



JUDICIARY OF
ENGLAND AND WALES

IN THE CROWN COURT AT WORCESTER

WEDNESDAY 20 JULY 2022

MRS JUSTICE TIPPLES DBE

REGINA

- v -

DAVID VENABLES

SENTENCING REMARKS

1. David Venables I have to sentence you for the murder of Brenda Venables in May 1982, which you were convicted of by a jury of this Crown Court by a majority of 10:2 on 15 July 2022.
2. Brenda Venables was a kind and caring woman who was loved by her family and her many friends. They knew her for her sense of fun, joyful disposition and happy laugh. They also knew her for her beauty and the immaculate way she was always turned out.

Everyone who worked on your farm thought very well of her, and spoke highly of her, and she was regarded as very prim and proper. At the age of 48 Brenda's life was cut short when you killed her. Her disappearance in May 1982, and the subsequent discovery of her remains, had, and has had, a significant impact on all her family and friends, particularly on her parents, her two sisters and her nephews and nieces. That impact has been clearly explained by her niece, Jocelyn Sheppy, in victim impact statement she prepared on behalf of all Brenda's family members and which was read in court today. Brenda's parents were devastated by her disappearance, and they died with the agony of not knowing what had happened to their beloved daughter. Her sisters, Rita and Jane, spent years waiting for news of their sister and they, and their families, are now tormented by truth that Brenda was murdered by you, her own husband, in her own home and by the indignity of what you did with her body.

Facts

3. You reported your wife, Brenda, missing to the police at Worcester Police Station on Tuesday 4 May 1982 at around midday. Brenda was, by then, dead and her fully clothed body was in the septic tank at your home, which is where you had put her. I am quite sure that, by then, Brenda had been dead for well over twenty four hours, and probably quite a lot longer. That is because on Monday 3 May 1982 Vicky Jennings, one of Brenda's closest and oldest friends, spent about four hours with you searching for Brenda along the banks of the River Severn, and also around the nearby lanes and Kempsey churchyard. You had not, at that point, reported Brenda missing, and she was nowhere to be found.
4. In 1982 the septic tank at Quaking House Farm House was outside the garden of your home, behind the boundary hedge. It was hidden from view in another hedge, where there were lots of damson bushes, the grass was rough, and the vegetation overgrown. You knew that, apart from two or three people on your farm, no one else knew there was a septic tank at Quaking House Farm House or where it was. It was extremely difficult to find, unless you actually knew it was there.
5. You were also well aware of Brenda's fragile mental health and that she was suffering from severe depression. You told the police at the outset she had been depressed due to menopause and you took full advantage of your wife's depression in the carefully thought

out story you told to the police that, out of the blue, she had left home in the middle of the night in her pink nightie. You deliberately wanted the police to believe that, as a result of her depression, she had taken her own life and committed suicide. Those lies led to an extensive police investigation and searches of all the surrounding area carried out by several police officers with the use of dogs, river launches, and helicopters. That investigation must have cost thousands of pounds and took a huge amount of police time.

6. I am sure, based on the evidence at trial, that you killed Brenda in her own home on either Saturday 1 May or Sunday 2 May 1982, and did so at some point during the day. You then dragged her fully clothed dead body across the garden to dispose of it in the septic tank and I am sure that it was you who then put the 19kg cast iron manhole cover into the tank after her. You must have done this intending to weigh her body down in the tank and, having done so, you were ready with something else to cover the tank so there would be no foul smell apparent to anyone.
7. Mr Hannam QC, your barrister, has submitted that this was a killing which was not anticipated and, in a panic, you disposed of the body in the septic tank. This was, he submitted, a killing in the heat of the moment. I disagree the whole process of disposing of her body in the septic tank, and leaving no trace whatsoever of what you had done must have required considerable thought, and planning and preparation. This was not something you did on the spur of the moment. I am also sure that you gave thought as to when to report Brenda missing, and you delayed doing so in order that any scent from moving her body across the garden to the tank would have vanished by the time police dogs turned up to search the area around your home, which you knew would happen.
8. It is not possible to tell from the evidence at trial how Brenda died. The only person who knows is you, and it is not for me to speculate about it. Nevertheless, the secret location in which you hid Brenda's body, coupled with her history of depression, meant that you ensured that the police never considered you as a suspect in relation to Brenda's disappearance. That remained the position for over 37 years. Your luck ran out on 12 July 2019 when, having sold Quaking House Farm House to your nephew and his wife in 2014, the usual company who emptied the septic tank were unavailable, and a different company attended to deal with the emergency which had arisen as a result of a blockage in the tank. That new company turned up with a significantly larger vehicle and, with

their more substantial equipment, completely drained the tank and there, at the bottom, were the skeletal remains of Brenda's body and the clothes she was wearing. When the police told you what they had found you said you were "amazed" and "absolutely flabbergasted". And no doubt you were. You thought that, aged 86, no one would ever find out that you were responsible for Brenda's disappearance all those years ago and that you had murdered her.

