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v

CLIFTON BROWN

**Sentencing remarks**

1. You fall to be sentenced for three offences: attempted murder for which you were convicted by a jury, causing grievous bodily harm with intent and making a threat to kill, to both of which you pleaded guilty at various stages of the proceedings. I heard the evidence at the trial and I sentence you on the basis of the facts of which I am sure.
2. Ancillary orders: the statutory surcharge applies.
3. In mid-2023 you and Camilla Welby had been in a relationship for about 15 years. The relationship had become increasingly strained and while you were on holiday in Greece that summer you told her it was over which she accepted. When you got home there was another argument which cemented the split. She wanted an amicable separation, you lived in her house and had many friends in common. It was agreed that you would stay for 2 months so you could find somewhere else to live.
4. On 12 August 2023 you arrived home at the end of the afternoon having drunk on your own account half a bottle of rum. She went out for a swim and picnic with friends before returning to the friend's house. You came round to the friend's house later that evening to socialise. When you said you were going home she asked for a lift, her home where you lived was not far. Everything was fine until she got in the car. You accused her of belittling you in front of your friends when describing her daughter's wedding and felt she had underplayed your role. Although what precipitated the argument may have been trivial, your reaction was not.
5. You got angry, drove past the turning to her house and told her that you were going to drop her off at the next village and she could walk home in the dark. Before that you stopped the car and told her to get out. She refused, fearing what you would do if she did. Although she did not recall this later, in her ABE she said you got angry and started hitting her. You got out of the car and tried unsuccessfully to get her out of the car. Then you got back in and started driving. She thought you were going to drop her off in the next village to walk as you had threatened to do.
6. Instead of that or taking her home, you drove her to a property near Congham, High House, owned by your family, a 35-40 minute drive. On the way you were angry, shouted and repeatedly struck her in the face. By the end of the evening you

had given her such a severe beating that her face was left blackened with bruises, her nose was broken, both eye sockets were bruised and the swelling to her right eye was so bad she could not open it. This is the charge of causing grievous bodily harm with intent. You also broke her finger in circumstances I will describe in a moment.

7. On the way to High House you threatened to kill her, saying that as you had hit her that evening and had done so in the past, you would be arrested and it did not matter what happened, you had nothing to live for. You said you were going to take her to a disused well at High House, throw her in it and then yourself. You fully intended her to believe that threat. This is the charge of a threat to kill.
8. In fact the threat was real. The jury found that you intended to kill her and attempted to do so. You had recently topped up the water in the well. It was in a remote wooded location at High House with no nearby properties. You drove right up to the well and got out of the car. You went over to the well and rattled the fencing around it. Then you returned to the car, opened the front passenger door, continued to hit Ms Welby and tried to drag her out towards the well. When that was unsuccessful, you struck her very hard in order to render her unconscious and enable you to carry out your murderous plan. She was dazed and when she came to you were leaning in trying to undo her seatbelt so you could pull her out. In complete terror that she was about to be killed, she grabbed her scarf and managed to wind it round your neck. You resisted which is when she broke her finger trying to defend herself. Despite that she managed to pull her scarf hard enough so you could not breathe momentarily and you fell to the ground outside the car.
9. At this point she described you appearing to come to your senses. Eventually she persuaded you to get in the car, saying she would take you both to A&E. However, you then said you couldn't go because you would be arrested and threatened to jump out of the moving car. She stopped so you could get out and then drove herself to hospital.
10. It is quite clear from Ms Welby's description of the incident that she was frightened beyond measure. This is confirmed by her victim personal statement dated January 2025 which states that although her physical injuries have healed the psychological damage is very deep. She is scared of opening the doors and windows, when you are released she will be looking over her shoulder and fears she would not survive another attack. She struggles driving along the route you took, she finds sleep difficult and has nightmares. She doubts she will ever be able to have another relationship as she does not trust her judgment let alone men. She has lost many friends who took your side in this matter, felt ostracised and sometimes suicidal. She refers to the stress of court delays and of being forced to relive the trauma in cross examination. She suffers from PTSD and will need long term counselling.
11. I do not consider this case easy to place in the sentencing guidelines for attempted murder. Despite the submissions from both counsel, I consider there was an element of abduction of the victim with intent to murder, a category A factor, even

if not in the expected sense. When Ms Welby initially got in the car she expected to be taken home whereas you intended to take her to the nearby village so she would have to walk home. That was abduction, taking someone away without their consent by fraud. Although she refused to get out when you initially stopped for fear of what you would do to her, that does not mean she agreed to be taken anywhere other than the nearby village or home. The force, fear of force, or fraud was continuing to operate when she refused to get out of the car, albeit that at that stage you had not yet decided to kill her.

