

Case No: LK77533

**Regina v. presently unknown assailant(s)
in homicide of Julie Ann Smith
on or about 07 June 2008**

Carl Henry Piggott: a Miscarriage of Justice?

Tasks:

1. Read the interim case report
2. Read summary of prosecution case – pre-trial disclosure to the defence
3. Read all other materials in the case file
4. Please complete the PRE-TEST questions before proceeding and ensure that the POST-TEST questionnaire is completed at the end.
5. Write pre-trial disclosure for prosecution **FROM** defence (1000 words).

Please note that this document is designed to be interactive to help you move quickly between different parts of the evidence.

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Contents

Police Service (Serious Crime Unit)

- **Interim Case Report**
- **Requisition for Forensic Science Support**
- **Forensic Science: Exhibits for Analysis**

Interim case report - FOR DISCLOSURE TO THE DEFENCE

- **Crime Scene Photographs 1 - 7**
- **Crime Scene Photographs 8 - 14**

Statement of Sarah Eileen Smith

Police Service (Serious Crime Unit)

Interim case report

Case of: Regina v. presently unknown assailant(s) in homicide of Julie Ann Smith on or about 07 June 2008

Case No: LK77533

Text:

A 000-call was received at 00:37 on 07 June 2008 from Emily Elliott, stating that she had just found her flatmate, Julie Ann Smith, lying across an armchair in the front room of their shared rented flat at 30A Railway Street Anywhereon, the apparent victim of a serious assault – an apparent shooting. Police officers and paramedics were immediately dispatched to that address, and arrived at approximately 00:45. Paramedics indicated Julie Ann Smith was dead and may have been for some hours. The duty medical examiner was summoned to the scene, and life was pronounced extinct at 00:50 (08 June 2008).

The Serious Crime Unit under DS Manning was also summoned and attended from 00:55. SCU further summoned the Scientific Support Unit and Home Office Pathologist. SSU attended from 01:30 and HOP Prof Denise Figgins from 02:10. Initial examination of deceased at the Scene by HOP indicated probable homicide, possible cause of death shooting, with probable sexual motive, and possible time of death between 20:00 and 00:00 on the evening of 07 June 2008.

Extensive examination of the Scene by SSU did not yield significant evidential material, although there were obvious signs of a struggle. However, there was no sign of forced entry into the residence.

Page No: one of six

Officer-in-charge: Detective Superintendent 2724 Robert Manning

Signed: R.Manning

Dated: 12 June 2008

Initial identification from photographs indicated the deceased to be Julie Ann Smith, and this was visually confirmed by her father, James Edward Smith of 15 Oceanview Avenue Anywhereon, as the next-of-kin, on 09 June 2008 at 13:30. Julie Ann Smith was a permanent resident of 30A Railway Street Anywhereon, was aged 24 years (Date-of-Birth 10 July 1983), and was permanently employed at Jones & Co Printers of Anywhereon.

Post-mortem examination of the deceased was carried out on 10 June 2008 at 10:00, and showed the following. The deceased was fully clothed. This clothing item was recovered for forensic examination. The deceased was an adult female, caucasoid, probably aged 19-22 years, with no sign of disease, and well-nourished. There were signs of trauma on the lower back that were probably due to fingernail scratching prior to the assault that led to her death. Mechanism of death was determined as a single gunshot to the left temporal lobe. There was extensive bruising to neck of deceased consistent with attempted manual strangulation. There was crushing to trachea of deceased also consistent with manual strangulation. There was no other trauma likely to be, or contribute to, the cause of death. Thus cause of death was confirmed as manual strangulation. There was bruising to the genital area of the deceased consistent with aggravated sexual intercourse. There was possible seminal fluid high in the vagina of the deceased consistent with sexual intercourse occurring sometime in the 24-hour period before death.

Page No: two of six
Officer-in-charge: Detective Superintendent 2724 Robert Manning
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Police Service (Serious Crime Unit)

Requisition for Forensic Science Support

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Text:

There was bruising around the anus of the deceased. Bodily swabs were collected from the high vagina and anus of the deceased for forensic examination. There was bruising on the hands of the deceased consistent with her making defence blows upon an assailant. Manner of death was confirmed as homicide, probably by shooting.

Interview of Emily Elliott by SCU gave the following. Ms Elliott was a close and long-time friend of the deceased, and had shared the 30A Railway Street flat with Julie Ann Smith for the past two years. The deceased was healthy and happy, with no apparent enemies or worries.