9. Brenda was a farmer's daughter and she met you through Young Farmers in the 1950s. You went out together for about 7 years before you were married on 1 June 1960. In February 1961 you moved into the newly built Quaking House Farm House, located in a rural area to the south of Kempsey and with magnificent views of the Malvern Hills. Every now and then Brenda helped with delivery of cut flowers from the nursery on the farm, but most of her time was spent supporting you as a farmer's wife and, in particular, cooking regular meals for you. You both hoped for children, but that did not happen. Your sexual relationship with your wife stopped in 1969 and, by then, you had had two affairs, which Brenda knew about. One was with Lorraine Styles and the other was with Dorothy Rimmell.

10. Your affair with Lorraine Styles continued on an on-off basis throughout the 1970s and before Christmas 1981 you re-kindled that relationship. I am sure that you went away for the New Year with Lorraine Styles at the start of 1982 and you stayed together in a hotel in Nottingham. Brenda knew that is what you were doing, as you had got her to pack your suitcase beforehand. You knew that, at that time, Lorraine had been seeing another man called Edward Day and you persuaded her to give him up for you. You gave Lorraine the impression that you wanted to settle down with her, and you told her that you would see a solicitor about getting a divorce from Brenda, so that you could live in the house together. Lorraine told you that she did not want to live in Quaking House Farm House, so you started discussing buying her house in Warden, so you would have somewhere to live with Lorraine after you had divorced Brenda. You also told Lorraine Styles that you had seen a solicitor about the divorce and had been told that it wouldn't be easy and would take time because of the "business factor". You were, of course, farming in partnership with your brother with what, on all accounts, was a substantial farming business at the time, with over 400 acres of arable land, two piggeries, a nursery and greenhouses, growing house plants, flowers and vegetables. Lorraine Styles believed that you were

sincere in what you told her, and in February 1982 she brought her association with Edward Day to an end. Her relationship with you then continued as it always had done, with you visiting her once or twice a week, taking her out for meals, and having a normal sexual relationship whenever you met. I am quite sure that in the spring of 1982 Lorraine Styles thought you were going to divorce Brenda, and settle down with her.

11. You knew that Brenda would never divorce you. Indeed, Brenda had made this clear to Lorraine Styles many years earlier, when she had met her in 1970. Brenda was a private person, and she did not share with those closest to her the personal loneliness she must have experienced being in such an unhappy and loveless marriage, together with her acute sense of failure that she did not have children. However, by the end of March 1982 those closest to Brenda were worried about her, and knew that she had been referred to a consultant psychiatrist, Dr Richards, for medical help.
12. Dr Richards' contemporaneous notes of his consultations with Brenda, together with his letters to her GP, lay bare the details of her depression and the causes of it. It was you who was responsible for so many aspects of her mental illness. You showed her no affection or sympathy, you refused her admission to hospital for the medical support she needed, you kept her on very short rein in relation to money and what she could do in her day to day life and you destroyed her confidence. You were, at the same time, carrying on your affair with Lorraine Styles, and Brenda felt you were leading separate lives. You no longer shared a bedroom with her at home and, when you were at home, you directed your attention and affection on the family dog. Brenda considered her situation so hopeless that, by the start of March 1982, she had "suicidal tendencies" and had contacted the Samaritans. A few weeks later she told her doctors that she felt better. However, there was no change in her domestic circumstances. That was because you resented her attendance at the medical clinic and prevented her admission to hospital for observation. Brenda had another appointment with Dr Richards on 20 April 1982 which she did not attend. I do not know the reason for that and, for all I know, she could have been feeling better at that point in time. I also note that Brenda did not mention that you had been physically violent to her in her consultations with the consultant psychiatrist or her GP.
13. By the start of May 1982, Brenda had been ill with flu, and had fallen down the stairs and hurt her leg, which was then bandaged from the ankle to the knee. She had bad ankles in

any event, could not walk far and also suffered from arthritis. On 1 May 1982 Brenda's mother was so worried about her daughter that she called Vicky Jennings and asked her to help the family out and go and see Brenda, and take her out. Vicky Jennings agreed to do so and planned to see Brenda as soon as she could, which was on the Bank Holiday Monday, 3 May 1982. However, when she rang Quaking House Farm House, she was too late. You answered the telephone that morning and, for the first time, you told the lies you had concocted to explain Brenda's disappearance and then played on the fears of others that Brenda had, in the words of Vicky Jennings, "done something stupid" and killed herself. No-one dreamt that the real risk to Brenda was you, the smartly dressed gentleman farmer and the man she had been married to for almost 22 years.

