



JUDICIARY OF  
ENGLAND AND WALES

Isleworth Crown Court

1 August 2012

**SENTENCING REMARKS OF HHJ RICHARD MCGREGOR-JOHNSON**

**THE QUEEN**

**-V-**

**HANS KRISTIAN RAUSING**

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1. Hans Kristian Rausing, you have pleaded guilty to preventing the lawful and decent burial of your wife. If ever there was an illustration of the utterly destructive effects of drug misuse on individuals and their families, it is to be found in the facts of this case. You and your wife had every material advantage imaginable, and for a time a happy family life. Your relapse into the misuse of drugs, together with that of your wife, destroyed all that. It is graphically illustrated by the contrast between the rooms visitors saw, and the utter squalor of the rooms you really lived in.

2. The sentencing decisions on offences of this type to which I have been referred make it clear that there is a wide range of sentencing options, very much dependent on the intentions and purpose behind the concealing of the death. At its most serious, where the concealment is done to frustrate justice and especially where the death itself was criminal or potentially so, substantial

immediate custodial sentence have been upheld. Those are not the facts of this case.

3. I accept that the medical evidence, including that of the examination of the pacemaker and toxicology report, suggests that your wife died of heart failure coupled with the effect of drugs; there is no evidence to suggest the involvement of anyone else, including you, in her death. I accept too the suggestion of Dr McPhillips that having been present when your wife died, you were unable to cope with that, and suffered some sort of a breakdown, to use a layman's term. That does not, in my view, entirely explain your conduct, nor does it completely absolve you of responsibility for it. In carrying out your intentions, you acted with deceit and deliberation, equipping yourself with items you used to try to prolong the act of concealment. The effect in due course was firstly to cause great concern amongst those anxious as to your wife's whereabouts, and then to cause the dreadful shock of discovery in distressing circumstances, firstly for those who had to uncover the body but especially for your wife's parents who were in the room when their daughter's body was discovered. Their understanding and generous response is essentially a tribute to them, but it does too limit the effect that your actions might otherwise have had.

4. I have considered carefully Dr McPhillips' report. Had I come to the conclusion that you were no more than a rich drug user, then I would have had no hesitation in taking a similar course to that followed by the Court of Appeal in the cases of Pedder and King where the defendants were similarly drug abusers but without your advantages. I have come to the conclusion, however, that the circumstances in which you committed this offence, and especially

your mental state at the time, and your continuing need for treatment, allow me to take a different course.

5. The nature of the offence, and its effect on others, in my view demand a custodial sentence, but one which I can properly suspend in view of the other factors I have mentioned, provided you are willing to comply with what will be a very demanding drug rehabilitation requirement as a resident.

6. In setting the length of the custodial sentence I give you full credit for your guilty plea, entered as it is at the first opportunity, and I bear in mind your previous good character, including the contribution you have made, along with your wife, to drug treatment charities. The sentence that I pass is one of 10 months imprisonment, suspended for 2 years. That means that should you commit any offence within the next 2 years you run the risk of having to serve this sentence in addition to any other penalty. To make matters entirely plain, "any offence" means exactly what it says, including driving a car when disqualified or when under the influence of drugs.

7. There will be a requirement that you submit to treatment under the direction of Dr McPhillips for a period of 2 years and provide samples for testing as and when required. I am satisfied that in order to provide the maximum chance of success it is necessary that you are resident at the Capio Nightingale Hospital. This order will be reviewed by me, and at such reviews I will consider, in the light of reports from Dr McPhillips and the responsible officer, whether you continue to require residential treatment. There will also be a requirement of supervision by a probation officer during the same 2 year period.

8. I need to impress on you the importance of complying fully with these requirements. Should you not do so, you run the risk of being brought back to court and of having the sentence of imprisonment activated. In view of the nature and gravity of the offence, any breach proceedings would be heard in the Crown Court.

9. I have to deal with the offence of driving when unfit through drugs – in circumstances where you were plainly a danger to the public. Again I give you credit for your plea.

The sentence will be one of 2 months imprisonment suspended for 2 years, with the same drug rehabilitation and supervision requirements as that imposed on the main offence. As with that sentence, any breaches would be dealt with in the Crown Court. You will be disqualified from driving for a period of 2 years, and your licence will be endorsed.

10. I order that you will pay the costs of the prosecution in the sum of £1000.