

R.

v

**DAMIEN DRACKLEY
MARK WALKER
LESLIE ALLEN
LORRAINE FRISBY**

CENTRAL CRIMINAL COURT

27 JANUARY 2023

**SENTENCING REMARKS
BY MR JUSTICE CAVANAGH**

1. On 8 December 2022, after a trial in this Court, Damien Drackley, Mark Walker, Leslie Allen and Laurence Hayden were found guilty of conspiracy to pervert the course of justice.
2. You, Lorraine Frisby, had previously pleaded guilty on 8 February 2021, to two offences, conspiracy to pervert the course of justice and soliciting the disclosure of jury deliberations.
3. On the same date, 8 February 2021, you, Damien Drackley, pleaded guilty to two offences, whilst pleading not guilty to conspiracy to pervert the course of justice. The first of those offences was the offence of engaging in prohibited conduct as a juror, consisting of entering into discussions in November 2018 about how you might benefit from the acquittal of Leslie Allen. The second offence was disclosing jury deliberations.
4. The convictions relate to events concerning the trial of Leslie Allen at Warwick Crown Court in November 2018 for possession with intent to supply of class A drugs, namely a kilogram of cocaine, and class B drugs, namely 10 kilograms of cannabis. Leslie Allen was also charged with possessing a prohibited weapon, namely a canister of pepper spray. You, Damien Drackley, were one of the jurors. At the end of the trial, after the jury had deliberated for several days, the judge, HHJ Lockhart KC, was obliged to discharge the jury as a result of your misconduct as a juror. The judge went on to find Leslie Allen guilty of the offences with which he was charged, and Leslie Allen was sentenced to a total of 13 years' imprisonment for those offences.
5. Only four of the Defendants are before the Court at this sentencing hearing. Damien Drackley, Mark Walker, and Lorraine Frisby are present in Court. Leslie Allen is in prison, where he is serving his sentences for the drugs offences. He declined to leave

his cell to attend the trial, but he has attended this sentencing hearing remotely, via prison video link. Both at trial and at this hearing, Leslie Allen has been represented by counsel, to whom he has been able to give instructions. Mark Walker represented himself at the sentencing hearing, though he was represented by counsel at trial.

6. Laurence Hayden did not attend his trial. He travelled to Spain in June 2022 and did not return. A warrant for his extradition was issued and he was arrested in Spain last week. He has not consented to his extradition and he remains in custody in Spain. I have decided that I will sentence him on a later occasion. However, it will be necessary to refer to the extent of Hayden's involvement in the conspiracy in these sentencing remarks.
7. I was the trial judge. So far as Drackley, Walker, and Allen, are concerned, this means that I am in a position to be satisfied so that I am sure that what follows is an accurate description of the circumstances of the offending, and of the part in it that was played by each of them. You, Lorraine Frisby, did not take part in the trial, but the nature and extent of your involvement is made clear by recordings that were inadvertently made by Damien Drackley of telephone calls between you and him during the trial, and by other telephone records which make clear the extent of your contacts with Mark Walker, Leslie Allen and Laurence Hayden. There was no basis of plea in your case.
8. The conspiracy to pervert the course of justice had two strands to it.
9. The first involved Leslie Allen and Laurence Hayden, along with at least one other, a man named Daniel Porter, who is now deceased.
10. Leslie Allen was guilty of the drugs offences and the prohibited weapon offence with which he was charged. He was a former boxing promoter who lived in Coventry and ran a gym there. He was arrested after an incident in June 2016. The police stopped Leslie Allen's car, which was being driven by one of his sons. The son ran into Leslie Allen's house. Leslie Allen and his son locked themselves into the house, which had reinforced security, and the police had to break down several doors to get to them. The 10 kilograms of cannabis were found on the kitchen floor. When the police examined the CCTV system that Leslie Allen had installed in his home, they discovered footage of him carrying bags containing the 10 kilograms of cannabis into his property in Coventry and storing it there. The kilogram of cocaine, of 88% purity, was found in the boot of Leslie Allen's car. The pepper spray was found in a desk in the house.
11. The prosecution also relied upon text messages from Leslie Allen's phone which, the prosecution said, showed evidence of drug dealing. One of them was a message sent to Leslie Allen by Lawrence Hayden on 12 Feb 2016 which said, "What u saying Mr Alan do u think I will be able to grab one of them white cakes before u go to the boxing 2nite if not [don't] worry Mr A". Leslie Allen replied "Yes, come now". The Prosecution said that "white cakes" was street slang for compressed cocaine.
12. Leslie Allen and Laurence Hayden conspired together for Laurence Hayden to give evidence on oath at the trial at which he gave a false explanation for this text message exchange. Hayden gave evidence that "white cakes" were energy bars or protein shakes. They both intended that, by means of this false evidence, they would persuade