Ms Elliott reported that the deceased had a "steady boyfriend" for the past 18 months, Frank Jones of 3 Oldway Close Anywhereon (Date-of-Birth 24 April 1978), but had split from him eight days before after a particularly nasty argument. It seems that there were some financial issues between the victim and Mr Jones. Mr Jones's police record shows two motoring convictions for speeding and drugs possession. Mr Jones was divorced in 2001, lives alone, and owns the Fit'n'Healthy sports shop in Anywhereon.

Page No: three of six
Officer-in-charge: Detective Superintendent 2724 Robert Manning
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Ms Elliott also reported that the deceased had been “bothered” recently by the resident of the flat above theirs, Carl Henry Piggott of 30B Railway Street Anywhereon (Date-of-Birth 01 September 1984). Apparently Mr Piggott was romantically interested in the deceased, but these feelings were not reciprocated. Mr Piggott was harassing the deceased at times over the past two months, and only a few days ago the deceased had remarked on how “that little creep from upstairs keeps on at me”. Mr Piggott’s police record shows three convictions for petty theft from shops, two last year and one pending, and a conviction for common assault earlier this year following an affray outside a public house in Anywhereon. Mr Piggott lives alone, and is registered unemployed.

The initial assessment of this case by the SCU made Mr Piggott prime suspect for this rape and homicide, although the assailant being an unknown third party could not be ruled out. Mr Jones and Mr Piggott were asked to attend Anywhereon Police Station at 09:30 on 11 June 2008. Mr Jones did so voluntarily, Mr Piggott declined. A warrant was drawn up and Mr Piggott was arrested on the afternoon of 11 June 2008 and taken to the station.

Mr Jones admitted speaking to the deceased by telephone several times last week, but denied personal contact since their argument on 30 May 2008, and also denied any sexual contact between the deceased and himself since that date. Inquiries so far do not contradict this. On the evening of 07 June 2008, Mr Jones said he stayed at home watching videos, but there is no witness verification of this, nor is there likely to be. Neighbours of Mr Jones could not recall seeing him leave or return to his home during that evening. Officers noted Mr Jones’s nose seemed red and inflamed, and Mr Jones attributed this to a heavy cold. Mr Jones emphatically denied the rape and homicide of Julie Ann Smith. Officers noted that Mr Jones seemed genuinely upset at the death of his former lover.

Page No: four of six
Officer-in-charge: Detective Superintendent 2724 Robert Manning
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Police Service (Serious Crime Unit)

Requisition for Forensic Science Support

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Case No: LK77533

Text:

Mr Piggott claimed that the deceased was a “good friend”, and that he spoke to her in person several times last week, but denied any sexual contact between the deceased and himself at any time. Inquiries so far do not contradict this. However, on the evening of 07 June 2008, Mr Piggott said he went downstairs to talk to the victim, Julie Ann Smith, and then left at 2200 when he made his way to his shift at the local petrol garage. Mr Piggott claims that he has only commenced working at the petrol garage in the last week, hence his still being registered unemployed. There is yet to be verification of this. Mr Piggott did not see or hear anything unusual that evening, certainly no signs of distress or violence in the flat below, which he attributed to his being asleep ahead of his night shift at the garage. Officers noted bruising to Mr Piggott’s left eye and cheek which he attributed to a fracas the previous evening. There is so far no witness verification of this fracas.

Mr Piggott emphatically denied the rape and homicide of Julie Ann Smith. Officers noted that Mr Piggott did not seem upset at the death of his neighbour, but rather seemed very agitated and was also aggressive to officers, constantly swearing at them and accusing them of “trying to fit [him] up”. He was primarily worried about losing his new job.

SCU requested donation of buccal scrapes and pubic hairs from Mr Jones and Mr Piggott before they left the station on the evening of 11 June 2008. Mr Jones gave these samples voluntarily and was released. Mr Piggott declined, and was detained overnight, before these samples were taken on the morning of 12 June 2008 consequent upon an Order of Court being obtained.

Page No: five of six
Officer-in-charge: Detective Superintendent 2724 Robert Manning
Signed: R.Manning Dated: 12 June 2008

Further questioning of other potential witnesses has so far not yielded any more useful information or further leads. Further inquiries are to be made with Ms Emily Elliott and local neighbours and also Mr Piggott's employers at the petrol garage. Note that the flat nextdoor from crime scene, ie, 31A Railway Street Anywhereon, has been unoccupied since July 2007.

The inquiry continues.

SCU are, therefore, requesting an urgent forensic examination of such evidential items that there are, with a view to delineating between the two suspects (Mr Jones and Mr Piggott), and potentially an unknown third party assailant. Dependent upon the outcome of this examination, SCU may either bring an indictment for murder against one of the two suspects, or may widen and intensify the inquiry to find a third party.

