

IN THE ST. ALBANS CROWN COURT

Case No. T2016 7121

R E G I N A

-v-

IAN STEWART

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SENTENCING REMARKS OF HIS HONOUR JUDGE BRIGHT QC

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Ian Stewart, you have been convicted after a trial of murdering your fiancée Helen Bailey who was excitedly making arrangements for your wedding while you were planning how to kill her, hide her body and explain her disappearance as a case of an anxious woman running off because she could no longer cope with the more stressful aspects of her life. She was so devoted to her dog Boris that you decided that you would also have to kill him if the wicked lies you planned to tell were to sound credible to those who knew her well.

Helen Bailey was only 51 years old and at the height of her success as a writer when you brought her life to a cruel end and dumped her body and that of her beloved dog Boris in a foul-smelling cess-pit to decompose. I am satisfied that your principal motive for killing her was to enable you to take advantage of the generous provision she had made for you in the event of her death which you knew the law would presume after she had

remained a missing person for long enough. In the meantime and within a few hours of her murder you used your knowledge of her financial affairs and your computer expertise to substantially increase an existing standing order from her personal bank account to enable you to have immediate access to some of her money. You also attempted to use the Power of Attorney Helen Bailey had given you in order to take control of her financial affairs while she was still classified as a “missing person”.

You planned her murder well in advance and secretly administered to her Zopiclone tablets which you had obtained from your doctor in order to sedate her so that you could smother her at a time when she was too drowsy to fight you off. Having killed her, you then

removed the pillow case from the pillow you had used to suffocate her and disposed of it in the cess-pit under the garage along with the bodies of Helen Bailey and her dog Boris.

You then set about attempting to deceive the police and Helen Bailey’s family and friends into believing that she had left you a note in which she said that she needed some space and did not want you to contact her. You persisted in that callous lie for three months, repeating it to anyone and everyone who enquired about the circumstances of her disappearance.

You knew Helen Bailey to be a wealthy woman but were not content with having to share in her wealth as her husband. Instead you wanted it all for yourself. She had assets well in excess of £3 million and had taken out a life insurance policy in the sum of a further £1.28 million which you stood to receive in the event of her death. Although her will created a discretionary trust of which you were only one of a number of beneficiaries, you knew very well that Helen Bailey had made clear to the sole executor and trustee that she wanted him to ensure that you took her share of the substantial property in Royston in which you both lived, her second home in Broadstairs and a capital sum that would provide you with a very comfortable lifestyle.

The sentence for murder is fixed by law and is one of life imprisonment. That is the sentence which I pass upon you for the charge of murder in count 1. However, I must decide the minimum period which you should serve before you can be considered for release on licence.

I am firmly of the view that you currently pose a very real danger to women with whom you form a relationship. When you have served the minimum term I am about to set, it will be for others to consider whether it is safe to release you.

In deciding on the minimum term you should serve for the offence of murder, I must have regard to the provisions of Schedule 21 of the Criminal Justice Act 2003. Shocking though this case is, there is nothing about it which leads me to think that the seriousness of the offence is so exceptionally high as to justify a whole life order because none of the factors mentioned in paragraph 4 of schedule 21 are present in this case.

However, paragraph 5(1)(a) of Schedule 21 provides that if the seriousness of the offence is particularly high and the offender was aged 18 or over when he committed the offence, the appropriate starting point, in determining the minimum term, is 30 years. Paragraph 5(2) provides that cases falling within the "particularly high" level of seriousness would normally include a murder done in the expectation of gain. I am satisfied that this is such a case.

However, that is not the end of the matter because this is a case in which there are two aggravating features specifically mentioned in paragraph 10 of the Schedule which substantially increase the seriousness of your offence, namely the significant degree of planning and premeditation in which you engaged beforehand and the fact that you went to considerable lengths to conceal the bodies of Helen Bailey and her dog in the hope that they would gradually decompose and never be found.

A further aggravating feature in this case is that you deceived Helen Bailey's family and friends for a period of over three months by a calculated and callous series of lies which meant that they had to endure

the anguish and misery of not knowing her whereabouts or her fate for a long time before the appalling truth emerged.

I have read the impact statement of Helen Bailey's brother John dated 14<sup>th</sup> February 2017 in which he sets out the effect which the cruel murder of his sister has had and will continue to have on him, Helen's mother and father and her many close friends who all feel an enormous sense of outrage at the way she and her dog Boris met their deaths at your hands. As John Bailey rightly observes, the world has lost a gifted author and her family and friends will have to live for the rest of their lives with the deep sense of loss your wicked crime has inflicted upon them.

The fact that you are now 56 years of age and have no previous criminal convictions provides little mitigation in a case such as this. Whilst I acknowledge that you suffer from the medical condition known as myasthenia gravis with which you were diagnosed in 1996, the evidence of consultant neurologist Dr. Pinto was that your symptoms have been successfully controlled by medication since 2007 which has enabled you to lead a full and healthy lifestyle. I have no reason to suppose that you will not continue to be able to do so.

I have been referred to the decision of the Court of Appeal in the case of R. v NARENDRA TAILOR 2007 EWCA Crim 1564, which I accept bears some similarities to the facts of this case, in which the Court of Appeal found reasons for reducing the sentence to one below the 30 year starting point set for a murder for gain. In my judgement the Court's reasoning in the case of TAILOR has no application to the facts of this case.

Whilst we will never know whether you may have had some additional motive for killing the woman who loved you and wanted to be your wife, I am in no doubt that this is a clear case of a murder done in the expectation of gain with aggravating features which make it difficult to imagine a more heinous crime. Having regard to the aggravating features to which I have referred, I set the minimum term for your life imprisonment at 34 years less the time you have spent on remand which

will count in full towards that minimum term. I will invite counsel to agree the exact number of days which my Clerk will specify in the formal written Order when it is drawn up. I acknowledge that such a minimum term will mean that you will be 90 years of age before you become eligible to apply for parole but I am not inclined to reduce the minimum term which I consider to be appropriate on account of your age.

I also have to sentence you for the other offences of which you were convicted by the jury which I have treated as aggravating features in relation to the offence of murder charged in count 1. The sentences I pass for those offences will each run concurrently with the sentence of life imprisonment on count 1 and are as follows. The sentence on count 2 will be one of 18 months imprisonment, on count 3 one of 3 years imprisonment and on each of counts 4, 5 and 6 one of 2 years imprisonment.