the jury to acquit Leslie Allen, though they both knew full well that he was guilty as charged.

13. Leslie Allen and Laurence Hayden also conspired with Daniel Porter for him to give false evidence on Leslie Allen's behalf. Daniel Porter had been released from prison for an unrelated offence two days before he gave evidence at the trial at Warwick Crown Court. Laurence Hayden picked Daniel Porter up on his release from prison and conveyed Leslie Allen's instructions to him. Daniel Porter gave evidence to the effect that the drugs had been in his possession. He said that he had been instructed by some drug dealers, to whom he owed a drug debt, to transport the drugs from Rugby to Birmingham. He said that he had told them that he would transport them to Coventry instead, where he would hand them over. He said that he and a friend had taken the drugs to Coventry, but the dealers had not turned up to collect them. Daniel Porter gave evidence that he needed somewhere to store the drugs temporarily. He said that he asked Leslie Allen to borrow his car, saying that he had broken up with a girlfriend and needed to store some belongings in it, and that he then stored the drugs in the car without Leslie Allen's knowledge, with a view to returning to collect the drugs later. He said that, in the evening, the drug dealers – the same drug dealers who had instructed him to transport the drugs to them in Birmingham - drove to Rugby, and picked him up to go together collect the drugs from Leslie Allen's car, and were then scared off when they saw the police at Leslie Allen's house. Daniel Porter was unable adequately to explain why he had not mentioned these events to the police or Leslie Allen's defence team until he turned up in November 2018 to give evidence at the trial, nearly two and a half years later.
14. The evidence given by Daniel Porter was, frankly, preposterous and full of holes. For example, it did not explain why Leslie Allen was captured on camera bringing the cannabis into his house. Nonetheless, the plan which Leslie Allen, Laurence Hayden and Daniel Porter hatched for him to give this evidence was carried out in the hope and belief that it would plant a seed of doubt in the minds of the jurors which would lead to an acquittal.
15. Neither Leslie Allen nor Laurence Hayden gave evidence to the court at this trial, and Daniel Porter had died before the trial. There was no evidence before the court as regards what Laurence Hayden and Daniel Porter expected to get in return for giving false evidence. However, the only possible inference is that they were to be rewarded by Leslie Allen for their part in the conspiracy.
16. Damien Drackley, Mark Walker, and Lorraine Frisby were not involved in this strand of the conspiracy.
17. The second strand to the conspiracy was of a different nature, and was originated by Damien Drackley and Lorraine Frisby. In short, they took steps to contact Leslie Allen to offer the assistance of Damien Drackley as a juror to sway the other members of the jury into acquitting Leslie Allen. Mark Walker and Laurence Hayden assisted in this part of the conspiracy by acting as go-betweens for the contacts between Damien Drackley and Lorraine Frisby, on the one hand, and Leslie Allen, on the other, during the trial period. Leslie Allen agreed with Lorraine Frisby and Damien Drackley that he would pay Damien Drackley the sum of £5,000 for his efforts.

