



HMA

v

VERONICA PAMELA DUNCAN

15th November 2007

Today at the High Court in Edinburgh Temporary Judge Rodger Craik QC sentenced Veronica Duncan to three years probation after she pleaded guilty to the assault of a child on the 7th March 2007 in Cardona.

On sentencing Judge Craik made the following statement.

“Let it be said at the outset that this was a dreadful thing that you did to this child. You almost killed her, and even yet, it is not clear what the ongoing prognosis for the little girl’s health will be. If you had been in your right mind at the time you injected the child, the only disposal open to the court would have been one of many years imprisonment.

However, it is quite clear from all the medical reports that I have seen that you were not in your right mind at the time you did the deed. The tragic death of your own 16 month old daughter less than a year beforehand had, in the view of all the doctors who have examined you, left you suffering from an abnormal grief reaction such as, as I understand it, to amount to a mental illness. It was this factor that has allowed the Crown to accept a plea of guilty to a lesser crime than that with which you were originally charged. I am also told that, without that mental condition, it is most unlikely that you would have committed the offence and that, now that you have had extended in-patient treatment, it is not felt that you are likely to be at risk of doing anything like this again.

I must also take into account that you have not previously offended and that, with your remand and subsequent compulsory treatment order, you have been confined and apart from your family for the last eight months.

All that being said, you still stand convicted of a most serious offences as I am sure you realise. I am told that to send you back to prison would pose a real risk of undoing the mental recovery you have made since the treatment order was pronounced and there seems little constructive point in taking that course. You must however, for an extended period, remain under the

supervision of the court so that those responsible for you can be sure that you pose no further risk to the general public.

What I will do with you is to place you on probation for the next three years. Apart from the normal conditions as to residence, compliance with your supervising social worker and the like, special conditions will also apply to your case.

You will continue to attend on an out-patient basis for such psychiatric treatment as shall be thought appropriate by your supervising doctor, Dr Darjee of the Orchard Clinic in Edinburgh.

You will not have any unsupervised contact with any child under the age of 7 (which will allow you to be with your own son).

Your name will also be referred under section 10 of the Protection of Children (Scotland) Act, for inclusion on the list contained under that Act.

Do you agree to these conditions?

You should understand that, if you fail to comply with what has been required of you, your case will be referred back to the court and a period of imprisonment would obviously then be under consideration.

I'd like to conclude by offering every sympathy to the family so badly affected by your actions. I hope they can understand why I've taken the course that I have".