



JUDICIARY OF
ENGLAND AND WALES

THE KING

v

JOHN WOODBRIDGE

Sentencing remarks of the Honourable Mr Justice Saini
At Bristol Crown Court
On Friday 22 December 2023

1. Captain John Woodbridge, on 17 November 2023, the Crown accepted a plea of manslaughter in respect of your killing of your wife, Anne Woodbridge. I will refer to your wife in these remarks as “Anne”. You had originally been charged with the murder of Anne but following medical assessments by a number of psychiatrists, the Crown accepted that you killed Anne in circumstances of diminished responsibility. I will explain in a few moments what that means in the law. It now falls to me to sentence you. On any view this is a tragic case. But whatever one’s moral views about the circumstances in which you took Anne’s life, the law of England and Wales regards the taking of any life as a serious crime. What is sometimes called *mercy killing* is not recognised as an exception to the law of homicide.
2. In cases of the common law offence of manslaughter the law fixes no specific penalties. The law on sentencing recognises that deaths as a result of manslaughter arise in a wide range of different circumstances, although the harm is of course always of the most serious nature. I am grateful for the substantial assistance given to me by Mrs Vigers KC for the Crown and by Mr Vaitilingham KC your Leading Counsel in this sensitive and difficult case. My attention has been helpfully drawn to the sentencing Guideline for manslaughter by reason of diminished responsibility and to some case law. Ultimately, however, no two cases are the same and I must approach my sentencing task with a strict focus on the facts before me.
3. I approach that task with the following considerations in mind. I am required to impose what is appropriate and just punishment. That is a level of punishment which reflects the seriousness your offence, which is determined by the harm you caused, your level of culpability and your personal circumstances.

4. Before I summarise the facts, I should record that I have read the moving victim personal statements submitted by Anne's daughter, Marlene who lives in Spain, and from Anne's grandson, Jamie. They have lost a mother and grandmother who they each loved. They are understandably distressed by the terrible circumstances in which Anne died, never having had a chance to say goodbye to a person who they knew probably had a short time to live. I now turn to the facts in more detail.
5. You were born on 5 September 1931 and as of today you are 92 years of age. Anne was born on 11 April 1930 and was also aged 92 at the time of her death. Anne was 36 when you met her. She had a young daughter, Marlene, at the time. You met Anne via a *lonely hearts* column in the 1960s. She was escaping an abusive marriage. You fell in love and for some 50 years you were a happy married couple. You lived in London, Southport, Cornwall and settled finally in Weston-Super-Mare.
6. In terms of employment, you enjoyed a successful career over 35 years as a mariner, starting at 17 years of age and progressing to be a captain in the British Merchant Navy.
7. You did not have a good relationship with Anne's daughter, but I am satisfied that you were always a devoted, loving and kind life-partner for Anne. Anne's daughter had relatively limited contact with her for the last 5 years or so. You appear to have no living relatives of your own.
8. About 8 years ago Anne was diagnosed with dementia. Her daughter was by that time living abroad and so the day-to-day care fell to you. The evidence before me is clear that you cared for Anne selflessly in her daily needs, as her condition progressively deteriorated. You felt it was a constant battle to get enough fluid into Anne. You constantly worried that she was not drinking enough, that she would get dehydrated, and she would die. Your care of Anne was supported by carers who came to the home you shared in Weston-Super-Mare. You personally paid for carers to visit twice a day and two other visits were made by carers paid for by the state, so that each day there were four visits made to the house by carers. You kept a diary in the house showing what time carers were expected to arrive so that you would know when to leave the back door unlocked for them.
9. The evidence of the carers and from the Probation Service, suggests that apart from the carers visits you and Anne were effectively alone and isolated in your flat for most of the day. That isolation would no doubt have added to your feelings of anxiety and depression as Anne's condition worsened.
10. Two carers came to the house on the evening of 29 January this year. They washed Anne and helped her get into bed and also saw you get into bed. By this stage, she was immobile and entirely reliant on others including you for all her personal hygiene needs, for feeding, for dressing, and for moving. The two carers left her in bed and were content that everything seemed normal in the house.
11. One of the regular carers was Sarah Riddle and her evidence is that Anne's condition had got progressively worse over the period that she had been caring for her. Ms Riddle also says that she had got used to Anne being violent and lashing out. You also had to cope with this and did your best to calm her. In these situations, Ms Riddle had got used