18. The facts of the second strand of the conspiracy, in somewhat greater detail, are these: At the commencement of the trial it was made absolutely clear to Damien Drackley, and his fellow jurors, that they should not talk about the case with anyone but their fellow jurors, that they should not disclose the deliberations that took place in the jury room, and that they should not make contact with the Defendant, or with anyone connected with the Defendant. This was made clear to them in the introductory speech by the Jury Officer, in a document that was given to each juror, and by the judge in his opening remarks. The importance of complying with these rules, and the potential consequences, for the trial and for a juror who broke these rules, was also made clear to them. These included the risk of derailing the trial and the risk of criminal proceedings for the juror concerned. Damien Drackley accepted in his evidence that he was well aware of these rules.
19. Notwithstanding these clear instructions, from the outset of the trial, Damien Drackley deliberately and frequently breached the rules. At the end of every single court day, he spoke to his mother by telephone and described the events that had taken place in court to her. He did so with the strong and enthusiastic encouragement of Lorraine Frisby. He also had discussions with her face to face, on Friday 16 November and on Sunday 18 November 2018. He discussed the charges and the evidence with her. He also disclosed to her information about the jurors. Once the jury had retired, he also gave her a detailed description of the nature and content of the jury deliberations, even down to describing what particular jurors had said. This was Damien Drackley's offence of disclosing jury deliberations and Lorraine Frisby's offence of soliciting information about jury deliberations. Damien Drackley also discussed the events at court, in breach of these instructions and his legal obligations, with his then girlfriend.
20. The telephone conversations were recorded by an app that Damien Drackley had installed on his mobile phone and then had forgotten about. They were replayed to the court. During these conversations, Damien Drackley made clear that he was going to make it his business to try to persuade his fellow jurors to secure an acquittal for Leslie Allen, and that he had decided from the outset of the trial that he himself was going to vote for an acquittal, regardless of what evidence might come out.
21. During these conversations, Lorraine Frisby encouraged Damien Drackley to tell her the details of the case and enthusiastically expressed her own views about the trial, including the view that the offences were not particularly serious. She encouraged her son to argue for an acquittal and made detailed suggestions about things that he might say to his fellow jurors.
22. The trial began on Tuesday 13 November 2018. Over the next day or two, Damien Drackley gave information to his mother about the identity, home location, and background of Leslie Allen and, at some point in the first few days of the trial, Lorraine Frisby realised that she knew someone who knew, or who could put her in contact with, Leslie Allen. This was Mark Walker, whom Lorraine Frisby had known from childhood and who was working as a car mechanic in Coventry. Damien Drackley and Lorraine Frisby agreed that Lorraine Frisby would make contact with Mark Walker with a view to approaching Leslie Allen to offer Damien Drackley's assistance to secure an acquittal, and discussed what Leslie Allen might offer in return. This, for Damien Drackley, was the offence of engaging in prohibited conduct as a juror.

