



JUDICIARY OF
ENGLAND AND WALES

Regina

-v-

Constance Briscoe

Sentencing remarks of Mr Justice Jeremy Baker

2 May 2014

1. Constance Briscoe, you are the third individual to have been convicted of criminal offences arising out of a saga whose origin goes back to 2003, when both Chris Huhne and Vicky Pryce lied about who had driven a speeding motor vehicle, and extends to you in 2011, when you sought to hide your true motive and role in the exposure of that story. You then compounded your position by deliberately fabricating evidence when you thought that you might be exposed. If there is a common thread between you all, then, from the insights I have had into the character of the each of you during this case, I regret that it is one of arrogance by educated individuals who considered that respect for the law was for others.
2. I am only too conscious that your convictions mark a personal tragedy for both you and your children. You are an individual who unsurprisingly has been something of a role model to others. Although blessed with intelligence, you did not have every advantage in life. However you worked hard at school and were the first person in your family to go to university. Having gained a degree in law, you joined the Bar and over the years established a successful criminal practice, and had the privilege of being appointed a Crown Court Recorder. You have done all of this whilst raising your two much loved children.
3. However, over the years you have also courted a significant degree of self publicity, and therefore built up a familiarity with the workings of the media. I have no doubt that it was this familiarity which led you to offer to assist Vicky Pryce to disseminate her story about taking Chris Huhne's penalty points. It is clear from the email and phone evidence, that you were intimately involved in the negotiations between Vicky Pryce and the press, both in relation to her requirement for a confidentiality clause and, for the

corroboration and dissemination of her story that she had been subjected to pressure; motivated, as was Vicky Pryce, by a joint desire to ensure the downfall of Chris Huhne. In contrast to the true position, when you came to provide your two witness statements to the police, you painted a wholly misleading picture of impartiality and lack of involvement with the press, in order to enhance your credibility as a witness in the criminal proceedings involving them.

4. Subsequently, when your true attitude and role was exposed by the disclosure of the emails from the Mail on Sunday, you sought to cover your tracks by manufacturing a false witness statement, which admitted to a limited amount of contact with that newspaper. Unfortunately the matter did not stop there, because after this deception had been uncovered, and you had been charged with the offences at counts 1 and 2 on the indictment, you proceeded to manufacture a second false statement, which you provided to a defence expert in order to obtain an innocent explanation for the existence of the first one. It was only after that expert opinion had been served on the Crown Prosecution Service, and they had in turn obtained their own expert evidence, that this further deception was exposed.
5. I am sure that you realise only too well that such conduct strikes at the heart of our much cherished system of criminal justice, which is integral and invaluable to the good order of society. In those circumstances I regret that I do not consider that any other sentence can be justified, but one involving the deprivation of your liberty. I of course take into account, amongst other matters, your good character, and the devastating effect that these convictions will have upon your career at the Bar. However, your conduct not only involved deliberately seeking to paint a false picture of your role and attitude for the purposes of enhancing your credibility in the Chris Huhne and Vicky Pryce prosecution, but was compounded by the deliberate manufacturing of evidence so as to avoid your own detection. The last of these deceptions taking place during the period leading towards your own trial. In those circumstances, and having regard to the principle of totality, I consider that the least sentence which can properly be passed upon you is one of 16 months imprisonment. That total will be reached by consecutive sentences of 4, 5 and 7 months custody respectively, upon counts 1, 2 and 3. You know that you will be released half way through that term, but will remain on licence for the full term and liable to recall if you were to commit any further offence or otherwise breach the conditions of your licence.