



# Judiciary of England and Wales

THE HONOURABLE MR JUSTICE MURRAY

In the Crown Court at Luton

***R v Scott Paterson – Sentencing Remarks***

*4 November 2024*

1. Scott Paterson, on 9 September 2024 at this court, you pleaded guilty to the murder of Annette Smith. It falls to me now to sentence you.
2. Annette Smith was a loving stepmother to Jason Smith, who was five years old when Ms Smith came into his father Peter's life. Today, with great courage, Jason Smith has come to court and read his victim personal statement, in which he describes what a kind and caring person Ms Smith was and how generously Ms Smith had treated you. He also describes the terrible harm caused by her death at your hands and by your actions after her death.
3. Also showing great courage, Anita Turner, who was Annette Smith's cousin, has come to court and read out her victim personal statement in which she, too, described what a loving and generous person Ms Smith was. She also described how, following her stroke, which occurred a couple of years before she died, Ms Smith became a more frail and vulnerable person. Ms Turner spoke of the continuing "deep pain and bewilderment" that you have inflicted on the whole of Ms Smith's family and her many friends.
4. No sentence that I can pass today could possibly compensate the family and friends of Ms Smith for her tragic loss.
5. Before turning to the sentence that I must impose, it is necessary to review the undisputed factual background so that you can understand the basis on which you are being sentenced. As you made a full confession to the police, much of what follows is based on your own admissions as well as other evidence gathered by the police during their investigation.
6. Ms Smith was 74 years old at the time of her death. You were then aged 44.
7. In 1994, Ms Smith married Peter Smith. Although they separated in around 2005, they remained married for the rest of Ms Smith's life.
8. Ms Smith lived in Stotfold in Bedfordshire in a former asylum that had been converted into a number of flats. She owned 80% of this property, and her estranged husband Peter owned 20%.

9. You lived there with Ms Smith. You had been her friend, and you also became her carer after she suffered a small stroke in 2018.
10. About 14 or 15 years ago, you were working at a bar and restaurant, where you met Ms Smith. You two became friends.
11. In or about 2012, you ended your relationship with your then partner. You mentioned to Ms Smith that you had nowhere to stay. Ms Smith suggested that you move into her spare room for a few months. As we know, that arrangement ultimately lasted many years. You lived there rent-free. In return, you were a companion for Ms Smith, and you would sometimes run errands for her.
12. Friends of Ms Smith describe how in the early years you and Ms Smith were close friends. You would go on holiday together and have regular dinner parties at home. They described Ms Smith as always immaculately turned out. She was the life and soul of the party.
13. Then in 2018 she suffered a small stroke. This was followed only two years later by the pandemic. Ms Smith's mobility declined, and she suffered from depression. The stroke left her with a weakness in her right hand, and she needed help to wash, which you would sometimes provide. You would also collect her prescriptions and get her shopping.
14. In early 2023, Peter Smith told Ms Smith that he could no longer afford to keep his investment in the converted asylum, as the pandemic had affected his business, which was struggling financially. He wanted the building to be sold. Ms Smith, however, did not want to leave her home. She considered that she was too young to be put into residential care. Nonetheless, she allowed the property to be put into the hands of estate agents. It was about to go on the market at the time she was murdered.
15. At about this time, you were employed in a local farm shop on the deli and butchery counter. You had expressed an interest in doing a butchery course.
16. You told police that you killed Ms Smith on 8 November 2023. You said that you had been thinking of killing her for a couple of weeks. On two occasions, you went to the door of her bedroom after she was asleep, but you then thought better of it, and you went back to your room. You had been drinking every day, usually wine. On the day you killed Ms Smith, you had a bottle of wine during the day, and another bottle after you killed her.
17. On 8 November, you waited in your room until Ms Smith was asleep. She normally snored loudly, so that you could tell when she had fallen asleep. You then walked into her bedroom, took a pillow, and held it over her face, suffocating her. You held it there for a few minutes until she was dead. You then left her there and went back to your room.
18. The next day, you moved Ms Smith's body, rolled her up in a large blanket, and left her in the bathroom for a few days. On 14 November, a photographer was due to

come to the house to take marketing photographs for the estate agents. You moved her body to the cupboard under the stairs.

19. Several weeks later, in early January, you moved her body into the hallway. You took a knife from the kitchen and sliced off both of her feet. Over the course of the next couple of weeks, you removed further parts of her body, including eventually both legs, both forearms, and her head. You wrapped each body part in plastic and disposed of them gradually at different times and in different locations.
20. You found Ms Smith's torso too difficult to dismember, so you left it intact. Eventually, you wrapped it in plastic, put it in a suitcase, wrapped the suitcase in a tarpaulin, and put it in a lock-up with some of your other belongings. The police found it there after you were arrested, and you told them it was there. Mercifully, the post-mortem examination of the torso confirmed that the dismemberment had occurred after Ms Smith's death.
21. After you killed Ms Smith, when family or friends asked where she was, you told them an elaborate lie about her having decided to go off on a trip with a mysterious female friend and that she had not told you where she was going or how long precisely she would be away. You also used her email account to send her loved ones email messages and Christmas cards to create the illusion that she was alive and well, including messages to her estranged husband, Peter, and her stepson, Jason. You also arranged for cuddly toys to be delivered to Jason's daughters in December 2023, giving the appearance that they were Christmas gifts from Ms Smith.
22. Before Ms Smith died, you began stealing jewellery from her and selling it for cash using a service called Cash4Gold. You also stole a sovereign coin from her and sold it.
23. Despite your attempts to mislead Ms Smith's family and friends, Peter Smith and his partner became so concerned about her, that on 10 January 2024, they reported her missing to the Bedfordshire Police. At the time, partly because of your misleading story about Ms Smith's supposed trip, the police concluded that there was not enough evidence that she was genuinely missing. Peter Smith hired a private investigator to try to trace her but without success. His concerns remained, and he eventually rang Bedfordshire Police again on 8 April 2024 to report her missing. He explained to the police that he had found her passport, mobile, and other personal belongings inside her home. As a result, the Bedfordshire Police opened a high-risk missing person investigation.
24. You were arrested at 6:53 am on 30 April 2024 at an address in Stotfold. You appeared calm, and you were not surprised by the arrival of the police. You made no reply to caution. At the house in which you were then living, the police found Ms Smith's wallet and bank card. They also found some correspondence in her name.
25. At your police interview under caution, the first substantive question you were asked was "are you responsible for the death of Annette Smith?" You immediately answered "yes". You then gave your account of events leading up to the murder, the murder itself, and the aftermath, including your dismemberment of Ms Smith's body and concealment of the parts.