23. Subsequently, Lorraine Frisby made contact with Mark Walker and he agreed to act as a go-between. The Court adjourned for the weekend on the Friday afternoon of Friday 16 November 2018. On the Saturday afternoon, 17 November, having made an arrangement with Leslie Allen, Mark Walker met with Leslie Allen and lent him his mobile phone so that Leslie Allen could use it to speak directly to Lorraine Frisby. It was done in this way to conceal the fact that the mother of one of the jurors was speaking to the Defendant on his behalf whilst the trial was part-way through.
24. With Damien Drackley's knowledge and concurrence, Lorraine Frisby told Leslie Allen that Damien Drackley would do all he could to persuade the jury to acquit him, and they discussed what Leslie Allen would give him in return. Leslie Allen made clear that it would be something substantial. On Sunday 18 November 2018, Mark Walker passed on a message from Leslie Allen to Lorraine Frisby and Damien Drackley that Leslie Allen would pay Damien Drackley £5000 for his assistance. Damien Drackley was in need of funds because he wanted to open up a pudding shop in Nuneaton. Damien Drackley agreed to this arrangement. It is clear that Damien Drackley and Lorraine Frisby were also motivated by their belief that it would be in their interests to do a big favour for a major local criminal, and that they would thereby benefit from his support and protection in future. Damien Drackley expressed a willingness to his mother to meet with Leslie Allen, but this did not happen, and was not ever suggested to Leslie Allen.
25. The jury retired to consider its verdicts the following day, Monday 19 November 2018. From the outset of the deliberations, Damien Drackley made clear to his fellow jurors that he was going to vote for an acquittal and that no discussion or consideration of the evidence would change his mind. He made clear that his mind was closed. Damien Drackley also vigorously attempted to persuade his fellow jurors that they should acquit Leslie Allen. When the court was finished for the day, and again early the next morning, he spoke to Lorraine Frisby on several occasions and they discussed amongst themselves what he might say to the other jurors. Damien Drackley described the voting intentions expressed by particular jurors. Lorraine Frisby made a number of suggestions of lines of argument that he might use to persuade his fellow jurors to acquit Leslie Allen. Having spoken to Leslie Allen that evening, Lorraine Frisby also passed on some information from him about how many jurors needed to be persuaded to acquit in order for there to be a hung jury.
26. On the next day, the Tuesday, Damien Drackley continued with his attempts to talk his fellow jurors round to acquitting Leslie Allen.
27. In the event, the plan to use false evidence and Damien Drackley's position on the jury to obtain an acquittal for Leslie Allen failed spectacularly. Fortunately, Damien Drackley's fellow jurors were conscientiously seeking to comply with the rules that they had been told about, and a number of them became suspicious about the way that he was behaving. Also, it turned out that Damien Drackley's attempts to persuade his colleagues on the jury to his point of view were extremely incompetent. He hectorated them. He was truculent. He did not take account of the evidence. He made clear from the outset that he had a closed mind about the verdict. He was not persuasive. On Tuesday 20 November, during the deliberations, he made a grave tactical error, in that he referred to details of the geography of Leslie Allen's house, and the gym next to it that was owned by Leslie Allen, which had not been given in

evidence. This led jurors to suspect that, at best, Damien Drackley had been conducting his own researches, in breach of clear instructions from the judge.

28. A number of jurors were also concerned about a potential link between Damien Drackley and Laurence Hayden. When Laurence Hayden came to the witness box, he had been seen to nod or wink at Damien Drackley. This was done in plain sight of the jury, and had been noted by Damien Drackley himself, who had commented on it to some of his colleagues. The matter had stuck in the mind of the jurors, not least because Laurence Hayden gloried in the nickname of Del Boy, and, when Damien Drackley behaved suspiciously whilst the jury was in retirement, this added to their concerns.
29. The jury's concerns were reported to the judge on Tuesday 20 November 2018. The judge separated Damien Drackley from the jury and then discharged him.
30. In addition to his other breaches of instructions, Damien Drackley had failed to switch off his mobile phone, as he had been told to do. The phone was examined by police officers and the recordings of the calls made between him and Lorraine Frisby were discovered. This led to the jury being discharged on 21 November 2018 and to Damien Drackley and Lorraine Frisby being arrested.
31. During the period of the conspiracy, Mark Walker had lent his phone to be used by Leslie Allen on several occasions: Lorraine Frisby first made contact with him on Friday 16 November, and he made arrangements to meet up with Leslie Allen the following afternoon to enable Leslie Allen use his phone in order to speak, in secret, to Lorraine Frisby. There can be no doubt that Mark Walker knew the nature of the conspiracy. On Sunday 18 November, he spoke by phone to Lorraine Frisby to pass on Leslie Allen's offer of a bribe of £5,000 for Damien Drackley. On Monday 19 November, after court, Laurence Hayden messaged him to ask "Any news pal?". Walker immediately called Lorraine Frisby and reported back. After Damien Drackley was discharged on Tuesday 20 November, Mark Walker was involved in a flurry of phone calls with Laurence Hayden and Lorraine Frisby, no doubt to facilitate discussions about what the conspirators should do now.
32. Laurence Hayden was a close associate and assistant of Leslie Allen, who often acted as his driver. He was involved in the second strand of the conspiracy, as well as the first, and functioned as a go-between for Leslie Allen, Mark Walker, and Lorraine Frisby. He allowed Leslie Allen to use his phone to speak directly to Lorraine Frisby and/or passed on messages from Leslie Allen himself. He did this on numerous occasions.
33. Leslie Allen had made the original arrangement with Lorraine Frisby to give something in return to Damien Drackley for his attempts to sway the jury on Saturday afternoon, 17 November, and he continued to keep in contact with her thereafter, directly or indirectly. He did so by using Mark Walker or Laurence Hayden's phone. He made the offer of a bribe of £5,000 which was passed to Lorraine Frisby and Damien Drackley by Mark Walker on Sunday 18 November. Leslie Allen spoke directly to Lorraine Frisby on the evening of Monday 19 November, the first day of jury deliberations, using Laurence Hayden's phone, and asked her if Mark Walker had passed on the message as regards what was in it for Damien Drackley. He was