Page No: six of six
 Officer-in-charge: Detective Superintendent 2724 Robert Manning
 Signed: R.Manning Dated: 12 June 2008

Police Service (Serious Crime Unit)

Forensic Science: Exhibits for Analysis

Case of: Regina v. presently unknown assailant(s) in homicide of Julie Ann Smith on or about 07 June 2008

Case No: LK77533


Items (all must be fully labelled):

Item No:	Full description:	Collected from:	Collected by:
77533/001	female underpants probably worn by Julie Ann Smith	Julie Ann Smith at PME	HOP Prof Denise Figgins
77533/002	anal swab - as labelled - from Julie Ann Smith	Anus of Julie Ann Smith at PME	HOP Prof Denise Figgins
77533/003	high vaginal swab - as labelled - from Julie Ann Smith	Vagina of Julie Ann Smith at PME	HOP Prof Denise Figgins
77533/004	5 ml whole blood in EDTA control sample from Julie Ann Smith	aortic arch of Julie Ann Smith at PME dissection	HOP Prof Denise Figgins
77533/005	buccal scrape control sample on sterile swab from Carl Henry Piggott	buccal cavity of Carl Henry Piggott, by Order of Court 144/B/101201	Constables 4599 White, 3022 Merry, 4002 Mountain
77533/006	buccal scrape control sample on sterile swab from John Ivan Jones	buccal cavity of John Ivan Jones, volunteered	Detective Constable 3221 Skingsley
77533/007	Bullet 9mm	Bullet 9mm from the brain of Julie Ann Smith at PME	SSU Officer Jane Stevens
77533/008	<u>Gun 9mm Browning</u>	<u>Gun 9mm Browning collected from the front room</u>	SSU Officer Jane Stevens

Page No: one of two
 Officer-in-charge: Detective Superintendent 2724 Robert Manning
 Signed: R.Manning Dated: 12 June 2008

Item No:	Full description:	Collected from:	Collected by:
77533/009	Bullet casings 9mm	collected from front room	SSU Officer Jane Stevens
7753/011	Partially destroyed (screwed up) financial statement	Collected from front room	SSU Officer Jane Stevens
77533/013	Condoms	collected from front room	SSU Officer Jane Stevens

Page No: two of two
Officer-in-charge: Detective Superintendent 2724 Robert Manning
Signed: R.Manning Dated: 12 June 2008

HSBC 

Your statement
contact tel 08457 404 404
see reverse for call times
text phone 08457 125 563
used by deaf or speech impaired customers
www.hsbc.co.uk

10 October to 9 November 2007

Account Name: Frank Jones esq
Sortcode: 40-23-97 Account Number: 012233445 Sheet Number: 726

Your Bank Account details

Date	Payment type and details	Paid out	Paid in	Balance
	BALANCE BROUGHT FORWARD			12,469.60
25 Oct	MAE WOODVILLE S/STN SWADLINCOTE	25.17		12,444.43
	CR SMITHS GARAGE		2,208.92	
	CR ASDA LTD		650.43	
	MAE WOODVILLE S/STN SWADLINCOTE	17.12		
	MAE VOID CLOTHING NOTTINGHAM	37.98		
	MAE VOID CLOTHING NOTTINGHAM	120.00		15,128.68
27 Oct	MAE SALLY HAIR & BEAUTY TAMWORTH	48.96		15,079.72
30 Oct	DD HSBC CREDIT CARD INTEREST TO 08OCT2006	15.00		
	MAE BOOTS /0064/ BURTON ON-TRENT	9.28		
	MAE Blockbuster Burton Upon T	2.39		
	MAE WOODVILLE S/STN SWADLINCOTE	9.85		
	MAE HALFORDS 0734 BURTON ON TRENT	25.05		
	MAE WILKINSON BURTON ON TR	4.99		
	MAE WM MORRISONS SWADLINCOTE	9.73		
	MAE W M MORRISON SWADLINCOTE	44.22		
31 Oct	MAE ICELAND BURTON ON TRENT	67.57		14,891.64
	MAE PRIMARK BURTON ON TRE	7.00		
01 Nov	DD SPORTS & LEISURE M S.O.D.C.	19.00		14,865.64
	DD TV LICENCE DBP1	28,615.64		
	DD MTG 40058872434733	129.00		
	DD SEVERN TRENT WATER	34.14		
	DD SCOTTISHPOWER PLC	746.15		
	MAE SAINSBURYS PLC SWADLINCOTE	16.29		
	MAE SAINSBURYS PLC SWADLINCOTE	138.50		
02 Nov 06	DD NIHL - HSBC WOODVILLE S/STN SWADLINCOTE	37.78		13,750.03D
	MAE WOODVILLE S/STN SWADLINCOTE	34.77		
	BALANCE CARRIED FORWARD	23.84		13,691.42
				13,691.42 D

