



JUDICIARY OF
ENGLAND AND WALES

CAMBRIDGE CROWN COURT

THE KING

V

ROBERT JAMES HAMMOND

Sentencing Remarks of Mr Justice Cavanagh

23 July 2024

1. Robert James Hammond, on 17 July 2024, you were convicted at this court, after a trial, of the murder of your wife, Sian Hammond, on the night of 29 October 2023. It is now my duty to sentence you.
2. There is only one sentence that the law allows me to pass for the offence of murder. It is a sentence of life imprisonment. That is the sentence that I will pass, but I am also required by Schedule 21 to the Sentencing Act 2020 to specify a minimum term which must elapse before you can be considered for release on licence. It will be for the Parole Board to consider whether, and, if so, when, you can be safely released.
3. It is important to stress at the outset that you – and everyone concerned with this case or reading or reporting this sentence – understands what your sentence for murder in fact means. The minimum term is not a fixed term after which you will automatically qualify for release, but is the minimum time that you must spend in custody before your case can be considered by the Parole Board. It is for the Parole Board to say, after expiry of the minimum term, whether or not you are fit to be released. There is no guarantee that an offender upon whom a minimum term order has been imposed will be released once the minimum term has expired, or at any particular time thereafter. If and when you are released, you will be subject to licence and this will remain the case for the rest of your life. If for any reason your licence were to be revoked, such as if you reoffend, you will be recalled to continue to serve your sentence in custody.

4. In deciding up the minimum term, I have taken into account all of the relevant circumstances. One of the key considerations is whether the murder of your wife was done in the expectation of gain as a result of your wife's death. If so, then the starting point for the minimum term, as laid down by the Sentencing Act 2020, will be 30 years. If the murder was not done in the expectation of gain as a result of your wife's death, then the starting point will be 15 years. However, it is important to emphasise at the outset that the starting point is not necessarily the end point. The Court of Appeal has made clear that, in a case in which a husband murders his wife in the knowledge, and so in the expectation, that he will make a significant financial gain, the starting point is 30 years. However, the Court of Appeal have also said that it may be appropriate to make a discount by reference to any mixed motives, and, if it be the case, to the fact that the financial gain that he would make upon the death of his wife was not uppermost in his mind when the murder took place, and/or that it was not the primary motive for the offence. In this regard, I take account, in particular, of the authorities of **R v Narendra Tailor** [2007] EWCA Crim 1564, **R v Height and Anderson** [2008] EWCA Crim 2500, and **R v Raymond Hoadley** [2021] EWCA Crim 1885. It follows that I have considered with care my findings about your motive and reasons for murdering your wife on the night of 29 October 2023.
5. In addition, the relevant aggravating and mitigating factors must be taken into account, and I must decide whether to adjust the minimum term accordingly.
6. I was the trial judge. No-one else but you was present when the assault took place which resulted in Sian Hammond's death. You have not told the truth about what happened, and I am satisfied that you have not told the truth about the events leading up to it. You are a habitual and accomplished liar, lying whenever it suited your purpose to do so. There was, therefore, no credible direct witness evidence before the Court of the way in which Sian's death took place. Nevertheless, despite the absence of truthful eyewitness accounts, the medical evidence from the forensic pathologist, Dr Fitzpatrick-Swallow, and the evidence of the first responders, means that there can be no doubt about the method by which you murdered your wife. Furthermore, notwithstanding the unreliability of your own evidence, the evidence presented to the Court, including the circumstantial evidence, means that I am in a position to be satisfied so that I am sure that what follows is an accurate description not only of the circumstances of Sian's murder, but also of the events that led up to it and of your motive and reasons for deciding to kill her.
7. It is necessary to begin my summary of the facts some time before the night of 29 October 2023. You had been married to Sian Hammond for nearly 30 years. You married when you were each 18. You had built up a very comfortable life for yourselves,

