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**Deborah Buchan, Leigh Mackinnon &
Stuart Jack**

Thursday 31 July 2008

Today at the High Court in Edinburgh Lord Woolman sentenced Deborah Buchan, Leigh Mackinnon and Stuart Jack in relation to the murder of Laura Milne between 12 December 2007 and 19 December 2007 at a flat on Union Street, Aberdeen. Stuart Jack was sentenced to life imprisonment with a punishment part of 18 years. Deborah Buchan and Leigh Mackinnon both received extended sentences.

On sentencing Lord Woolman made the following statement in court:

“Laura Milne was only 19 years old. She had mild learning difficulties and was described as being vulnerable, naïve and easily manipulated. Although she herself had a troubled background, she had been working as a volunteer in the kitchen at the Cyrenians’ Day Centre in Aberdeen.

It is not clear what triggered the awful train of events which led to her murder on 12 December of last year. None of the accused has given a coherent account of events. Laura had locked herself in the bathroom of the flat in Union Street when it was kicked open. She was then subjected to a ferocious, sustained attack. All three accused have accepted their involvement in that attack.

The degree of force used was considerable. Her injuries included extensive bruising to her body and face. One of her ribs was cracked and her incisor teeth were loosened in their sockets. Her jaw was fractured in three places. She had head injuries. It is not known whether she would have survived the attack, or whether she had sustained brain damage as a result of the beating she received.

However, when she was unconscious, bleeding and hurt, Stuart Jack took up a knife and slashed her throat. A post-mortem examination has determined that to be the cause of Laura’s death.

Subsequently, Stuart Jack attempted to dismember her body. Her legs were almost cut off. She was virtually decapitated. All three accused were then involved in attempts to conceal her body and the fact that she was dead. Her head, torso and limbs were wrapped in bed-clothing and stuffed in a cupboard under the kitchen sink.

Text replies were sent in answer to messages from her family and others. They purported to come from Laura, indicating that she was still alive. That can only have added to their torment when they found out that she had in fact died.

Two days after Laura's murder, Deborah Buchan and Stuart Jack had a conversation which they video recorded on a mobile phone using Laura's SIM card. No one who has seen that video could fail to be chilled by its terms. The two accused gloated over the killing and the fact that Laura was dead.

In determining sentence, I have had regard to all the information placed before me by the Crown and to the skilful submissions by each of your counsel. I have considered all that is contained in the background reports. I have had regard to your age and to your difficult backgrounds.

However, I also have regard to the horrific circumstances of this case. It is difficult to comprehend the evil that lay behind this attack. That it was carried out by supposed friends, and without any provocation by Laura or any real motive on any of your parts, defies understanding. Even now, none of you seems fully to appreciate what you have done. I also note from the reports that you each present a high risk of re-offending and that the risk of harm is high.

Deborah Buchan

You Deborah Buchan have pled guilty to the attempted murder of Laura. You have also pled guilty to attempting to defeat the ends of justice in respect of what happened after her death, although not the actual cutting up of the body.

You told the police and the Social Worker who prepared the Social Enquiry Report that your involvement was limited to punching Laura a few times in the face. That does not square with what you said to Stuart Jack two days after her death and which we saw on the video:

“... I really enjoyed stomping her head to fuck.”

“I feel so happy that she's gone. She's on my kitchen floor with a slit throat, cut mouth, cut tit and her head kicked in. Don't I look better?”

You already have one prior conviction for assault and in December 2007, you were on bail in respect of two further complaints of assault.

In my view the only appropriate disposal in respect of both charges, as Mrs Richards recognised, is that you be given a custodial sentence. It is also my opinion that an extended sentence is required for the purpose of protecting the public from serious harm. Accordingly, there are two separate periods to consider. First the length of the custodial term. Secondly, the period of extension.

The starting point is to consider the appropriate sentence of the custodial term if you had been convicted after trial in respect of charge 1. In my view, the period would have been one of ten years and six months' detention. Six months would

have been attributed to the bail aggravation. This was a terrible crime which merits a sentence at the top end of the range. As, however, a plea was tendered on the first day of the trial, you will receive a one tenth discount. Rounding up the discount, the custodial part of the term will be a period of nine years' four months detention.

I shall impose an extension period of three years. There will be no discount from this part of the sentence as it is not appropriate to give any such discount when the protection of the public is in issue.

I shall also impose a concurrent sentence of four years in respect of charge 2, which I also regard as a very serious charge. It will also be discounted by one tenth. Both sentences will be backdated to 20 December 2007, which is the date upon which you were first placed into custody in respect of this matter.