involved, directly or indirectly, in a number of telephone calls that took place between the conspirators as the conspiracy unravelled.

34. After the jury was discharged in November 2018, the judge himself handed down the verdicts. He found Leslie Allen guilty on all counts and, as I have said, sentenced him to a total of 13 years' imprisonment.
35. The sentence for conspiracy to pervert the course of justice is at large: there is no maximum term. The maximum sentence for each of the offences of engaging in prohibited conduct as a juror, disclosing jury deliberations, and soliciting the disclosure of jury deliberations, is 2 years' imprisonment.
36. There are, at present, no Sentencing Guidelines for these offences but the courts have made clear on numerous occasions that such offences undermine the very system of criminal justice. As such, they are to be treated seriously, and it almost always necessary to impose immediate custody unless there are exceptional circumstances.
37. In deciding upon the appropriate sentence, the Court should have regard, in particular, to the seriousness of the substantive offences; the nature of the conspiracy; the degree of persistence in the conduct; and the effect of the attempt to pervert the course of justice. Each case depends on its own facts. I have also taken account of the Sentencing Council's General Guidelines – Overarching Principles.
38. Each of the participants in this conspiracy played a different part, as I have described. I have taken account of each individual's role when deciding upon an appropriate sentence for them. However, there are a number of relevant features of the conspiracy that are common to them all.
39. First, the substantive offences were serious. The main offences with which Leslie Allen was charged were serious drugs offences, involving large amounts of cannabis and cocaine. The street value of the 10 kilograms of cannabis was £56,800 and the street value of the kilogram of high-purity cocaine was £100,000. This means that each of the Defendants was involved in a conspiracy to procure, by dishonest means, the acquittal of a substantial drug dealer who was guilty of the offences with which he was charged.
40. Second, this was a complex, carefully planned, and very cynical conspiracy. Each of the two strands of the conspiracy struck at the very heart of the criminal process. That process depends to a large extent upon witness evidence, and so is dependent upon witnesses complying with their oath to tell the truth, the whole truth, and nothing but the truth. Conspiracies to lie on oath are, therefore, a very serious matter. It is even more serious, however, for defendants to involve themselves in a conspiracy to suborn a juror, and for a juror willingly to offer to break his jury oath for the benefit of a criminal. Jury service is probably the most important public service a member of the public will be called upon to do. The criminal justice system depends upon jurors faithfully and honestly carrying out their functions. The consequences, if faith in the jury system was lost by juror misconduct, are too horrible to contemplate. Conspiracies involving the corruption of a juror are particularly serious because they can be difficult for the authorities to identify and prevent. Fortunately, in almost all cases, jurors faithfully and diligently act in accordance with their jury oath. Cases of blatant disregard, such as this one, are rare.