jointly running mortgage brokerage and financial advisory businesses. Together, you owned a number of properties, in addition to the main family home in Histon, near Cambridge. You had two daughters together, to whom you were both devoted. On the face of it, you had an enviable life, going on frequent holidays, recently buying a holiday home, and assisting your daughters in their sporting achievements. You had a large circle of friends. But, behind this façade, cracks were beginning to show. You had overextended yourself with property renovations. The businesses were in a great deal of debt, including substantial debts to Legal & General, to HMRC, and to a short term capital-funding company, plus outstanding Bounce Back loans. You were personally liable for the debt to Legal & General. You were taking increasingly desperate steps to delay payment to your main creditors. Many smaller debts were not paid as they fell due. In the course of 2023 you had lied to representatives of Legal & General and/or HMRC by saying that you had been suffering from cancer, and had taken time off work; that you had had a mental breakdown; that you had a relapse; that you and Sian had separated and were divorcing; and that Sian had been unwell and in hospital. You even lied to a representative of HMRC that you were awaiting a call from your oncologist in order to bring an awkward conversation to an end. None of this was true. You lied to HMRC that a particular property in Milton was owned by the business on a commercial lease when in fact it was owned outright by you and Sian in your personal capacity. You did this with a view to obtaining a VAT rebate from HMRC for the cost of the renovation works. You also lied to Legal & General that the property was being prepared for sale when this was not the case. You gave the impression, falsely, that Sian had taken decisions relating to the business of which you were unaware whilst you were off sick, and that complications relating to the divorce meant that you were unable to sell properties in order to pay off debt.

8. Even on the day after Sian died, you continued to lie to Legal & General that you had been in the process of divorcing each other.
9. Your financial problems were coming to a head at the end of October 2023. You had recently been told by HMRC that your claim to recover VAT had been refused and that you owed HMRC a total of £80,000. As the representative from HMRC put it in evidence, you had realised that you were reaching the end of the road. You owed Legal & General over £190,000. In fact, you had some cash reserves and had equity in the properties that you jointly owned which meant that, if some of them had been sold, you would have cleared your debts. But it is clear that you did not want to do this and thereby lose the nest-egg that you had built up over many years.
10. I am also satisfied that, at the time of her death, Sian had only recently come to know about the problems. You told the jury that Sian was well aware of the financial

situation, and, indeed, had agreed with you upon the strategy of lying to Legal & General and to HMRC, but I am satisfied that this is not so. I am sure that, until the weekend of her death, or, at most, very shortly before it, Sian has been unaware of the financial predicament that you were in. You had dealt directly with Legal & General and HMRC and your other creditors yourself. You had a web of bank accounts between you which meant that Sian did not readily have a picture of the true financial position. So far as Sian was aware, things were going well: you had frequent foreign holidays and had recently bought and renovated a holiday home in Norfolk. She gave no indication to her friends that the family or its finances were under any pressure. In light of the evidence at trial about Sian's aversion to stress, I take the view that it is inconceivable that she would have agreed with you upon a strategy to lie to Legal & General and HMRC. This was another of your lies.

11. By the last weekend in October 2023, therefore, you were under very great financial pressure. There was a way out, but it would have involved dismantling the property portfolio that you had built up over a number of years. It would also have involved confessing to your major creditors that you had been lying to them, and admitting to Sian that the financial position was not as rosy as she had thought, and that you had not been honest with your creditors. It would also have involved persuading Sian either to connive with you in the steps that you were taking to delay payment of debts, or to co-operate with you to take steps to sell some properties or to raise money by other means.
12. I have gone into some detail into your financial affairs because they provide the background to the events of the weekend in which Sian was murdered. Most of that weekend was spent in normal family activities. Both of your daughters were away from home. You both spent some time in the office, and you went for a meal with friends on the Saturday night. On the Sunday you took one of the cars to the garage to be repaired, you had a meal together, you spent some time in the gym, you watched television together and, later in the evening, you had sexual intercourse.
13. But there also were ominous signs, starting on Thursday 26 October. On that date, you conducted searches on your laptop about how much Diazepam was an overdose amount. This was relevant because you knew that Sian took Diazepam from time to time and would be taking it that weekend because she was very scared of flying and one of your daughters would be flying home from Switzerland. Then, just before lunchtime on the morning of Sunday 29 October, you conducted a number of internet searches about how you set about disconnecting the passenger airbag on a Ford Focus of a particular age. One of the family cars was a Ford Focus of the same age, and Sian was

sometimes a passenger in it when you drove. I am satisfied that these searches were undertaken because you were, by then, considering ways of killing your wife.

