



JUDICIARY OF
ENGLAND AND WALES

IN THE SOUTHWARK CROWN COURT

THE QUEEN

- V -

**VASILIKI PRYCE
CHRISTOPHER HUHNE**

SENTENCING REMARKS OF MR JUSTICE SWEENEY

VP and CH in the spring of 2003 you had been married for nearly 20 years. You had, between you, five children. You each had a stellar career, which had already brought you considerable success and wealth.

But you also had a problem. For the fourth time in just over a year you CH had been caught speeding (on this occasion by a camera on the M11 as you were driving home in your BMW), therefore a course of justice had begun by the sending of the necessary forms to you as the registered keeper at the family home, and thus (if you completed the relevant form truthfully as was your duty) you were facing the prospect of being disqualified from driving for at least six months. You CH were, at that time, involved in a contest to gain the Lib Dem nomination for the Eastleigh constituency, and I have no doubt that both of you were concerned that the loss of your licence CH (whoever drove for you during the period of disqualification) might damage your image, and thus your chances of success. Equally I have no doubt that, in any event, you were both concerned as to the inconvenience to you VP - in particular of taking on all the marital and parental driving duties.

Thus it was that, acting together, out of the combination, I have no doubt, of a shared ambition as to the further success of your political career CH, and a shared desire not to suffer inconvenience, you decided not to tell the truth, but instead to pervert the course of justice by pretending that you VP had been driving CH's car at the time of the offence. To that end, the relevant form addressed to you CH was returned to the authorities nominating VP as the driver, and you VP signed the form that was then sent to you to confirm that you were the driver. In the result, in May 2003, you VP were fined £60 and your licence was endorsed with three points. Hence the course of justice was perverted.

No doubt you thought that you would get away with it. After all, only you CH had been in the car at the time of the offence, it had taken place at night, the camera was forward facing, and you could choose who, if anyone, to share the secret with.

And you did get away with it for some eight years, achieving in the result not only your nomination CH, but also your eventual election as the MP for Eastleigh and your eventual rise to a seat in the Cabinet – all, I have no doubt, supported by you VP.

Whilst ironic, it is no mitigation (beyond saving you from disqualification now) that, only five months after the offence, you CH were disqualified from driving for six months under the totting up provisions.

Nor do the circumstances in which your joint offence eventually came to light reflect any credit on either of you.

At some point you CH began an affair, and in June 2010 (when the affair was about to be made public) separated from VP in circumstances which, for you VP, must have been horrendous. However, in November 2010, motivated (I have no doubt) by an implacable desire for revenge, and with little consideration of the position of your wider family, you decided to set about the dual objective of ruining CH whilst protecting your own position and reputation in the process. Your weapon of choice was the revelation of his part in the offence in 2003. But it was a dangerous weapon because it had, in truth, been a joint offence. Thus you did not go to the police, because (as you admitted during your second trial) you appreciated the risk that you would both be prosecuted. Instead you went first to The Mail on Sunday then, when they didn't publish, to the Sunday Times and then, after they published, back to The Mail on Sunday. Hence it was that over the period of six months from November 2010 to May 2011 you, I have no doubt, sought to manipulate and control the Press so as to achieve that dual objective, hoping all the while to be able to hide behind their duty of source confidentiality, which you tried long and hard to do, as well as laying the ground, if that failed, for a false defence of marital coercion.

However, after the publication of a story by the Sunday Times on 8 May 2011, to the effect that you VP had confirmed that CH had persuaded "someone close to him" to take the points, the momentum of the story led to your unmasking as the other person involved and to a police investigation.

During that investigation you VP said nothing throughout your extensive interviews – hoping, I have no doubt, that the Police would not be able to obtain evidence from anyone as to your involvement. But they did.

Despite your high office you CH tried to lie your way out of trouble by claiming that you were innocent, by repeating that lie again and again during your extensive interviews by the police, and by maintaining it in your Defence Case Statement to the Court in which it was asserted that "Mr Huhne.....can state unequivocally that he has never asked anyone to accept responsibility for a speeding offence and as a consequence take penalty points on his behalf...".

You then compounded those lies by making numerous applications, which the Court heard and determined in good faith, upon the basis that they were required in order for you to be able to pursue your defence that VP had not taken the points for you, and to enable you (if it proved to be the case) to mount an argument that the case should be stayed as an abuse of process because you could not get all the evidence to which you

were entitled to support that defence – whereas the truth, as you well knew throughout, was that VP had taken the points for you and you were guilty. Indeed it was only after the refusal of your abuse of process and dismissal applications and the entering of a plea of not guilty that you finally indicated an intention to plead guilty, and did so on what would otherwise have been the first day of your trial.

I make clear that your lies and your endeavour to manipulate the process of the court will not add a day to your sentence, although they are likely in due course be relevant to the issue of costs.

In any event you must receive a discount of 10% to reflect the fact that your late plea took a degree of courage, saved the time and expense of a trial, and may reflect the beginnings of a degree of remorse – albeit that it is easy now to apologise for your wrongdoing.

