

## **In the Crown Court at Chester**

### **R ~ v ~ Christopher Guest-More**

#### **Sentencing remarks of Sir Peter Openshaw**

1. The defendant, Christopher Guest More is to be sentenced following his conviction after a long trial, on count 1, of the murder of Brian Waters and, on count 2, of conspiring to cause grievous bodily harm to Suleman Razak. I need, briefly, to set out my findings of fact.
2. These offences were committed as long ago as the 19 June 2003. In earlier trials, in the years immediately following the offence, John Wilson, Otis Matthews and James Raven were convicted of the same offences. The defendant evaded justice for 18 years.
3. As is made clear from the Victim Personal Statement submitted by the family, to them Brian Waters was a loyal and devoted husband and father, and his family will remember him as such; but necessarily in the prosecution of this case the focus has been upon his life as a drug dealer. Although Brain Water's principal drugs business was in Holland, he had taken a short tenancy on Burnt House Farm, at Tabley near Knutsford. With a partner, he there set up a small cannabis farm. Because he was often away in Holland, he recruited his son Gavin, then in his early 20s and his partner's stepson, Suleman Razak, then just 19, to help to water and harvest the crop.
4. Because of drug deals that went wrong, Waters became indebted to John Wilson, a more ruthless criminal. He could not pay the £20,000 which was demanded of him and Wilson determined to make an example of him. He knew that Waters had a cannabis farm but he did not know where it was. The defendant has a background in investigation and surveillance and Wilson engaged him to find the cannabis farm.
5. Accordingly, on the 10 June 2003, the defendant lay in wait outside the Waters' house in Mainwaring Close, Nantwich; he then followed the unsuspecting Gavin, as he drove to the farm. Having found the farm, the defendant told Wilson where it was. He went back on several occasions to keep watch on the farm, to see what was going on there, and who attended and – more importantly – when they would be there. Wilson discovered that Waters was likely to be at the farm on 19 June and planned and directed an attack on him

at the farm to take place on that date. He put together a team consisting of James Raven, Otis Matthews, the defendant and others who have not yet been brought to justice.

6. In the early morning of that day, having assembled at the defendant's house at Burford Lane, Lymm, he went with them to the farm and they stripped out such dried cannabis as they could find, together with such equipment as was worth stealing, and loaded it into a horsebox, which they had bought for the purpose. The horsebox was then driven off by Raven to the car park of a pub near the defendant's house; Raven then returned to the farm, where they waited for Brian Waters to arrive. Meanwhile, they busied themselves by trashing the fixtures and fittings in the farmhouse; the photographs show the devastation caused.
7. At about 12 noon, Suleman Razak unsuspectingly turned up at the farm, to harvest the cannabis crop. He was immediately attacked. He was dragged into the adjacent cowshed. He was asked for money, which he did not have. A rope, tied round his ankles, was thrown over a beam; he was hoisted upside down and lowered into a butt, which was being filled with water; he feared he would drown. He thought that he was subjected to electric shocks. When taken out of the water butt, he was again beaten by canes. Phosphoric acid, a caustic substance used in the cultivation of cannabis, was poured onto his back. Staples were shot into him by a staple gun. He was then bound by adhesive tape a chair. He then counted six assailants, but he could not describe them since each was wearing a balaclava.
8. About an hour later, Brian Waters arrived. He also was attacked. He also was hoisted up by his ankles and lowered into the water butt. He also was beaten severely by canes and bars. The same caustic substance was poured over him. He also was shot with staples. An iron bar was forced so far into his rectum that it struck the base of his spine, an injury which the pathologist said must have caused immense pain. All the time, he was being asked for money.
9. In my judgment, the attacks on both men were more than an attempted extortion with menace; the sustained barbarity and sadism of the attack was intended to deliver a clear message not just to Brian Waters, but also to others, that if you crossed John Wilson, and failed to pay what he considered was due, there would be very serious consequences.
10. Later, Gavin Waters and his sister Natalie arrived at the farm. They also were both attacked. Gavin was punched and kicked, and a rope put round his neck. A gun – an imitation firearm as was later found - was put in Natalie's mouth. She was threatened with

serious sexual assault. Both could see that their father was gravely injured, and – I might add – he could see that his children were being attacked.

11. At some stage, he pitifully asked for his restraints be loosened because he could not breathe, which one of the assailants might have done, but it was too late to save him and he died in front of his own children. His body was dragged out and dumped on the floor of the adjacent milking parlour.
12. Meanwhile, two of the assailants had taken Brian Waters' car and driven down to Mainwaring Close, where they barged their way into the house, held Julie Waters, Brian's wife, against her will as they ransacked the house, unsuccessfully searching for money. They then kidnapped her and drove her to the farm.
13. The police, responding to a call to the emergency service, arrived at the farm very shortly after Mrs Waters had arrived. The assailants fled across the fields. James Raven was detained nearby but the others made good their escape. They left behind various DNA traces by which at least some of them could be identified. The defendant, with others in the team, eventually made their way back to his house from which they had set out many hours before.
14. Brian Waters had been tortured for three hours or so before he died. The pathologist found 123 external injuries to his body, including bruising, abrasions, lacerations and incised or cut wounds. There was extensive bruising to the chest and back, some of which showed tramline bruises, a typical result of been struck by a stick or bar. There were signs of strangulation. He had 11 fractures to the ribs on the left side; with 15 fractures to ribs on the right hand side. He had a fracture to the sternum and a fracture to his nose. There some bleeding on the surface of the brain. He had bruising to the heart sac; the left lung had collapsed, and there was bleeding into the other lung. There were tears to the anus and rectum. He died from the cumulative effect of these multiple injuries.
15. Suleman Razak had lacerations, puncture wounds, bruises and abrasions all over his body, a tear to his left ear, numerous staples had been applied to his body, he had a fracture to his nose and to a bone in his hand; he had an area of charred or burnt skin to his back, and marks of melting candle wax; such injuries were entirely consistent with his narrative.
16. Within a couple of days of the murder, the defendant fled to Spain, before moving to Malta, where he lived under an assumed name. He was not arrested until 6 June 2019, and

even then he contested extradition claiming that the police had arrested the wrong man. He was returned to this country on 29 March 2020. He had evaded justice for all these years.