31 Granby Street Leicester Leicestershire LE1 6EP
313 2 // 5 0276 04456 01965 017980

Interim Case Report FOR DISCLOSURE TO DEFENCE

Case of: Regina v. Carl Henry Piggott in homicide of Julie Ann Smith on or about 07 June 2008

Case No: LK77533

Crown Case Summary

Ms Julie Ann Smith was raped and murdered on the night of 07 June 2008, between the hours of 1900 and 2200. A condom was retrieved at the scene of the crime. The semen in the condom was DNA profiled and compared against the NDNAD whereupon it matched with a Carl Henry Piggott.

The murder weapon, a Browning 9mm gun was also located at the crime scene. Fingerprints retrieved from the weapon were compared with the NAFIS and a match was made with Carl Henry Piggott.

Ms Emily Elliot, the flatmate of the victim, confirms that there was no ongoing sexual relationship between Mr Piggott and Ms Smith and that indeed, Mr Piggott had been "hassling" the victim for a matter of weeks. He was interested in commencing a romantic relationship with the victim, which was spurned. Ms Elliot confirmed that until approximately 10 days before her murder, Ms Smith was involved in a relationship with a Mr Frank Jones. This relationship had recently broken down, apparently over financial disagreements.

A neighbour, Ms Sarah Smith, has given a statement that she witnessed Mr Piggott leaving no.30 Railway Street at 2200 on 07 June 2008. She confirms that she had not seen Mr Piggott leave his flat at this time regularly.

It is the Crown's contention that Mr Piggott continued his attempts to commence a sexual relationship with the victim, and on the evening he raped and subsequently murdered Ms Julie Ann Smith.

Evidence Crown intend to rely upon:

1. DNA profile from the semen sample from the inside of the condom recovered from the crime scene and searched against the NDNAD where a hit was obtained with Carl Henry Piggott.
2. Fingerprints obtained from the barrel of the gun recovered adjacent to the deceased. An impression of a left thumb and left forefinger obtained. These were subjected to a search on the NAFIS and a hit was obtained and after verification was made, a positive identification was made to Carl Henry Piggott.
3. Police statement obtained by Ms Emily Elliot, the flatmate of the victim, shortly after the incident which implicated Carl Henry Piggott. In this statement, Ms Elliot stated that CARL HENRY PIGGOTT had been "bothering" the victim recently and was romantically interested in the deceased; feelings which were not reciprocated.
4. Police statement obtained by Ms Sarah Smith, a neighbour across the street, who witnessed CARL HENRY PIGGOTT leaving the premises at 10pm on 7th June 2008.

Click on photographs
to see large versions

Police Service (Serious Crime Unit)

Suspect Photographs

Statement of Sarah Eileen Smith – DOB 29/6/1938

Address: 34 Railway Street (directly across street from 30B Railway Street)

On the night of 7th June 2008 I went upstairs to my bedroom at the front of my house on Railway Street at 10pm. I know that it was 10pm because that is the time that I always go up to my bedroom. Before I changed into my nightdress, I drew the curtains. As I was drawing the curtains I looked out of the window across the street. I saw a man of average height with brown hair, aged approximately 30 leaving the house opposite. I recognised the man as being Carl Henry Piggott. I know this man to live in one of the flats across the street. I have seen him on several occasions but have never had occasion to speak with him. As he left the house, he looked up and down the street, before crossing the road and walking up the street towards the Railway Station. I have not seen Mr Piggott leave his house at this time on any night previously. He did not look back and I proceeded to close the curtains and went to bed. I did not see or hear anything else that night that was out of the ordinary.

I confirm that this is a true and accurate account.

Signed: *Sarah Smith*

Name: Sarah Eileen Smith

Frank Jones
Victim's boyfriend

Carl Henry Piggott

Emily Elliott
Flatmate

Click on photographs
to see large versions

Police Service (Serious Crime Unit)

Crime Scene Photographs 1 - 7

1

2

3

4

5

6

7

Click on photographs
to see large versions

Police Service (Serious Crime Unit)

Crime Scene Photographs 8 - 14

8

9

10

11

12

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14