to settling Anne by reminding her of her Catholic faith and talking to her about her faith. Ms Riddle said that she had never seen you hurt your wife but that she had seen you become angry and hold onto Anne's hands to stop her lashing out at others and to prevent yourself from being struck by Anne. Although Ms Riddle sometimes found your attention to Anne's care to be a frustration, and to get in the way of what the carers were trying to achieve, she describes how from what she saw all your actions were all born from your deep love for Anne. You were seen by carers calling her affectionate names, and always rubbing her hand to calm her. The carers also describe how you were very reluctant for Anne to go into a home because you did not want her to die alone.

12. During the morning of 30 January this year, Ms Riddle and another carer arrived in the normal way at your house at around 9.15am to help Anne get out of bed. The back gate was unlocked as normal, but the back door was locked. Ms Riddle knew immediately that something was wrong because she had never known the door to be locked. Her experience was that you were always up and dressed and also that you liked to give Anne a drink before the carers arrived. Ms Riddle and her colleague began knocking on the door and, when that elicited no response, they began to knock on the windows. They got no answer to that or to a telephone call to the house and the neighbours in the flat upstairs were unable to help.
13. The police were called, and they were also unable to get a response to their knocking and so they broke into the house. They found Anne was dead in her bed with a plastic bag over her head. That bag was tied with a string around her neck. Post-mortem examination confirmed that Anne had died as a result of suffocation. That examination also confirmed her frailty because of advanced old age.
14. The police found you in your bed in the same room as Anne. You also had a bag over your head with string tied around your neck. The police found that you were still alive because you were seen clenching the bag. The police pulled the bag off your head. You turned your face to the radiator and ignored their attempts to speak to you. The paramedics assessed you as having a reduced level of consciousness as a result of your attempts to asphyxiate yourself. You were given significant treatment in the bedroom including administration of oxygen and an ECG. You gradually regained consciousness and were taken to Weston General Hospital for further treatment. I am satisfied that you were genuinely trying to kill yourself after having killed Anne. As I describe later this is confirmed by the medical evidence.
15. You were kept in hospital for observation and treatment until the afternoon of 31 January. One of the officers with you during that time was PC Rebecca Budd. You said to PC Budd, in great distress, that "*I intended to go with her, I tried to stop myself swallowing but I couldn't do it*" and a little later you said, "*I am a criminal, I couldn't stop myself swallowing.*" You had said similar things the previous evening to a doctor, telling her that "*I couldn't stop myself breathing, I tried to choke myself, I couldn't and wanted to be with her. I wanted our ashes to be together.*"
16. Slightly earlier that day, you had told Special Constable Philip Goodway the same thing but had also said this to him: "*People said, kept telling me I was being unkind to her keeping her alive, I wasn't being unkind*". That provides an insight into what triggered the tragic chain of events which led to Anne's death.