14. I am sure that you killed Brenda Venables to remove her from your life and the complications she may have presented to you in any divorce proceedings. You wanted her out of the way and she, a woman suffering from mental illness who no longer meant anything to you, was an impediment to the life you wanted to lead with Lorraine Styles. You consistently lied about your relationship with Lorraine Styles and, in May 1982, the life you wanted was a life with Lorraine Styles. That was your motivation and there was, no doubt, an element of greed or selfishness as you avoided any adverse financial consequences of a divorce. The prosecution do not, however, suggest that this was a murder done for gain (and there was no evidence in relation to any such gain at trial), and I do not sentence you on that basis.

15. Your complete lack of respect for Brenda is obvious from your decision to dispose of her body in the septic tank. That tank, as you knew, contained the sewage from your own home, which was added to every day by your effluent. The fact that is what you did with her body is disgusting and repulsive and, unsurprisingly, something that those members of her family who are still alive have found very distressing and extremely difficult to bear.

Sentence

16. David Venables, I must sentence you for murder. The only sentence I can pass on you is one of life imprisonment. It is in any event the proper sentence for your crime. I also have to set the minimum term that you must serve before the Parole Board can consider you for release. That minimum term will reflect your overall criminality. The minimum

term does not represent the time you will actually spend in custody; it is simply the minimum period that you must spend in prison before your case can even be considered by the Parole Board. If they do not order your release, you will remain in custody for the rest of your life. If they do release you, you will be liable to recall to custody for the rest of your life.

17. I must set the minimum term by reference to Schedule 21 of the Sentencing Code as Parliament has enacted. I judge this to be a case which does not fall within paragraphs 2 to 4 of Schedule 21 and the starting point is 15 years. Having identified the starting point, I have to take into account the aggravating or mitigating factors, to the extent I have not allowed for them in my choice of starting point.
18. I note that this offence was however committed before 18 December 2003, when Schedule 21 of the Criminal Justice Act 2003 came into force. It is agreed by Counsel that the correct approach is to apply Schedule 21 and, at the end of the sentencing exercise, to stand back and reflect to ensure that the sentence passed is not more than would have been the case before schedule 21 came into force. I have been referred to the relevant case law, and it is agreed by Counsel that the slight differences between the two regimes, in effect, come out in the wash in the present circumstances.¹
19. You were born on 12 December 1932 and are now 89 years old. You were 49 when you murdered Brenda and, up until that point, you were a man of good character.
20. There are a number of aggravating factors.
21. First, you disposed of her body in a deliberately secluded location, without leaving any trace of what had happened, and then fabricated a story which drew on her mental illness in order to lead the police to believe that she had committed suicide away from home which is what they thought was likely to have happened. Her body was concealed by you in the septic tank of the home you had shared together for over 20 years, and the home you continued to live at for the next 32 years. The fact the body was concealed for over 37 years has meant that it is now impossible to determine the cause of Brenda's death, and that has increased the emotional suffering of her family.

22. Second, you killed Brenda in her own home, where she was recuperating with an injured leg and suffering from depression. You were, in large part, responsible for Brenda's mental illness and it is accepted on your behalf that she was vulnerable as a result of it (although not particularly so). You were Brenda's husband and she should have been able to trust you. Instead, you simply abused that position of trust.
23. Third, you wrongly blamed Brenda for her own death. You sought to make out that as result of her own irrational behaviour she climbed into the septic tank to end her life.
24. The features in mitigation are your old age and you have no previous convictions.
25. I turn to the approach I take to your old age and health. The Court of Appeal has made clear that an offender's diminished life expectancy, his age, health and the prospect of dying in prison are factors legitimately to be taken into account in passing sentence, those factors have to be balanced against the gravity of the offending, (including harm done to victims) and the public interest in setting appropriate punishment for very serious crimes. Further, whilst courts should make allowance for the factors of extreme old age and health, and whilst the courts should give the most anxious scrutiny to those factors, the Court of Appeal has also said that the approach of taking them into account in a *limited* way is the correct one. This court is required to balance issues personal to the offender against the public interest in imposing appropriate punishment for serious offending².
26. I have been provided with a letter from your GP dated 26 April 2022, together with psychiatric reports from Dr NMJ Kennedy MB ChB MRCPsych dated 29 May 2022 and Dr D Macganty dated 5 June 2022. Your barrister, Mr Hannam QC, has not asked for any of this medical evidence to be updated for the purposes of sentencing. I also observed you throughout the trial, which lasted five weeks from 13 June to 15 July 2022.
27. The GP's letter explains that, in her last few consultations with you, she found you increasing frail. She explains that you suffer from back pain secondary to degenerative disease of the spine and you had reported feeling low and in anxious mood, and were

¹ See *R v Sullivan* [2005] 1 Cr App R (S) 67, CA at [24]; *CPD VII Sentencing N: Transitional arrangements for sentences where the offence was committed before 18 December 2003*, at N5 and N6.