14. In the event, you killed Sian by strangling her. You did this late at night on 29 October 2023, in the bedroom that you shared. It is clear from the forensic medical evidence that you did this by compressing her neck with your bare hands. This would have taken some time, probably a minute or more, according to the expert medical evidence. Sian had defensive injuries on her face and on her arms, and gripping injuries on her arms, which showed that there had been a struggle and that she had tried to fight you off. There were other injuries on other parts of Sian's body, including to the back of her head, which showed that the assault on her had been brutal and determined. There was heartrate data from your Whoop fitness app which suggests that there was a period of activity, lasting some 20 minutes, around the time that Sian was killed. It may be that a few minutes of this is attributable to the sexual activity, but I am satisfied that a significant part of the period of increased heartrate was whilst you were killing your wife.
15. There can be no doubt that you intended to kill your wife. You had been thinking for several days about ways of doing so. When you did kill her, this was not the work of an instant. You took some minutes to kill her. It is inconceivable that you compressed Sian's neck until she was clearly unconscious and unresponsive without intending to kill her. An intention to kill is not an aggravating factor, however, because it has already been taken into account in the relevant starting point. It means, though, that you are deprived of the mitigation available to those who did not intend to kill their victim.
16. Even though the murder may well have followed on very shortly after you and Sian had sexual intercourse, I am satisfied that there was no sexual motive for your actions. The post-mortem examination indicated that Sian had some very minor vaginal injuries but these were not consistent with a sexual assault.
17. After you had killed Sian, you called 999. The ambulance dispatcher gave you instructions about performing CPR on Sian, and you gave her the impression that you were following her instructions. I am satisfied on the evidence, however, that you did not attempt CPR. You knew that Sian was already dead by that point, which she was, and, in any event, you did not want her to survive. You gave the impression that you were carrying out CPR to cover up what you had done.
18. During the days that followed, you played the part of the grieving husband. It was only after a forensic post mortem examination had been performed some days later that it

became clear that Sian had been strangled to death, and you were arrested. You have shown no remorse.

19. Before I go any further, I want to say something about Sian. She was 46 years old when she was killed. It is clear that she was a lovely person. She was kind, bubbly and very friendly. She had a large circle of friends. She was a wonderful mother, devoted to her two daughters, and extremely proud of them. She was a loving wife to you. She had many interests, and was very keen on fitness, having recently completed her first 10k run. Sian was hardworking and an academic highflyer, and, following a degree in biochemistry, had enjoyed a successful career as a research scientist, of which she was rightly proud, before giving it up to look after the girls and then to join you in the businesses. She was much loved by her daughters, her mother and sister, and by her many friends. Sian's murder has caused anguish and sadness to many people. Sian's family have been devastated by her death. As a result of her murder, Sian was deprived of many more years of happy and fulfilling life.

20. As I have said, the first thing that I have to decide is whether I am satisfied so that I am sure that you killed Sian in the expectation of gain as a result of Sian's death. I am satisfied that you did so. With Sian dead, you would have had freedom to sell the jointly owned properties without needing her permission, if you chose to do so. Most significantly, only four days before Sian's death you had paid up arrears on her life insurance policy in the sum of £450,000. This means that, as her widower, you stood to gain £450,000 from her death. You could not, therefore, have failed to be aware that you would receive £450,000 after Sian's death, unless the murder was discovered. You were keen, after Sian's death, to ask when a death certificate would be forthcoming, and this was a necessary step before a claim for the life insurance could be commenced. The sum of £450,000 would have wiped out your debts and would have meant that you did not have to sell any of your properties. It is inconceivable that this was not in your mind when you strangled Sian. A few days later, on 6 November 2023, you asked the representative from Legal & General if you could obtain a reduction in the interest owing if you paid off the arrears due in a lump sum from the life insurance pay-out.

21. This means that the starting point for the minimum term, as laid down in the Sentencing Act 2020, is 30 years. However, I am also satisfied that a significant discount has to be applied to this figure to take account of the fact that I cannot be sure that your primary motive for killing Sian on the night of 29 October 2023 was your expectation of gain from her death. It was certainly a part of your motivation. This is made clear by the fact that you had, in the previous few days, researched two other ways of killing her, by an overdose of Diazepam and by crashing the car whilst her passenger airbag was disabled. If you had gone ahead with either of those methods, then it would

have been clear that the murder was planned, and that your primary motivation was cold-bloodedly financial. In fact, however, that is not what happened. You murdered Sian at the end of a weekend in which you had, together, undertaken a range of normal activities. The method of killing Sian that you adopted did not have the sophistication of the other two methods that you had considered.

