



JUDICIARY OF
ENGLAND AND WALES

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-v-

MELANIE SMITH

MOLD CROWN COURT

8 MAY 2013

SENTENCING REMARKS OF MR JUSTICE GRIFFITH WILLIAMS

The facts of this case are extraordinary and almost unique.

At first blush, it seemed unlikely that a woman of your age, a mother of five children with no previous convictions should even contemplate setting fire to a house let alone a house with people in it.

With the benefit of having heard the evidence, I have concluded that the root cause of your offending was probably your jealous hatred of Samantha Schofield, whom you blamed for having an affair with your partner, Steven Clarkson. That hatred, which was all the more intense because of your drink problem, took over your life but I am satisfied that the threats you made to set fire to her house were not threats you intended to carry out. I am satisfied that the burning of matches was a drunken gesture which did not amount to an attempt to set the house on fire - had you intended to set fire to her house, you had every opportunity to do so.

All the while, your relationship with Steven Clarkson continued to be an uncertain and uneasy one.

It was in these circumstances that you took out your unhappiness and frustrations on Lee-Anna Shiers and she became the focus of your attentions. You are a naturally very tidy person and so you resented any mess she made; the minor inconvenience of the presence of the pushchair in the hallway, the cigarette ends outside the front door and the noises from upstairs became issues which grew out of all proportion.

On that Friday evening, all the indications were that Steven Clarkson wanted little to do with you and had gone home to sleep. The evidence of his twin brother and niece was that you still suspected him of associating with Samantha Schofield and once again you were giving vent to your hatred of her. You had been drinking, and while

not drunk, you were certainly affected by alcohol. You bought a takeaway meal for yourself – the evidence was you ordered two or three starters – and went home to eat it alone while he was asleep in bed.

My belief is that at that moment you were probably a very sad woman and it was the sound of Lee-Anna and Liam's love-making from the flat above that overwhelmed you. Bitterly resentful of their happiness, you went outside and set fire to the push chair. It follows that you acted on impulse and so this was not a premeditated act. My belief is you did not know Bailey and Skye were there but that reduces your culpability only marginally because you were clearly indifferent to the presence of others in the flat upstairs.

When, contrary to what you had intended, the fire spread to your flat, you escaped, probably by the back door, shouting at Steven Clarkson to get him to follow you.

The setting fire to the push chair was an act of exceptional wickedness, almost unparalleled in its consequences. For those who had to hear the evidence of the 999 calls, the horror of those moments in the flat upstairs as Lee-Anna and Liam faced the awful inevitability of their imminent deaths will be forever etched on their memories. Understandably the knowledge of the manner of their deaths has added to the overwhelming grief of their families, all the more to those who rushed to the house in the hope they could help. I have had regard to the contents of the three victim statements. Each witness wrote eloquently of the effects upon them and their families of their losses.

That grief will not have been mitigated by any meaningful remorse on your part. You continue to portray yourself as a victim, blinding yourself to the sufferings of the real victims in this case and failing to at least acknowledge that it was your deliberate act which started the fire.

I agree with the submissions of Mr Murphy and Mr Riordan that the appropriate starting point is one of 30 years. While there is some mitigation from your previous good character and the fact these were not premeditated offences, that is balanced by the number who were murdered by you. I have had regard to your age.

The sentence for each of the counts of murder is Life Imprisonment with a minimum term of 30 years less the days you have spent on remand in custody. There will be no separate penalty on Count 1 of the indictment.