41. Third, as regards persistence, the length of time over which the conspiracy lasted was relatively short, consisting of a few days, but, as I have said, the conspiracy was complex and carefully planned.
42. Fourth, the conspiracy was unsuccessful. In the end, Leslie Allen was convicted. No retrial was required. However, the conspiracy had a serious adverse impact upon the trial process: the jury had to be discharged. Moreover, were it not for the good sense and vigilance of the jury, the conspiracy might have succeeded in its entirety. It is also relevant to note that Leslie Allen made an unsuccessful application to the Court of Appeal for permission to appeal, on the basis that he was uninvolved in any conspiracy.
43. I should add that it is clear from my summary of the facts that this conspiracy was inept in many ways, and some of the participants were grossly incompetent. However, this has limited, if any, value as mitigation. The fact remains that each participant knowingly and willingly took part in a serious and determined attempt to pervert the course of justice. These were not impulsive acts: the conspiracy was carefully planned, and each participant attempted strenuously to make it work.
44. It is some mitigation, however, that there was no evidence of threats or intimidation to force anyone to take part in the conspiracy, and there were no threats to, or intimidation of, third parties, as sometimes happens in conspiracies to pervert the course of justice. Damien Drackley and Lorraine Frisby were keen to offer their corrupt services to Leslie Allen. Laurence Hayden was a long-term associate of Leslie Allen who was quite happy to join the conspiracy. There was no evidence that Mark Walker was placed under any pressure to play his part in the conspiracy.
45. However, it is an aggravating feature, so far as Leslie Allen and Laurence Hayden are concerned, and a particularly unpleasant aspect of this case, that Leslie Allen and Laurence Hayden were well aware that, by taking responsibility for the drugs in the witness box, Daniel Porter, who had only just been released from prison, was placing himself at risk of a lengthy prison sentence – a prison sentence for offences that Leslie Allen, not he, had committed. I am satisfied that Leslie Allen and Laurence Hayden cynically and heartlessly exploited Daniel Porter by obtaining his agreement to this course of action.
46. I now come on to the individual conspirators.
47. I start with you, Leslie Allen. You were at the very heart of both strands of this conspiracy, and you were the one who stood to benefit from it. You were the leader of the conspiracy. You instigated the first strand, the false evidence. You brought in Laurence Hayden, and, as I have said, it is an aggravating factor that you persuaded Daniel Porter to take the rap for you, knowing that, if he was believed, he would serve a lengthy prison sentence for crimes you had committed. So far as the second strand is concerned, you were approached by Lorraine Frisby, on behalf of Damien Drackley, but, as soon as they approached you, you participated enthusiastically in this strand of the conspiracy. From the outset, you made clear that you were prepared to offer something in return for Damien Drackley's attempts to sway the jury. It was you who came up with the offer of £5,000 for doing so.