22. In all the circumstances, I am satisfied that this is an unusual case in that, whilst the murder of your wife was premeditated, the killing, when it actually took place, was not part of a careful plan. It happened, more or less, on the spur of the moment. It is not possible to be certain of the immediate trigger, as Sian is unable to give evidence about it and your evidence cannot be trusted. It may be that a sudden argument developed because Sian had discovered the debt problem and the lies you had told in order to delay payment. It may be that Sian made clear that she was not going to co-operate with your plans to deal with the debts. It may be that, all of a sudden, the stress and strain of dealing with your debts had become more than you could handle. You were under very great pressure and you saw that the comfortable and successful life that you had built for yourself and your family over many years was at risk of coming crashing down. Either way, this was a murder which was premeditated but not pre-planned, in the way that it happened. I am fully satisfied that, at the moment that you murdered Sian, you were well aware of the potential financial advantages for you of Sian's death, and so that you expected to gain from her death. It provided some but not all of the motivation for the killing. This was, therefore, a murder done in the expectation of gain from your wife's death, but I will sentence you on the basis that the gain that you expected to make upon the death of your wife may not have been uppermost in your mind when the murder took place.

23. It follows that this was a murder in the expectation of gain, but a significant discount should be applied because you had mixed motives.

24. Taking into account the mixed motives for the murder, I have decided that this factor justifies a reduction in the starting point for the minimum term from 30 years to 22 years. However, that figure must then be adjusted to take account of the relevant aggravating and mitigating factors in this case, and this will result in an upward adjustment.

25. I now move on to the aggravating and mitigating factors.

26. So far as the statutory aggravating factors are concerned, the first potentially relevant one is a significant degree of planning and premeditation. This does not quite describe the position. As I have said, I do not consider that this murder was planned to take

place at the time and in the manner that it happened. There was, however, a degree of premeditation in that you had been giving serious consideration to killing your wife and had done some preparatory research. This is a major aggravating factor, but I do not accord it quite as much weight as I would otherwise have done, because I cannot be sure that, until the moment arose on the night of 29 October 2023, you had taken a definite and final decision to kill Sian.

27. The second potentially relevant statutory aggravating factor is the abuse of a position of trust. This is also identified as an aggravating factor in the Sentencing Council's overarching guidelines on domestic abuse, which I will deal with next. It is most appropriately dealt with this latter way, as it was an abuse of a position of trust in the domestic context. I have avoided double-counting.

28. The other aggravating factors are these:

- (1) First, the domestic setting and context of the murder. This is a matter that I am required by the Sentencing Council's overarching guidelines on domestic abuse to take into account. This is a significant aggravating factor in this case. As the guidelines say, "The domestic context of the offending behaviour makes the offending more serious because it represents a violation of the trust and security that normally exists between people in a family relationship." Put more bluntly, it must have been particularly terrifying and horrifying for Sian to be attacked in her own home – indeed in her own bedroom - by the man she loved and who, above everyone else, she should have been able to expect would protect and care for her.
- (2) Second, Sian was particularly vulnerable, albeit not as a result of age or disability. She was a small woman, in her pyjamas, in her bedroom, and you are a fit 16-stone man. There is a considerable overlap, however, between this aggravating factor and the first aggravating factor, and, indeed, the next, and so I have been careful to ensure that there is no double-counting;
- (3) Third, the sustained nature of the attack. This is evidenced by the nature of the injuries. The attack took some minutes, during which time Sian must have suffered terribly. Though no weapon was used, the intimate and close-up nature of strangulation made the murder cruel and painful for your victim. She will have known what was happening to her. The Defence suggested at trial that Sian's death may have been caused by natural factors, such as a cardiac defect or an epileptic fit, and it was suggested in the Defence Sentencing Note that a seizure might have hastened Sian's death, but there was not a shred of evidence for this: Dr Fitzpatrick-Swallow rejected the suggestion that Sian's death had a natural cause or contributory factor, and the Defence did not put forward any expert medical evidence in support of such a suggestion;