Once charged, you VP pursued your false defence of marital coercion. In doing so, just as you did in your dealings with the media, you have demonstrated that there is a controlling manipulative and devious side to your nature. However, ultimately, the good sense of the jury saw through you, and you were convicted.

Having presided over your trials I have no doubt that whilst the immediate problem was CH's, and that it was his idea that you should take his points, you were readily persuaded and chose to go along with it to your mutual benefit. Albeit that, to some limited extent, you regretted it afterwards – particularly when he was disqualified anyway and you were put to the inconvenience that you had sought to avoid in the first place.

In your case too I make clear that the way that you have conducted your case will add nothing to your sentence, but (as with CH) is likely in due course be relevant to the issue of costs.

To the extent that anything good has come out of this whole process, it is that now, finally, you have both been brought to justice for your joint offence. Any element of tragedy is entirely your own fault.

The underlying offence was speeding, the points swapping was considered and deliberate and done to gain joint advantage, the perversion of justice which resulted from it lasted for many years, and (as I have already observed) its eventual revelation and correction reflects no credit on either of you.

Offending of this sort strikes at the heart of the criminal justice system. As has been observed before, the purpose of the points system is that those who drive badly eventually have to be punished by way of disqualification, which serves to discourage bad driving and thereby to protect the public from it. The system depends, in relation to those caught on camera, upon the honest completion of the relevant form or forms. The dishonest completion of such forms is all too easy to do, and the consequent points' swapping often goes unnoticed and unchecked.

However, it must be clearly understood that it amounts to the serious criminal offence of doing acts tending and intended to pervert the course of justice and that, save in the most exceptional circumstances, an immediate custodial sentence must follow.

Indeed, in my view, this is the type of offence which requires the court to underline that deterrence is one of the purposes of sentence.

There is no Definitive Guideline in relation to cases of this type, nor (given that the authorities to which I have been referred were each decided on their own facts) any guideline authority as to the appropriate length of sentence. I must however keep the sentence as short as I can.

CH (please stand) I propose to deal with you first, as the offence was your idea and thus you are somewhat, though not greatly in my view, the more culpable of the two of you.

On the one hand you are a man of positive previous good character (about whom others have spoken extremely well) and who has given valuable public service, you have fallen from a great height (albeit that that is only modest mitigation given that it is a height that you would never have achieved if you had not hidden your commission of such a serious offence in the first place), and you have had to wait some time to be sentenced.

On the other hand this was as your counsel accepts a serious offence, indeed as it seems to me a flagrant offence of its type, its effect lasted for many years, and I must give effect to all the purposes of sentence - including deterrence.

There being no exceptional circumstances in your case, it is clear that an immediate custodial sentence must be imposed. You accept that, to some extent, you were the more culpable of the two of you.

Having weighed all the various features, it seems to me that the least possible sentence after a trial in your case would have been one of 9 months' imprisonment.

From that I must deduct the 10% to reflect your late plea, which (rounded down) results in a sentence of 8 months' imprisonment, which is the sentence that I impose upon you.

Unless released earlier under supervision you will serve half that sentence. Your release will not, however, bring the sentence to an end. If after your release and before the end of your sentence you commit any further offence you may be ordered to return to custody to serve the balance of the original sentence outstanding at the date of the new offence, as well as being punished for that offence.

VP (please stand) as I have already indicated I have no doubt, having presided over your trials, that whilst the immediate problem was CH's, and that it was his idea that you should take his points, you were readily persuaded and chose to go along with it to your mutual benefit. Albeit that, to some extent, you regretted it afterwards – particularly when he was disqualified anyway and therefore you suffered the

inconvenience that you had sought to avoid. To repeat, he was therefore somewhat, though not greatly in my view, the more culpable of the two of you.

On the one hand you are now in your early sixties and a woman of positive previous good character (about whom others have spoken well) who has also given valuable public service as well as doing other good works, and you too have fallen from a considerable height (albeit that again that is only modest mitigation at best given that, in your case too, it is an eventual height that you would not have achieved if you had not hidden your commission of such a serious offence in the first place). I also take note of the issues raised as to your health and family problems.

On the other hand this was a serious and flagrant offence of its type, its effect lasted for many years, and I must give effect to all the purposes of sentence - including deterrence. Equally to the extent that there have been delays that has been a by-product of your decision to contest the case.

In my view the matters advanced on your behalf do not amount to exceptional circumstances, thus it is clear that an immediate custodial sentence must be imposed in your case as well.

There can be no discount for a plea, nor any for genuine remorse – clearly there is none.

Having weighed all the various features, including the fact that CH was somewhat more culpable than you but his sentence was discounted to reflect his plea, the sentence that I impose on you is also one of 8 months' imprisonment.

Unless released earlier under supervision you will serve half that sentence. Your release will not, however, bring the sentence to an end. If after your release and before the end of your sentence you commit any further offence you may be ordered to return to custody to serve the balance of the original sentence outstanding at the date of the new offence, as well as being punished for that offence.

In both your cases I will adjourn determination of the costs issue until a date to be fixed.