48. You are now aged 66. Before your conviction in November 2018, you had only one conviction, for assault occasioning actual bodily harm in 1979. I do not regard that as being a significant aggravating factor. However, it is plain from the offences for which you were convicted in 2018 that, at that time, you were involved in serious criminality. You have shown no remorse.
49. There must be a deterrent element for offending such as this, which strikes at the heart of the system of justice.
50. You were sentenced to 13 years imprisonment for the offences for which you were convicted in November 2018. I do not consider it appropriate to make a substantial discount to your sentence for conspiracy to pervert the course of justice because of this sentence. The two sets of offending are distinctive and, if you had been tried for both at the same time, the sentences would have been consecutive. I have taken the totality guideline into account, and, in particular, have sought to ensure that the overall sentences are just and proportionate. In the special circumstances of this case, it is not appropriate to make a substantial reduction for totality, because to do so would effectively be to reward you for your attempts to tamper with the jury and to obtain an acquittal by placing false evidence before the court. I have, however, taken totality into account to some extent, and also your age, and I have made a reduction from the sentence that I would otherwise have imposed for these matters. I make clear that I have not taken Leslie Allen's non-attendance at trial into account when deciding upon an appropriate custodial sentence.
51. The offence is so serious that only a substantial custodial sentence can be justified. Having taking all of the relevant considerations into account, my sentence is this: for the offence of conspiracy to pervert the course of justice, you will go to prison for 5 years. For the avoidance of doubt, this is consecutive to the sentences which were imposed upon you by HHJ Lockhart KC in November 2018.
52. I next come to you, Damien Drackley. You were only involved in the second strand of the conspiracy. However, you were the central player in this strand. You bear a particularly grave responsibility because you acted consistently and flagrantly in breach of your jury oath, and did so willingly and almost flippantly. This was an outrageous breach of trust. Your mother undoubtedly encouraged you in your misconduct and, without her connections and involvement, it would probably never have occurred to you to contact Leslie Allen. However, this is small mitigation, because, when the opportunity to accept a bribe for swaying the jury arose, you enthusiastically pursued it. You were old enough to stand up to your mother and to take responsibility for your own actions. Again, and I have said, it is little or no mitigation that you turned out to be a very poor advocate for Leslie Allen's innocence during the jury deliberations. In imposing sentence for conspiracy to pervert the course of justice, I will take account of the other offences to which you pleaded guilty, and will make the sentences for them concurrent. There is a substantial overlap with the offence of conspiracy to pervert the course of justice. They do not aggravate it.
53. You are aged 37, and were 33 years old at the time of this offending. You are plainly intelligent, though you are also naïve and foolish. I have read the character references that have been submitted on your behalf. You were employed as a factory production operative at the time of these offences, with a side line in dealing in cars and in car parts. You were not desperately short of money. Drugs and alcohol played no part in

this offending. You have one previous conviction, from 2004, when you were convicted of an offence arising from the fact that you attended a police station, following a traffic matter, and tried to pass fake documents off as motor vehicle insurance documents. You were given a 12 month conditional discharge for this offence. Though this is another instance of you resorting to dishonesty when you thought you might benefit from it, given its antiquity I do not regard this offence as being a significantly aggravating feature. You have not been convicted of any offence since this offending took place.

54. I am not persuaded that you have shown any genuine remorse for this offending. You did not think it was very serious at the time and I think that this is probably still your view.
55. You pleaded guilty to the offences of engaging in prohibited conduct as a juror and disclosing jury deliberations. Those guilty pleas were not entered at the original Plea and Trial Preparation Hearing date (which was held on 2nd November 2020) but at the next hearing listed in the case, on 8 February 2021, and following the Prosecution case having been served at stage 1. In all of the circumstances of the case, you are entitled to 25% credit for your guilty pleas to these offences.
56. There has to be an element of deterrent in your sentence, because it must be made clear to those who are called to perform the duty and privilege of jury service that they must take their obligations seriously and must not contemplate acting corruptly.
57. Taking all of these considerations into account, for the offence of conspiracy to pervert the course of justice, you will go to prison for 4 years.
58. For each of the offences of engaging in prohibited conduct as a juror and disclosing jury deliberations, you will go to prison for 14 months. These sentences will be concurrent with the sentence for conspiracy to pervert the course of justice, and so the total sentence will be 4 years.
59. I now come to you Lorraine Frisby. You, too, were only involved in the second strand of the conspiracy, but you were a pivotal character in it. In fact, without you, the bribe would not have been offered or accepted. You persistently and enthusiastically encouraged your son to break his jury oath and to accept a bribe or inducement to act corruptly and to obtain an unjust verdict in the trial. You pursued contact with the defendant in the trial, Leslie Allen, persistently, over a number of days. There is no indication that you were to benefit personally from this: your reward was to obtain a benefit for your son.
60. Your culpability is, therefore, high, and, as with the others, there must be a deterrent element. As with your son, in imposing the sentence for conspiracy to pervert the course of justice, I will take account of the other offence to which you pleaded guilty and will make the sentence for it concurrent.
61. You pleaded guilty to each of the offences for which you were charged on 8 February 2021 and so are entitled to a 25% discount from the sentence that I would otherwise have imposed.

