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No: 200002086/Y2

No: 200002012/Y2

Neutral Citation Number: [2001] EWCA Crim 1034

IN THE COURT OF APPEAL

CRIMINAL DIVISION

Royal Courts of Justice

The Strand

London

WC2A 2LL

Wednesday 11th April 2001

B E F O R E :

MR JUSTICE DOUGLAS BROWN

and

MR JUSTICE ASTILL

R E G I N A

- v -

William LOVERIDGE

Christine LOVERIDGE

and

Charles Sonny LEE

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(Official Shorthand Writers to the Court)

MR R KELLY appeared on behalf of the William Loveridge and Charles Lee

MR C AYLOTT appeared on behalf of Christine Loveridge

MR P JOHNSON appeared on behalf of the Crown

JUDGMENT

(As approved by the Court)

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11th April 2001

1. MR JUSTICE DOUGLAS BROWN: Following dismissal of the appeals against conviction, we now turn to deal with the renewed applications by William Loveridge and Christine Loveridge for leave to appeal against sentence. William Loveridge was sentenced to 12 years' imprisonment on count 2, robbery, and three months' imprisonment concurrently on count 1, taking a vehicle without consent. Christine Loveridge was sentenced to eight years' imprisonment on count 2 and four months' imprisonment concurrent on count 1. Lee was given leave during the conviction appeal hearing to renew his lapsed application for leave to appeal against sentence. He received the same sentences as Loveridge. We give leave to appeal.
2. For William Loveridge and for Lee Mr Kelly submits that the sentencing bracket, after a trial for a single armed robbery at a sub post office or similar establishment, is eight to ten years. He supports that submission by referring to a number of decisions of this Court. Some of these decisions do not fit easily with others. But he was able to point to submissions to this Court in *Attorney General's Reference Nos 5 and 6 1991* [1993] 14 Cr App R(S) where counsel for the Attorney General said, without attracting any unfavourable comment from this Court, that in general the level of sentencing for this class of robbery on a contested case is somewhere between, he submits, eight years and ten years. He supported that submission with references to decisions of this Court. He referred us to a number of other decisions, some of them where the appellant seemed to have been fortunate.
3. However he also referred us to the case of *Stone and Others* (1990) 12 Cr App R 95, where there were pleas of guilty, and where this Court reduced sentences of 13 years in respect of each man to ten years. That was, as Mr Kelly pointed out, similar in some ways, in other ways more serious, involving more gratuitous violence and the infliction of terror.
4. Although none of these cases is anything other than the decision on the individual facts of the case concerned, the case of *Stone* appears to be somewhat out of line with other decisions of this Court. This was a case where the judge quite rightly referred to a need for a deterrent sentence. There had been other armed robberies, unconnected with these appellants, in the North Yorkshire area in recent times and he was determined to impose a fully deterrent sentence. But, nevertheless, deterrence is a feature of all sentences imposed in this class of case, as this Court has pointed out on a number of occasions.
5. We have come to the view that a sentence of 12 years' imprisonment was excessive. We will quash that sentence and substitute a sentence of ten years' imprisonment.
6. That brings us to the appeal, as it now is, of Christine Loveridge. It may be that she was fortunate to receive the reduction she did from the judge from the sentence imposed on the others. Normally those involved as getaway drivers, even at one removed from the robbery, are sentenced to sentences similar to, if not identical to, the actual robbers. But the judge took into account plainly her relative lack of criminality, her age (she was 25 as opposed to the others now 37 and 36), she did play a lesser role and was not a prime mover. He thought it right to give that discount.
7. Although she may be regarded as fortunate, we regard it as essential, having reduced the sentence for Loveridge and Lee, to reduce her sentence as well. We quash the sentence of eight years' imprisonment and impose a sentence of six years' imprisonment.
8. To that extent these appeals are allowed. We are grateful to counsel for their researches and their economical and skilful presentations of these submissions.

