



HMA

v

Peter Britton Tobin

2nd December 2008

Today at the High Court in Dundee Lord Emslie sentenced Peter Tobin to life imprisonment after he was found guilty of the murder of Vicky Hamilton in 1991. The punishment part of the sentence was fixed at 30 years.

On sentencing Lord Emslie made the following statement in court:

"By the verdict of the jury you stand convicted of the truly evil abduction and murder of a vulnerable young girl in 1991 and thereafter of attempting to defeat the ends of justice in various ways over an extended period.

Yet again you have shown yourself to be unfit to live in a decent society. For the crime of murder there is only one sentence open to me.

On charge 1 the sentence of the Court is life imprisonment.

Where a life sentence is imposed the law also requires me to fix the period that you must spend in custody before you may even be considered for possible release on licence

But for that purpose I am required to ignore any risk that you may pose to the public in the future, leaving that risk to be assessed by the Parole Board for Scotland in due course. So the period that I fix is only a minimum. You will not necessarily be released on licence when that period expires, and indeed may never be released at all. Any possibility of release will depend on the Parole Board determining that it is no longer necessary for the protection of the public that you should continue to be confined in prison.

In fixing the relevant period I note that Mr. Findlay, your Senior Counsel, has advanced no mitigating features on your behalf. But any mitigating features would in any event have paled into insignificance by comparison with the enormity of your serial offending. This was a vulnerable teenager who needed help on her way home, but instead she fell into your clutches and you brought her short life to an end in a disgusting and degrading way. No one will ever know what fear and torment Vicky Hamilton went through before she died. But the agony you caused to her family was made infinitely worse by your calculating and entirely self-interested attempts to conceal and avoid detection for what you had done. After a lengthy trial in which you conceded nothing, you have now been convicted as a result of your own mistakes – several of them - as revealed by the painstaking and highly-skilled police and forensic work to

which the learned Solicitor General has paid tribute today.

It is hard for me to convey the loathing and revulsion that ordinary people will feel for what you have done. You already have an appalling record of convictions for sexual and violent crimes and are currently serving a life sentence with a 21 year minimum period in custody for the rape and murder of a young Polish girl in 2006. But abducting and killing a child on her way home from a happy weekend with her sister, and then desecrating her body, must rank among the most evil and horrific acts that any human being could commit.

Taking all these factors into account I fix the minimum period which you must spend in custody at 30 years. Had it been open to me I would have made that period run consecutive to the 21 year custodial period that you are already serving. But given the age of these offences the law says that I cannot go down that road and so the 30 year period will simply run from today's date.

Turning finally to charge 2 concerning your attempts to cover your tracks and defeat the ends of justice, there is very little that I want to say. These are also serious crimes in their own right, and for them the sentence of the Court is one of imprisonment for 5 years. This will again run from today's date and will be served concurrently with the life sentence imposed on charge 1".