into account aggravating and mitigating factors which might, respectively, either increase or decrease the starting point.
23. I have given this matter very considerable thought. Mr Jackson has raised the issue of this murder being committed in Anne's home and by you in breach of the trust that exists or should exist between a wife and her husband of long standing. It seems to me that these factors are largely wrapped up in the basic

facts of the murder, being a domestic killing in the midst of a family dispute. I nonetheless take them into account in a modest way as aggravating.

24. So far as mitigating factors are concerned Mr Dyble has identified a number of matters that I can properly take account of. First there is your age. You are now 64 years of age and you will spend a good of the remainder of your life, and possibly all of it, in prison. Second, you have recently been diagnosed with prostate cancer. It is possible that this will affect life expectancy; I do not know. I can take into account that you will find prison a more uncomfortable place than would a prisoner in full health. Third, you have no relevant previous convictions. You have also played a useful role in the past through your contribution to the Royal Marine Cadets. Fourth, this was not a premeditated killing, but a murder committed in the heat of a moment. Fifth, I also take into account that following the killing you did not take steps to conceal your conduct and you contacted the police and immediately admitted to the killing. You knew what was in store for you. Though it remains the case that you have put your family through the turmoil and pain of having to attend this trial.
25. Taking all of the relevant surrounding circumstances into account, and viewing this case from the perspective of totality, I conclude that these various considerations reduce the starting point by 1 year.
26. Stephen Searle please stand up.
27. The sentence of this court is one of life imprisonment. You will serve a minimum term of 14 years before you can apply for parole. The time that you have spent on remand in prison will be taken into account. You may now be taken away.