² *R v Clarke* [2017] 1 WLR 3851, CA at [25]; *R v S* [2018] 1 WLR, CA at [14].

experiencing poor sleep. She says that, in 2020, you underwent surgery for bowel cancer which resulted in a colostomy formation. In your most recent scan there is no evidence of any spread or recurrence of that cancer but, as result of your surgery, you do now have to use the toilet every hour. You have type 2 diabetes which, in April 2022, your GP recorded was poorly controlled, and she said could cause tiredness, fatigue and thirst. The adjustments to the trial process included regular breaks, and a shorter court day, together with a comfortable chair for you to sit in outside the dock, and headphones to assist with your hearing loss.

28. You have been living independently, without any help, on your own in the village of Kempsey. You have done your own shopping, washing, cleaning and hoovering and the evidence from Dr Kennedy was that your house was in a good state. You were still driving. You were driving yourself to the shops to do your shopping, to court for the earlier hearings in this case, and every Tuesday the 20 miles or so from Kempsey to Bidford-on-Avon to see the woman you describe as your “lady friend” with whom you have been in a relationship for 32 years.

29. I have observed you carefully during the trial. You attended the trial every day smart, well dressed and well kempt. You were able to walk around the court room without the use of a stick and, for a man of your age, you looked spritely. You also still have your mind. I watched you give evidence over three days and even though you sought to make out that your memory is failing, I do not think it is. The best example of this was the highly accurate and detailed plans you drew by hand of the ground and first floor of Quaking House Farm House in 1982. You drew those plans from memory during the course of your evidence to show the jury the layout of your home at the time of Brenda’s disappearance and before any alterations were made in 2000/2001. However old you are, those hand drawn plans were not the plans of a man whose memory is fading.

30. I also note that you have been subject to psychometric testing by Dr Kennedy. The scores you achieved were below what would be expected even for someone with severe dementia. As Dr Kennedy pointed out, those low scores do not correspond with your actual abilities, demonstrated by the independent life you were living and your driving. Dr Kennedy concluded the scores you achieved in the tests showed that you were not making maximum effort. In my view, you were deliberately trying to mislead him as to your cognitive abilities, and you were well aware that was what you were doing.

31. It is submitted by your counsel that you are frail, tire quickly and it is self-evident that a prison sentence will be particularly onerous for you when compared to younger, fitter offenders. It is also submitted that your life expectancy must be short. I agree that your old age means that your custodial sentence will be more onerous compared to a younger, fitter offender. However, the prison estate can make appropriate provision in respect of your age, and your particular medical needs (which I have just explained), and I am required to proceed on that basis. In my view you are a man who is relatively robust for your chronological age, and I do not accept that your life expectancy must be short. There is no evidence of that before me, and there is no evidence of your anticipated life expectancy. You have been able to carry on your own life, and do as you pleased, for over 37 years after you murdered Brenda. You committed the gravest of crimes by killing her, and the lives of family and friends were blighted by the consequences of what you did. I do, of course, taken account of your old age in mitigation, but I do so in a limited way.
32. You have shown no remorse at all for what you have done.
33. The points made in mitigation are, as Mr Hannam QC, pointed out important mitigating factors in relation to the facts of this case. However, having taken these factors into account I have formed the firm view that the aggravating factors do overall clearly outweigh the mitigating factors and the starting point needs to be adjusted upwards to reflect this.
34. Weighing up these factors the minimum term in your case will be 18 years. From that you must have deducted the number of days you have spent in custody since last Friday.
35. I should add that I have reflected on this minimum term and am satisfied that it is not more than the minimum term which would have been passed if you had been sentenced under the old regime, before Schedule 21 came into force in December 2003.
36. I direct that Dr Kennedy's report dated 29 May 2022 be forwarded to the prison in accordance with Rule 28.9 of the Criminal Procedure Rules.

37. Finally, I would like to extend the Court's condolences to Brenda's family and friends. I would also like to thank the West Mercia Police and all counsel and solicitors involved.

Mrs Justice Tipples DBE

20 July 2022

Michael Burrows QC and Tom Walkling for the **Prosecution** (instructed by the CPS)

Timothy Hannam QC and Adam Western for the **Defence** (instructed by Lister Brady)
