



JUDICIARY OF  
ENGLAND AND WALES

**REGINA**

**-v-**

**CORINNA SMITH**

**Chester Crown Court**

**9 July 2021**

**Sentencing Remarks of Mrs Justice Yip DBE**

1. Corinna Smith, you have been convicted by the jury of the murder of your husband, Michael Baines. I must now sentence you for that offence.
2. You married your husband when you were 21. You are now 59. He was older than you and was 80 at the time of his death last year. The evidence at trial was that your marriage had generally been a happy one, although perhaps less so in later years as the age gap became more apparent. Looking back, you say that he displayed some controlling behaviour but you put up with it. Family and friends regarded you as a normal couple who experienced the usual ups and downs of married life. You were very clear that you still loved your husband.
3. You and your husband had both been married before and each had children. You had one child together. Tragically, your son Craig took his own life in 2007. He had been troubled before his death and had been to prison for a serious assault. You and other family members could not understand why Craig's life had taken this course. He had told you that the man he attacked had been a paedophile and that he had touched him sexually. The day before Craig's death, he had been in some distress and had said "Mum, he's a paedophile". You understood him to be referring to the man he had assaulted. Craig seemed happier the next day and you did not explore what he had said

further. This is something that you have felt guilty about ever since. You blamed yourself for Craig's death although you had no reason to.

4. On 13 July 2020, you spent a happy day in the company of your daughter. You wanted to stay longer at her home and rang your husband to tell him that. He was not pleased. Detecting some friction between you, your daughter suggested that you ask him what he had done or she would tell you. This was not the first time she had hinted that there was something to tell. On this occasion, you told her just to tell you what it was.
5. Your daughter broke down and said that your husband had sexually abused her and Craig for many years when they were children. She was plainly very distressed. You were in shock. Your daughter gave limited details, saying it was so bad that she could not tell you. She made serious allegations about what had happened to Craig and told you that was why he had killed himself. You found it difficult to take everything in, but made the connection between what Craig had said the day before he died and what your daughter was telling you. You were understandably very upset. You were described as being livid and fuming at the thought of what had been done to your children. Your first reaction was to call the police but your daughter did not want you to do that immediately. She was concerned about dividing the family and suggested that she wanted to take a polygraph test to prove the truth of what she was saying before telling anyone else.
6. Your trial could not and did not explore the truth of the allegations made against your husband. The prosecution accepted that the allegations were made and that you believed them. No doubt the revelations were extremely distressing for you. I accept that, over the course of that afternoon and into the evening, you connected things in your mind that left you convinced that your daughter was telling the truth.
7. A plan was formed for your daughter to take a polygraph test and for you to get your husband to attend so he could also take a test. A company was found and a test booked. You paid £600 by way of an advance booking fee. It is apparent from the recording of the call that you were calmer and more in control when speaking to the man from the polygraph company just after 8pm, although I accept you remained very upset.
8. You were taken home at about 9.30pm. You called your son. He said he did not believe the allegations. You spoke to your daughter again. She was upset that you had gone

behind the plan by telling her brother first. You then spoke to your cousin. Throughout all these calls, you were in a highly emotional state.

9. Less than an hour after the last call, the attack on your husband took place. The evidence established that you mixed a solution of sugar and boiling water in a bucket. Three empty sugar bags were found in the bin. I accept that you already had the sugar in the house. The sugar was apparently mixed with a quantity of water corresponding to boiling the kettle twice. I accept the expert evidence that this process is likely to have taken around 13 minutes. You must then have gone from the kitchen to your husband's bedroom where he was asleep. You poured most of the contents of the bucket over him, causing serious burns across 36% of his body. At one stage, you suggested that you must have been aiming at his genitals, although there is no evidence that it was directed that way. Given his age and general state of health, the burns were life-threatening. He suffered significant pain and distress before his condition deteriorated and he died on 19 August. This was undoubtedly a very traumatic time for Mr Baines' children.
10. At no stage have you denied that you were the person responsible for inflicting the burns. You ran to a neighbour's that night and told him that you had badly hurt your husband and thought you may have killed him. Video footage shows the distressed state you were in.
11. Although the background provides some explanation as to why you did what you did, I am sure you know that it cannot provide an excuse. Your actions cannot begin to be justified whatever you believed your husband had done. You have taken Mr Baines' life and caused terrible grief and shock for his children and those who loved him. The moving and dignified statements from his daughters and your son make that clear. Killing Mr Baines also took away any opportunity for the allegations to be tested. That took away his right to a fair trial, bearing in mind that everyone is innocent until proven guilty. It also took away the right of your daughter to have her allegations heard and deprived other family members of the chance to establish the truth. I have no doubt that this has caused untold pain to Mr Baines' children. The allegations are left hanging but unproven. This is a quite dreadful situation for the whole family. They are in no way to blame for any of this and they deserve the utmost sympathy.