12. In my judgment, at some stage after leaving the place where you first stopped and on the journey to High House you formed the intent to kill by putting Ms Welby down the well and told her that is what you were going to do. From that moment, which could have been 35 to 40 minutes before you arrived at High House, you were detaining her against her will and using force against her in order to take her to the place where you intended to kill her. The fact she may have been to High House before does not mean she was agreeing to go there. Her explanation for telling you that you had missed the turning was that she thought it would be safer than somewhere she did not know indicating she was still in fear of you. Further, given the beating you were giving her, it would not be surprising if she was not thinking clearly.
13. To that extent there was also an element of planning, a category B factor. While you said in interview you had recently topped up the well, it is clear from your initial attempt to make Ms Welby walk home that you had not at that stage determined to kill her. It may be that the fact you had topped up the well formed part of your thinking when you did decide to kill her. As I have said, that intention was formed on the journey to High House, a journey which took up to 40 minutes. Moreover, the attack on her continued while you were by the well and trying to get her out of the car. The intention to kill could not be described as premeditated. However, neither do I consider it could be said this was a spontaneous attempt to kill with no element of planning, a category C factor.
14. On the other hand I have no doubt that the offence was not motivated by or involved sadistic conduct. This was not a case of deriving pleasure from inflicting suffering. It was an angry, drunken and petulant, albeit extreme, reaction to the perceived slight from Ms Welby earlier in the evening and likely a build-up of antagonism during your relationship. Doing the best that I can I consider this case falls within culpability category B.
15. As to harm, I am quite satisfied that this case falls within category 2. Ms Welby suffered serious physical harm. There is plainly an overlap with the offence of causing grievous bodily harm with intent. However, although you formed the intention to kill as a result of assaulting Ms Welby, there is no doubt that much of your attack and the harm caused was designed to incapacitate her in order to be able to drag her to the well. Further, I am satisfied on the basis of her victim personal statement that Ms Welby has suffered serious psychological harm.

16. The starting point for a category B2 case is 25 years custody with a range of 20 to 30 years.
17. Causing grievous bodily harm with intent: there is no dispute that this falls with category A3 of the sentencing guidelines being a prolonged assault against a vulnerable victim confined to a car with a starting point of 5 years and a range of 4 to 7 years.
18. The offence of threats to kill is a category A1 offence involving threats with significant violence and very serious distress was caused. The starting point is 4 years and a range of 2 to 7 years.
19. In both cases you are entitled to 25% credit as the pleas were entered at PTPH or immediately after an unsuccessful application to dismiss.
20. The aggravating factors for all three offences are these. First, they were committed in a domestic context which is regarded as particularly serious because it represents a violation of the trust and security that normally exists between people in an intimate or family relationship. Second, you have a history of violence towards Ms Welby as evidenced by a caution for two offences of battery in 2018. She also described other incidents of violence when you tried to strangle her and pushed her over after a hip operation. Third, you were under the influence of alcohol.
21. The mitigating factors are these. You are 56 years of age and have only one very old conviction for an unrelated offence so there are no relevant or recent convictions. I have taken this into account but in the light of your previous violence against Ms Welby it is a factor of only modest weight.
22. Work related stress appears to have precipitated low mood and anxiety for which you were prescribed medication in spring 2023. In June 2023 you reported that helped. Around the same time you were diagnosed with ADHD for which you were also prescribed medication. Again you reported a positive response, saying you felt more focussed and productive. A psychologist's report prepared in April 2024 describes you as emotionally insecure with low self-esteem which has given rise to feelings of anxiety and depression. You were abusing alcohol as a coping mechanism.
23. I accept that the impulsivity associated with ADHD may have played a part in the offending by impairing your ability to exercise appropriate judgment which is a mitigating factor of some weight though it does not, as your counsel conceded, reduce your culpability substantially.
24. Despite you describing symptoms of depression, almost all the personal references refer to your cheerfulness and positive disposition. The reference from your landing officer describes you as jovial and you describe yourself as gregarious. It appears that your positive disposition and anti-depressant medication are assisting you well to cope with your time in custody.

25. I note the many references from friends attesting to your positive good character. These speak of your kindness, generosity and integrity. However, there are contradictions. Your friends also say you are never angry or violent, something which does not accord with your character revealed during the trial. Some references speak of your remorse as does the author of the pre-sentence report but the report also states you minimised the impact of the incident on Ms Welby.
26. That said, you have worked hard in prison at various jobs and attending courses. The references state you are committed to helping others, including assisting other inmates with literacy and numeracy and you are a mentor for the Shannon Trust. This is much to your credit and I regard it as of more weight than the personal references.
27. These offences were all committed in the course of an evening of violence against Ms Welby and there is a significant overlap between the culpability and harm of all three offences. In my judgment it would be appropriate to pass a sentence which reflects the totality of your offending and make the other sentences concurrent. The significant overlap between offences means that the uplift to the sentence for attempted murder to reflect the other two offences is only modest.
28. While the present offences are extremely serious and caused serious harm, you have a very limited record for minor violence and a positive response to custody is reported. You will remain in custody for a long period of time with the opportunity for further rehabilitation work. Although these offences demonstrate you are capable of causing serious harm, in all the circumstances I do not consider the risk is significant and the test for dangerousness is not met.
29. Taking into account all the circumstances of the offence as well as the aggravating and mitigating factors, in my judgment the minimum sentence the court can reasonably impose for the offence of attempted murder is one of 24 years custody.
30. Stand up. For the reasons given I sentence you to 24 years imprisonment for attempted murder.
31. For the offence of causing grievous bodily harm with intent, the sentence would be 5 years after a trial, deducting 25% for your plea of guilty, the sentence is 3 years 9 months or 45 months concurrent. For the offence of making a threat to kill, the sentence would be 4 years after a trial, deducting 25% for your plea of guilty, the sentence is 3 years or 36 months concurrent.
32. The time you have spent in custody will count towards the sentence. I do not have to calculate that, it will be automatically calculated by the prison authorities. You will be entitled to be released on licence after two thirds of the sentence. If during the period of the licence you breach any conditions of the licence or commit any

further offences you can be recalled to custody to serve the balance of the sentence  
I have imposed on you as well as being punished for any further offending.

HHJ Alice Robinson  
2nd April 2025