



JUDICIARY OF
ENGLAND AND WALES

In the Crown Court at Salisbury

18 June 2013

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-v-

CHUDLEY

Sentencing remarks of the Hon Mr Justice Bean

Michael Raymond Chudley. Four years ago you began a court case against Christopher Sear. His solicitor was Jim Ward. Mr Ward was a decent, conscientious, highly respected solicitor in Devizes. He did his proper professional duty for Mr Sear, as he had done for many clients over many years.

You lost the case, and lost a great deal of money in the process. So you decided to take your revenge on Mr Ward. You armed yourself with a sawn off shotgun, drove to the market square in Devizes and walked into the offices of Mr Ward's firm. You threatened to shoot the receptionist Daphne Courtney and forced her to lead you upstairs. I am quite satisfied that you intended to kill Mr Ward. You fired a single shot to his head, then walked out as calmly as you had arrived, got into your car and drove off. It was a chilling, calculated execution.

Mr Ward's widow, Nicola Morris, gave her evidence with admirable dignity and composure, but the effect of this murder on her and her family has been appalling. I have read the very moving victim impact statement written on behalf of the whole family by Mr Ward's daughter Louise Ward Morris. She writes that her mother and sister have suffered from depression and panic attacks which sometimes make everyday tasks into mountains. All

three children of Mr Ward have lost a loving father. His mother Susan has outlived her son. I also note that Daphne Courtney has suffered severe post-traumatic stress with panic attacks and flashbacks which can stop her in her tracks. She writes in her victim impact statement that she was frightened beyond description by your attack and by the threat to her life. She feels a sense of guilt although in my view there was nothing she could have done to save Mr Ward.

Because you wallow in self-pity and think only of yourself I doubt whether any of this bothers you at all. Indeed, when you are asked in the witness box whether you felt any remorse for the death of Mr Ward you replied "I don't know what the word means. I have no feelings about Ward." In this respect at least you were telling the truth.

The sentence for murder is, as it must be, imprisonment for life. I turn to consider, as I am required to do by schedule 21 to the Criminal Justice Act 2003, the minimum period which you must serve in prison.

The starting point for murder with a firearm is a minimum term of 30 years. The statutory aggravating factor in this case is that the defence involved a significant degree of premeditation. This was a calculated revenge attack. If you were an offender in your late twenties or thirties the appropriate minimum term before allowing for mitigating factors would be at least 33 years.

I turn to possible mitigating factors. The doctors agree that you have a paranoid personality disorder. I do not consider that this is what Parliament had in mind when referring in paragraph 11 of the schedule to a mental disorder or mental disability which lowers the offender's degree of culpability. Its effect on sentence can be no more than marginal.

The mitigating factor which does apply in this case is your age. You were 62 at the time of the offence, far older than most murderers. You will be an exceptionally elderly prisoner before you can be considered for release. I bear in mind also that in 2008 you suffered a mild heart attack.

I consider that the appropriate minimum term is 28 years.

You are entitled to credit for the 349 days you have already spent on remand in custody: the formal order of the court will therefore specify a period of 27 years and 16 days from today. There will be concurrent sentences on the other counts: 5 years imprisonment for each of the two counts of possession of a firearm with intent and 7 years imprisonment for the threat to kill Daphne Courtney. These will not affect the length of time you will spend in custody. The statutory victim surcharge provisions apply. The sawn off shotgun and ammunition are to be forfeited and destroyed

The 28 year term is the minimum that you will serve. I am not ordering that you are to be released at the end of it. That will be a matter for the Parole Board. Only in the year 2040 when you will be 90, will they be entitled for the first time to decide whether it is safe to release you. If the board does release you will remain on licence and liable to recall for the rest of your life.

It may be that you will die in prison. But that is a possibility for which you have only yourself to blame.