



JUDICIARY OF
ENGLAND AND WALES

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CHRISTOPHER HALLIWELL
T20107729

BRISTOL CROWN COURT

SENTENCING REMARKS OF MRS JUSTICE COX

19 OCTOBER 2012

Christopher Halliwell, the sentence for murder is life imprisonment and that is the sentence I impose upon you now.

You are now aged 48. You have pleaded guilty to the murder of Sian O'Callaghan, a much loved daughter, sister and partner – a happy, lively and caring young woman who enriched the lives of all those who knew her and who had everything to live for. In March 2011 she was just 22 years old.

What exactly you did to her, and why you did it, may never be known. On your behalf your counsel has today, on your instructions, offered for the first time an explanation as to how she met her death that night. I have considered it carefully and I have considered it against all the evidence which exists in this case. Your account bears the hallmarks of an account carefully designed to try and explain away separate aspects of the evidence relied upon by the prosecution. It is important however to view all that evidence cumulatively. The CCTV, telephone and Automatic Number Plate Recognition evidence of your movements between 19 and 23 March, and forensic evidence as to Sian's injuries, all provide cumulatively a compelling picture of events.

I reject the account you have offered today. I am satisfied so as to be sure on all the evidence of the following facts. On Saturday 19 March, the night Sian was abducted, and I am sure that she was abducted, you were working in Swindon as a taxi driver. At 02.13 in the morning you turned your taxi handset off. But you did not go home, as you told the taxi company you would. CCTV shows your car driving around the area near the Suju nightclub in Swindon Old Town, circling round and round for some 40 minutes until you saw Sian. She had spent the evening with friends, drinking and having fun at the Suju. She left the club shortly before 3 a.m. to walk to her home, about 10 minutes walk away. She was alone, she was intoxicated and she was walking unsteadily. You saw her as you drove past, but you then stopped, turned round and drove back to her.

You stopped and no doubt offered her, or persuaded her to have a taxi ride home, because she got into your taxi. Poignantly, her partner had advised her never to walk home alone but to always use a taxi. She probably had that advice in mind when she

got into your taxi, thinking that she would be safe; that it was the right thing to do. But she would soon have realised, with horror, that you were not taking her home, because you drove off in the opposite direction – out of Swindon towards Marlborough and the Savernake Forest - a distance it would have taken about half an hour to drive. Having regard to all the evidence and in particular the telephone evidence relating to the location of Sian's mobile I reject the suggestion that you were initially told to drive to Covingham. I am sure you knew exactly what you were doing when Sian got inside your taxi.

You went home later that morning, but Sian did not. You had assaulted her and murdered her and you had left her body somewhere in the Forest area. I am entirely satisfied that you intended to kill her.

The evidence shows that you drove back to the area where you'd left her at lunchtime on that same day – the 19 March. You logged on for work again that evening but you deliberately turned your handset off again just before 7 p.m., no doubt to avoid your movements being traced. In the three hours that followed, before you logged back on, you were driving around and looking for a remote area somewhere on the Berkshire Downs, where you could conceal her body.

At some point on Monday 21 March you moved Sian's body from the place you had first hidden her to the place on the Downs where she was eventually found by police on Thursday 24 March.

On 22 March, while you were under surveillance, you were seen to be cleaning the rear seat of your taxi with cleaning fluid and then to be putting seat and headrest covers in an industrial wheelie bin, no doubt in an effort to remove any evidence that could link Sian's murder to you. Those items were found to have Sian's blood upon them.

On 23 March you drove back yet again to the place where Sian now was and later on you made further efforts to get rid of evidence by burning more car seat covers by the roadside nearby. You had displayed a police poster about Sian in your rear taxi window, again no doubt to give the impression that you were not linked to this crime.

On 24 March Sian's body was found, partially concealed amongst the undergrowth and positioned down a steep bank where she would not readily be seen. She was lying face down and she was naked from the waist down to her ankles. Her leggings and underwear were wrapped around her ankles and fabric from these items of clothing had been cut away in the crotch and buttock areas. Her bra had been removed and a torn bra strap was found in the sleeve of her cardigan.

The cause of Sian's death was considered to be the combined effects of two stab wounds to her head and neck and compression of the neck. You had stabbed her twice with a knife and there is little doubt that they were the fatal wounds. You admit that you kept a knife in your car for self-protection. There is evidence that it was a 6 inch kitchen knife. One of those stab wounds was so deep and penetrating that it passed right through her skull and would have required severe force. Deep bruising and abrasions to her face were consistent with punches or kicks. Deep bruising to her neck suggested pressure either from strangulation or, more likely, from blunt force trauma in an attempt to restrain her. There were also bruises and abrasions to her breasts, particularly her left breast and nipple, caused possibly by biting.

These, then, were the physical injuries you inflicted upon that young woman in what was clearly a savage and brutal attack. The pain, terror, anguish and desperation she

would have suffered, as you assaulted and then murdered her, is truly horrifying to contemplate. But her terror would have started long before then. She would have been terrified and panic-stricken right from the moment she realised that you were not going to drive her home. She was terrified, helpless and alone.

For this offence of murder I have to decide on the minimum term you must serve, as punishment, before the Parole Board can even consider your release on licence. I do so having regard to the seriousness of the offence. Your counsel has conceded that, since you had a knife with you in the taxi and you used it to stab Sian, the starting point is 25 years. However, the Prosecution submit that this was a murder involving sexual conduct and that the starting point should therefore be 30 years.

I am satisfied on the evidence, viewed cumulatively, that this was a murder involving sexual conduct. I reject the submission by your counsel that I cannot be sure of that on the evidence in this case. The Prosecution do not suggest that there is, here, any evidence of overt sexual activity. Sexual conduct can, however, take many forms and again I view the evidence cumulatively. After circling the area where you eventually saw Sian, you deliberately abducted this attractive young girl, who was alone late at night, and you drove her some distance away. Her injuries included injuries to her left breast and nipple consistent with bites or another form of aggressive assault. Her body was found half naked, with her leggings and underwear around her ankles. These factors, together with the cutting away of fabric from those items of clothing in the crotch area and the removal of her bra, point clearly to sexual conduct. Had Sian survived, this evidence would have amounted to evidence of a sexual assault.

The starting point in fixing the minimum term is therefore 30 years imprisonment.

I make it plain that I shall ignore completely your previous convictions, which were many years ago now and were for offences of dishonesty. You have no convictions for sexual or violent offences.

There are a number of aggravating features in this case. You abused your position as a taxi driver, in a car clearly marked as a taxi, and as someone Sian thought she could trust; her abduction was clearly premeditated; as a young woman walking alone late at night and under the influence of drink she was a vulnerable victim; there was here a prolonged period of time in which she would have suffered extreme fear and terror as well as severe pain from the injuries you inflicted upon her; and you made extensive efforts to conceal her body.

There is little advanced by way of mitigation. I accept, however, that your plea of guilty has avoided Sian's family having to endure a trial, which is an important factor.

Taking all the relevant factors into account and having careful regard to the overall seriousness of this offence the starting point will remain as 30 years.

I shall allow a discount of five years for your plea of guilty, taking into account the legal advice you received, entirely properly, and the time that elapsed in this case as a result. There will also be deducted the period of 571 days, which you have already spent in custody. That period will be deducted from the minimum term of 25 years, which is the term I consider properly reflects the seriousness of this case. If you are eventually released on licence you will remain on licence for the rest of your life.