17. You were interviewed and fully accepted causing Anne's death. You made it clear to the police that you felt that you were a failure because you had intended that both of you should die together.
18. I turn to the medical evidence. You have been assessed by Dr Sandford and Dr Hillier for examination of your psychiatric condition at the time of Anne's killing. Dr Hillier has seen you most recently. It is clear from his reports that he has considered his opinions very carefully, and they have developed and changed over the course of his work, as you have been assessed further. Dr Hillier's opinions have been peer reviewed by a further specialist in old age psychiatry, Dr Warner. In short, Dr Hillier's view, endorsed by other experts in the case, is that you were suffering, in January 2023, from depression and that you were experiencing an acute stress reaction. Their view is that this led to your responsibility being diminished under the law. When a person is guilty of manslaughter by reason of diminished responsibility that means that their ability to understand the nature of their conduct, to form a rational judgment and to exercise self-control are substantially impaired.
19. You explained to both psychiatrists that one of the GPs responsible for Anne asked you shortly before her death why you didn't simply allow her to slip away quietly and that that had a compelling effect upon you, making you feel that you had to do something to ensure that you both died together. You also described coming to a realisation that what you were doing in helping Anne on a day-to-day basis was not really good for her and that your efforts, extensive as they undoubtedly were, to care for her, were prolonging a very painful situation rather than ameliorating it.
20. The way that Dr Hillier puts it is this; *"In my opinion, the impact of the realisation of Anne Woodbridge's unlikelihood of recovering from her final illness was such that it precipitated an acute stress crisis/reaction, which broke down his defences against underlying depression, leading to the nihilistic belief that he was making things worse. In this frame of mind, I consider that he was not able to form a rational judgment and it was on this basis that he decided to kill Anne Woodbridge."* Dr Hillier also assessed your attempt on your own life as being one with genuine intent.
21. I turn to the sentencing Guideline, Leading Counsel for the Crown and your Leading Counsel both submit that this is a case which I may well view as being one which falls outside the Guideline. There is force in that submission. However, the Guideline provides a useful framework for consideration of sentence. The Guideline helps me in providing a structured approach to the exercise of identifying a just sentence. It identifies factors which are relevant to your case.
22. The first issue for me is to determine the level of responsibility you retained – I have to ask: was it High, Medium, or Lower? I have had regard in this context to the extent to which your responsibility was diminished by the mental disorder at the time of the offence with reference to the medical evidence and all the relevant information available to me. Bearing in mind the opinions of Dr Sandford and Dr Hillier and the known history of your support for Anne, I am satisfied that you were overwhelmed by the situation in which you found yourself. My finding is that your culpability for the offence was at the very bottom of the lower end in the Guideline. I consider you decided that death for both of you was the only solution in the terribly sad position in which you found yourselves.

23. Applying the Guideline, my finding of lower culpability, would mean the starting point for sentence is 7 years custody with a range 3-12 years. I turn to aggravating factors and mitigating factors. There are no statutory aggravating features. There are no relevant earlier convictions. In terms of other aggravating features, Anne was, of course, extremely vulnerable but that feature is also central to the position with which you were trying to cope.
24. I turn to mitigation. There is substantial mitigation. In particular, the Guideline recognises mitigating factors which apply in direct terms to your case. There are five particular points which stand out to me. First your age, 92 years. Second, your selfless care for Anne. Third, I am satisfied that you genuinely believed that the killing was an act of mercy. Fourth, your previous good character and distinguished naval career. Fifth, the fact that you are also a victim in a sense that you have lost your life partner and must suffer the grieving process alone, having failed to take your own life.
25. Before credit, I consider the aggravating and mitigating factors take this case to the very bottom of the range, that is 3 years.
26. In terms of credit for plea, you always accepted responsibility taking Anne's life and entered a guilty plea as soon as you were aware that such a plea was acceptable. On the material before me it is clear that there was never any doubt that such a plea would be forthcoming should the psychiatric evidence indicate that the partial defence was open to you.
27. I have to stand back from all of these factors. I remind myself of the statutory purposes of sentencing under the 2020 Act. They are punishment, reform and rehabilitation, protection of the public and reparation to those affected by offences. The only one of those factors really of relevance in this case is punishment. What is the just punishment on the unique facts of this case?
28. With credit, I arrive at a custodial sentence of 2 years custody.
29. Bearing in mind this sentence, I now have to consider whether this is a case where the only just punishment would be an immediate custodial sentence. I have at the forefront of my mind the fact that this case involves the taking of a life. It will be rare in any case of manslaughter that the facts do not require at least some period of immediate custody.
30. However, on the facts before me, I am not satisfied a sentence of immediate custody is required. You pose no risk of further offending, and I consider that given your age and the circumstances of the offending, a suspended sentence order is appropriate.
31. The sentence I impose is a suspended sentence order of 2 years' imprisonment suspended for 2 years.
32. The surcharge will apply.