12. You have no previous convictions and have never been in trouble before. Before the events of 13 July, you appear to have led a blameless life. The court heard evidence which portrayed you as a kind and loving person. Your cousin talked about the charity work you did. I accept that your actions that night were out of character. I have also considered all that is said about you in the pre-sentence report, although I do put aside the opinions of the author so far as they stray into matters upon which she is perhaps less well placed to comment.
13. There is only one sentence that the law allows to be passed for murder: that is a mandatory life sentence. I am required to specify the minimum term which must elapse before you can be released on licence. The starting point is that set out in paragraph 5 of Schedule 21 of the Sentencing Act 2020, namely 15 years. I must then consider the aggravating and mitigating factors which are present.
14. Your husband was an old man. He was not in the best of health and you were his carer. He was in bed asleep at the time of the attack. I take into account his vulnerability and your domestic circumstances. The fact that you were his carer is all part of the same thing and I will avoid double counting that as a separate aggravating factor.
15. The deliberate mixing of the hot sugar solution involved a degree of planning and sustained action. It can only have been designed to cause significant physical suffering, which is exactly what resulted. In short, it was a particularly nasty way to inflict serious harm. Again, I avoid double-counting overlapping factors but the nature of the attack and the very real suffering caused before death are aggravating features.
16. Set against this, I sentence you on the basis that your intention was to cause serious harm rather than to kill. Further, that intention was formed while you were in a state of distress. This was not a long-held and carefully formed plan. You made use of materials you already had at home. I accept that your initial reaction had been to call the police and that the intent to harm your husband only developed later when you were home and dwelling on what you had been told.
17. The background to the offence does provide mitigation. It was accepted at trial that you believed what you were told by your daughter, that your husband had abused her and your deceased son. You connected his death with the abuse that was alleged. These revelations were truly shocking for you and they lie behind what happened. There was clear evidence of your distress before and after you attacked your husband. The

psychological evidence from Mr Wright was frankly unimpressive. It is a matter of concern that he thought it appropriate to form his opinion on the basis of your account without considering the other evidence in the case. However, that is not something I hold against you and I weigh his evidence alongside all the other evidence. On that basis, I am prepared to accept that you were in an acute stress state at the time of the attack and that you have displayed symptoms of post-traumatic stress disorder as a result of all that happened on 13 July. However, the central factual issue for the jury was whether you had lost control and I am satisfied that their verdict reflects their finding that you had not. I consider that you remember more than you were prepared to tell the jury although it would not be surprising if you have blocked out some details of the traumatic events of that day.

18. I take account also of your age and your previous positive good character. I accept that, having lived a law-abiding life up till now, it will not be easy to adjust to your imprisonment. You will keenly feel the separation from your family and I am conscious that the continuing effects of the pandemic may make that separation even more acute as you begin your sentence. I am also conscious that the time you have been remanded awaiting sentence has not been an easy period for you and your family, in part due to reporting surrounding the conviction.
19. The unusual features of this case call for careful balancing. It is possible to have sympathy for the situation you found yourself in while still condemning your actions. On the one hand, the shocking revelations made by your daughter undoubtedly led to your uncharacteristic violence. Against that, you made the deliberate choice to inflict horrific injury and took calculated action to do just that. Aside from the dreadful physical pain you caused Mr Baines, your actions have caused yet more pain and suffering for your families. This is perhaps best summed up by your son who has struggled to make sense of what happened. He concluded that your actions, although very wrong, were an emotional reaction to the devastating information you had just received. I cannot put it any more eloquently than that.
20. In setting the appropriate minimum term, I take account of all the aggravating and mitigating factors I have identified. This includes making a significant downwards adjustment from the term I would otherwise have imposed to reflect the effect that your daughter's revelations had on you.

21. Corinna Smith, for the murder of Michael Baines, I sentence you to life imprisonment. The minimum term will be one of 12 years, less the 166 days that you have spent on remand in custody and 96 days credit for time spent on a qualifying curfew. If necessary, any correction to that can be made administratively. For the avoidance of any doubt it is intended that you should have credit for any days spent on remand on the lesser charge prior to Mr Baines' death.
22. That term represents the minimum period you will be required to serve. After it is served, there is no guarantee that you will be released at that time, or at any particular time thereafter. It will be for the Parole Board to decide if and when you are fit to be released. You must also understand that if, and when, you are released you will remain subject to licence for the rest of your life and may therefore be liable to be recalled and to continue your detention if you reoffend.
23. The statutory surcharge will be applied.