17. If I was sentencing under the regime of the 2003 Criminal Justice Act, this would be both a murder for gain, and a murder involving sadistic conduct, which would engage a starting point of a 30 year minimum term. There are many aggravating factors, which are clear from the facts. I accept that there was no intention to kill; I also accept that the defendant has no convictions; but these points count for little against the enormity of these wicked crimes. In my judgment, a minimum term of at least 30 years would therefore have been appropriate if I was entitled to pass sentence under that regime, but I am not.
18. Since this murder was committed before the 2003 Act came into force, I am bound by law to apply the transitional arrangements laid down in Schedule 22 of the Act, as explained in the Practice Statement now set out at paragraph N of the Criminal Practice Direction, which preserves the important principle of sentencing that a later change in the law cannot render an offender liable to be sentenced to a greater punishment than that he would have faced at the time at which he committed the offence. Under the sentencing regime then in place, this murder being a case of sadistic and gratuitous violence, where extensive injuries were inflicted upon Brian Waters before his death, would have engaged a starting point of only 16 years, but there are - as it seems to me - many aggravating factors.
19. Apart from the factors to which I have already adverted in the last paragraph (which are already reflected in the starting point), I identify the following aggravating factors. This was a murder committed by a team, in the course of the enforcement of a drugs debt. The attack was carefully planned. At least one of the assailants was armed in advance, with a machete. Some of the violence inflicted upon Brian Waters, and indeed his death, was witnessed by his son and daughter and, furthermore, he had the additional distress of seeing them being attacked and restrained. The minimum sentence imposed for the murder must also reflect the grave crime committed upon Suleman Razak.
20. Furthermore, although I do not think that the single sentence in paragraph 33 of the case of Barnaby [2013] 1 Cr App R (S) is a considered statement of principle, I have no doubt that going on the run for 16 years, with warrants for his arrest in force, is a seriously aggravating factor, for during all that time the family of Brian Waters – and indeed Suleman Razak - were denied justice.

21. I have read the powerful and dignified statements made by the victims. The memory of their ordeal and witnessing their father's murder is a burden which they must bear every day; it will cast a shadow over the rest of their lives. Suleman Razak has also long lasting mental and physical scars. Their continued suffering is a highly relevant factor in sentencing.
22. In the unusual circumstances of this case, there is no better guidance to the sentence which would have been passed at the time than the sentences passed at the earlier trials by very experienced judges. They imposed a sentence of life imprisonment with a minimum term of 24 years upon the murder and a sentence of 14 years for the conspiracy to cause grievous bodily harm. These sentences were later considered by the Court of Appeal Criminal Division, [R v Otis Matthews and other [2006] EWCA Crim 2014], which refused leave to appeal, describing the sentences as being severe but not manifestly excessive. I doubt whether the Court of Appeal would today describe such sentences as being severe.
23. No doubt Wilson directed the attack, but he was not present at the farm; Otis Matthews was his right-hand man; James Raven, immediately identifiable because he was the attacker wearing the high visibility jacket, played the most prominent role in the physical assaults. But in this murder, each member of the team played a different but vital part. This defendant used his surveillance and investigative skills to find the cannabis farm for Wilson, he had reconnoitred the farm, so that they could decide when and how best to go about the attack; his house was used as a base for the team, from which they set out on the attack, and to which they returned afterwards. In my judgement he played a full part in what happened and there is no reason to attribute to him a lesser role. On the other hand, I accept it would be unjust to pass upon this defendant a more severe sentence than that passed upon the others.
24. Therefore, I see no reason to distinguish between this defendant and the others. Upon count 1, for murder I pass the mandatory sentence of life imprisonment; there will be a minimum term of 24 years, less the time which he had spent in custody in this country and in Malta. As presently advised, he should be given credit for 919 days, being 297 days spent in custody in Malta before extradition and 622 days spent in custody in this country.
25. I stress that the sentence is life imprisonment, he is to serve a minimum of 24 years (less time served) before he may be considered for release on licence by the Parole Board, and

only then if they decide that he no longer presents a danger to the public; it is not therefore a sentence of only 24 years. Many offenders sentenced to life imprisonment are kept in custody long after they have served the minimum term.

26. On count 2, for conspiracy to cause grievous bodily harm to Suleman Razak, I pass a determinate sentence of 14 years; on this count also all the time spent in custody will count towards that sentence.
27. Immediately after the rising of the court, I will upload a copy of these sentencing remarks on the Digital Court System, copies of which should be made available to the press, if they ask. I will also send a copy to the Judicial Communications Office. I direct that a copy is sent the Lifer Unit at the Home Office, so that the Parole Board can properly be informed of the relevant circumstances if, many years hence, they ever come to consider whether he can safely be released.