- (4) Fourth, your actions immediately after the murder. You pretended to undertake CPR when you had no intention of trying to save your wife. This was to ensure that Sian was definitely dead and that you were not suspected; and
- (5) Fifth, the impact upon your children. These young people have been deprived of their mother and this is made all the more awful by the fact that the person who has been convicted of her murder is their own father. I bear in mind that they have stood by you, and, indeed, both of your daughters, Katie and Lauren, and your mother Carol, have written to me to emphasise their support for you and the impact that your sentence will have upon them. Their support for you is entirely understandable. I have no doubt that your imprisonment for a lengthy period, added to the loss of their mother, will be a heavy burden for your daughters to bear. Similarly, I have no doubt that your imprisonment will be painful for your wider family, but it is important to say that the responsibility for the fact that you face a long prison sentence rests with you and no-one else.

29. As for mitigation, none of the statutory mitigating factors applies. You plainly intended to kill. There was, as I have said, some premeditation, albeit that I have taken into account that there was no careful planning for the way the murder took place. You were not suffering from any mental disorder or mental disability. There is no question of any provocation of a type that the Court can or should take into account. You were under stress because you had financial problems, and had tried to lie your way out of trouble, but this cannot provide any significant mitigation for the action that you took. I do not accept that the loss of family properties and/or wealth that will result from your conviction is a significant mitigating factor.

30. The only significant mitigating feature which I can take into account, and it is a significant feature, is that you have previous good character. You are now 47 years old. You have no convictions or cautions and had, until 29 October 2023, lived a productive and law-abiding life. You have no history of violence. A large number of character witnesses testified during the trial to your popularity and to the respect and high regard in which you were held by friends, colleagues and clients. I have no doubt that this is so. I have also received a letter from Sian's mother and sister, Janet Llewellyn and Lisa Smith, who also stand by you and have asked for leniency. I have already mentioned that your daughters are standing by you. I have taken all of this into account, but I must impose a sentence that is in accordance with the law, justice, and the applicable principles of sentencing. You are not the victim in this case.

31. The statutory surcharge will apply.

32. I now come to the sentence.

33. James Hammond, for the murder of Sian Hammond, I sentence you to imprisonment for life. Taking account of all the relevant circumstances, and the aggravating and mitigating factors that I have set out, the minimum term will be 24 years, minus 253 days to take account of time spent on remand.

Commendations and thanks

34. The investigation which led to these convictions was lengthy and complex, and the police officers and police staff who played their part are to be commended for the extremely professional and skilful way in which they carried out their duties. In particular, I would like to commend the following:

- Detective Inspector Rich Stott – The Senior Investigating Officer (SIO). DI Stott played a crucial role in managing the investigation from the outset until the conclusion of the trial.
- Detective Sergeant Mark Dollard – Deputy SIO. DS Dollard was involved in the case from the arrest of Mr Hammond through to overseeing the progression of the investigation, taking the case to court, and giving evidence.
- Detective Constable Charlie Sermons – the Officer In Charge of the case. DC Sermons led a good deal of the investigation including with Legal and General, HMRC and obtained key evidence. He also meticulously prepared the case file and material for trial.
- Detective Constable Lucy Bright – Disclosure Officer – DC Bright managed and reviewed a large volume of disclosure material. This was an extensive exercise in a case of this nature and complexity.
- Detective Constable Karen Lunn – Investigator – This officer interviewed Mr Hammond and was then involved in reviewing mobile devices and computers. This revealed key evidence around internet searches, messages, emails and app data linked to fitness trackers and house alarms.
- Detective Constable Hen Robinson – Financial intelligence investigator – DC Robinson investigated the banking accounts of Mr and Mrs Hammond. This resulted in obtaining numerous production orders and then analysing and interpreting all the data received, enabling it to be used at trial.
- Major Crime Unit Analyst (Police Staff) Jodie Joyce – Miss Joyce produced the sequence of events and financial summary charts used as evidence at trial. This required the combination of various evidential sources and many alterations to ensure the evidence was produced in the easiest format for the jury to understand and digest.

35. Finally, I would like to thank all members of the counsel teams and their solicitor colleagues, 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. I would also like to thank the jury members for their commitment to the case, and the Court staff, so often the unsung heroes, whose work in this trial was exemplary.