26. Among other things, you told the police that you had entered into an individual voluntary arrangement with your creditors due to having run up about £30,000 of credit card debt. You said that before Ms Smith's death you had started stealing her jewellery from her room while she was sleeping in order to sell it for cash, and you continued to do so after she died. You said initially that you sold some of her jewellery because you were annoyed at how much shopping you were buying for the household, including cigarettes and the brandy. You later admitted to police that you simply needed and wanted the money.
27. You are now 45 years old.
28. The sentence for murder fixed by law is imprisonment for life. I must now set the minimum term that you will serve before the Parole Board can consider you for release.
29. You and everyone else in court should understand three things about that minimum term. First, you must serve every day of it before the Parole Board can even consider releasing you. Secondly, even then the Parole Board will only release you if it is satisfied that it is safe and appropriate to do so. Otherwise, you will remain in custody for the rest of your life. Thirdly, if you are ever released from custody, you will remain subject to the life sentence for the remainder of your life, which means that, if necessary, you can be returned to custody at any time.
30. In setting the minimum term that you must serve as part of your life sentence, I must have regard to Schedule 21 to the Sentencing Act 2020. This murder falls within paragraph 5 of Schedule 21, meaning that the starting point for your minimum term, before making adjustments for any aggravating factors, any mitigating factors, and any reduction for your guilty plea, is one of 15 years. That is because, as awful as this murder was, it does not fall into one of the more serious categories set out in paragraphs 2, 3 or 4 of Schedule 21, where the seriousness of the offence is higher due to various factors, such as the use of a knife or a firearm.
31. Having determined the starting point of 15 years, I must then consider the aggravating factors that apply. There are several in this case, which will require a substantial upward adjustment to the minimum term. These are as follows:
  - a. There was significant premeditation. You had been contemplating murdering Annette Smith for some time before you finally did so. You admitted having gone to her bedroom door when you thought she was asleep on a couple of occasions before you finally killed her. I do not count these as actual attempts on her life. You did not get that far. You thought better of it and went back to your bedroom some time before you finally murdered her.
  - b. Ms Smith was particularly vulnerable both due to her age and her disability following her stroke in 2018. You were, to some extent, her carer. There is evidence that she could not walk without assistance and was effectively bed-bound. I accept the defence submission that there is, in this case, a degree of overlap between this factor of particular vulnerability and the question of whether you had abused a position of trust. I do not consider that this is a

case where abuse of a position of trust should be considered as an aggravating factor separately from Ms Smith's particularly vulnerability.

- c. Your concealment, destruction, and dismemberment of Ms Smith's body is another substantial aggravating factor.
  - d. You stole and sold for cash some of Ms Smith's jewellery, both before and after you murdered her.
  - e. A particularly callous aspect of your conduct after you murdered Ms Smith, is that you misused her email account on several occasions, sending messages and even Christmas cards purporting to be from her to members of her family and her friends, in order to mislead them into believing that she was still alive. You even arranged for a Moonpig Christmas card and cuddly toys to be sent to Jason Smith's daughters as though they had been sent by Ms Smith. The discovery that these were, in fact, sent by you was, in JS's words, "incredibly hurtful and disturbing" and clearly added to his pain and grief.
32. Given the manner of her death and bearing in mind your own admissions, I have no doubt that you intended to kill Ms Smith. Therefore, there is no mitigation for your having a lesser intent simply to cause her really serious harm. To be fair, since your first police interview, you have never denied that you intended to kill Annette Smith.
33. The only mitigation apart from your plea of guilty is that you have no previous convictions and, I accept, that you are genuinely remorseful. I do take these matters into account, although they do not provide much mitigation in a case such as this.
34. In relation to credit for your plea of guilty, I have had regard to the relevant Sentencing Council guideline. The guideline makes clear that the maximum allowable discount for a guilty plea in a case of murder is the lesser of (i) one-sixth of the minimum term that would have applied after a trial and (ii) five years.
35. The minimum term that it would have been necessary to impose on you had you been convicted after a trial, taking into account the substantial aggravating factors and your limited mitigation, would have been 24 years.
36. Your early admission of your guilt at your police interview has spared the family of Annette Smith the ordeal of a public trial, although it will not have lessened the tremendous grief they have suffered as a result of her death.
37. In light of your plea of guilty, I give you the maximum reduction available under the guideline, which is one-sixth of the minimum term after a trial, namely, in this case, four years.
38. The minimum term will therefore be 20 years, before I make a final adjustment to deduct the number of days that you have already spent on remand in custody. I understand that you have spent 187 days on remand in custody. That number of days will be deducted from the minimum term that I have just indicated when I pass sentence.

39. The statutory surcharge applies to this sentence.
40. Scott Paterson, please stand up.
41. For the murder of Annette Smith, I sentence you to life imprisonment with a minimum term to serve of 19 years and 178 days.
42. You may go down.