62. You are aged 56. You are of effective good character and I take this into account in your favour. I have read the character references that were provided for you. It is to your credit you have worked for a number of years as a foster carer, you volunteer for a food bank, and are a kind and considerate neighbour, and I also take this into account in your favour. You have shown genuine remorse. Your husband is in poor health and you are his primary carer. None of these are matters that explain your involvement in the conspiracy to pervert the course of justice, but they are significant mitigation nonetheless.
63. I also take account of the fact that there has been a delay between your plea and sentence.
64. In my judgment, the appropriate sentence after trial, taking account of your mitigation, would have been 3 years and 3 months' imprisonment. In light of the credit to which you are entitled for your guilty plea, and a small further reduction for the delay between plea and sentence, for the offence of conspiracy to pervert the course of justice, you will go to prison for 2 years and 3 months.
65. For the offence of soliciting jury deliberations, you will go to prison for 12 months. This sentence will be concurrent with the sentence for conspiracy to pervert the course of justice, and so the total sentence will be 2 years and 3 months.
66. Finally, I come to you Mark Walker. You were only involved in the second, but most serious, strand in the conspiracy. You had, by a considerable margin, the most minor role. You were not the instigator. You helped Lorraine Frisby to make contact with Leslie Allen, thereby concealing what was going on, and you passed on the offer of a bribe of £5000 on behalf of Leslie Allen. You were involved in a substantial number of contacts with Lorraine Frisby and Laurence Hayden, or with Leslie Allen using Laurence Hayden's phone, during the period of the conspiracy.
67. It is not clear from the evidence whether you were offered payment for your involvement or you did so as a favour to a friend. In my judgment, it does not matter overmuch which it was. The reality is that you were quite happy to play a part in a conspiracy to bribe a juror and to help the other conspirators to keep this a secret.
68. You are 57 years old. You are not in good health. You have lost a leg. It was clear during the trial, and from the medical evidence I have seen, that your amputated leg causes you pain and discomfort and affects your mobility. You have had problems with your prosthetic leg. You have other health difficulties, including kidney problems. I have taken this into account and I accept that this may cause you some difficulties in the prison environment. However, there is no reason to think that your health problems cannot be managed in prison. You have 7 convictions for 21 offences, the last of which was in 1996. These were relatively minor and were very different in nature to the current offence, and, as they were so long ago, I do not regard them as aggravating factors for this offence.
69. As I have said, those who chose to become involved in conspiracies to pervert the course of justice must expect an immediate prison sentence unless the circumstances are exceptional. I take full account of the relatively minor nature of your role but this does not make the circumstances exceptional. For the offence of conspiracy to pervert the course of justice, you will go to prison for 9 months.

70. In your cases, Leslie Allen, Damien Drackley, and Lorraine Frisby, you will be released, in relation to these offences, no later than half way through the sentence, and the remainder of the sentence will be served on licence in the community. You must comply with all the conditions of your licence, failing which you will be at risk of recall to prison to serve the remainder of the term in custody. In your case, Mark Walker, you will be released no later than half-way through the sentence, namely after fourth and a half months, and the remainder of the sentence will be served in the community. On your release from custody you will be subject to post-sentence supervision for a period of one year. You must comply with all the instructions given to you, failing which you will commit a further offence punishable by imprisonment.
71. The appropriate statutory victim surcharge will apply.
72. I would also like formally and publicly to commend the three members of the jury at Warwick Crown Court in November 2018 who had the courage and public spirit to come to the Old Bailey to give evidence at the trial of these proceedings. They are Elizabeth Jones, Dominyk Maggs, and Martyn Sherratt.
73. Finally, I would like to thank all members of the counsel teams and their solicitor colleagues, and the police officers and staff, for their hard work, the skilful way in which they presented their cases, and for the positive and co-operative manner in which this case was conducted. Thanks are due also to the ever-helpful Court staff.