Leigh Mackinnon

You Leigh Mackinnon have accepted that you had previously displayed ill will toward Laura, which indicates a predisposition to become involved in this assault. You also admitted to punching Laura four or five times, to kicking her six or seven times and to administering several blows with a bottle. You told the social worker that you did not regard your behaviour as excessive. Previously, however, you had said that you thought that you had broken your toe "by belting something so hard".

You have pled guilty to the same charges as Deborah Buchan, although you have also accepted that you fled to Glasgow after the crime. So far as record is concerned, you have a previous conviction of assault to injury. In the circumstances, I make no distinction between your culpability and that of Deborah Buchan, other than in respect of the bail aggravation. As Mr Prais rightly conceded, any link with drink and drugs is irrelevant for the purposes of sentence.

It follows that if you had been convicted after trial, I would have sentenced you in respect of charge 1 to a period of ten years' detention, with an extension of three years. Because of your plea, the custodial part of the sentence will be reduced by one tenth, to nine years' detention. The extension period will remain the same for the reason I have mentioned. I also sentence you to a concurrent sentence of four years in respect of charge 2, which I shall also discount by one tenth. Both sentences will be backdated to 21 December 2007, when you were first taken into custody in respect of this matter.

Stuart Jack

You Stuart Jack have pled guilty to murder, by slashing Laura's throat with a large kitchen knife. You also participated in the earlier attack on her and have pled guilty to attempting to defeat the ends of justice by attempting to dismember and conceal her body.

The Crown did not place any convictions in front of me, so you appear before this court with a clean record. I take account of that, together with your age and the fact that there did not appear to be any element of premeditation in your conduct.

But principally I must have regard to the seriousness of your crime. The greatest tragedy is the premature and violent death of Laura Milne. On any view, however, this was a horrific and cruel assault on a defenceless young woman. It is not clear what provoked you to take the knife and use it as you did. You are unable

to explain it. Some indication of your state of mind shortly after the crime can be gleaned by what you said in the course of the conversation with Deborah Buchan:

Jack: "She's worth fuck all and you're worth a million."

Buchan: "Are you glad she's dead?"

Jack: "Yes I am."

Buchan: "Did you enjoy cutting her throat?"

Jack: Pauses

Buchan: "Did you enjoy cutting her throat, yes or no?"

Jack: "Aye"

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For the crime of murder, the sentence is mandatory. The sentence of this court is life imprisonment. The law also requires me to fix the period, known as the 'punishment part', that you must spend in prison before you may apply to the Parole Board to be considered for possible release on licence. It is the period which the court deems appropriate in respect of retribution and deterrence.

Let me stress two matters: First, it is the minimum period that you must serve before you can apply for parole. You will not necessarily be released on licence when the punishment part expires. Your actual release date will depend on the Parole Board deciding that it is no longer necessary for the protection of the public that you should continue to be confined in prison.

Second, if you are released and breach the terms of your licence, you will be liable to be recalled to prison to serve the remainder of your sentence.

In considering the appropriate punishment part in this case, a number of factors are relevant. You deliberately slashed the throat of an unarmed woman when she was bleeding and unconscious. It was an act of savage violence involving the use of a lethal weapon. Moreover, you sought to evade detection by dismembering and concealing the body.

In this case I see no evidence of provocation which would excuse or explain your conduct. Mr Findlay quite correctly did not address me on the circumstances. On one occasion, you said that it was because she sent an unfortunate text. On another, that it was because she said disparaging things about your deceased sister. Neither explains your terrible act that night. This court does not tolerate the use of knives. Excess alcohol consumption is no excuse. You chose to drink the alcohol. You chose to take and use the knife. You then set about hacking this poor girl's body into bits. You stuffed it in a cupboard under the sink and you appeared to revel in her death in the video clip.

I recognise that you offered to plead guilty at an earlier stage. The plea was first tendered at a preliminary hearing on 6 April 2008. By that plea, you have accepted your guilt. It has also saved public money, court time and inconvenience to witnesses. It has also avoided the need for Laura's family and friends to hear very distressing evidence.

However, despite your denials in the course of the first two police interviews, you had confessed your guilt at the time of the third interview. Having regard to the other evidence in this case, the Crown had an overwhelming case against you. You also sought to make it a condition of your plea that you would not give evidence against your co-accused.

If you had been convicted after trial, in the whole circumstances, and taking into account the offences to which you have pled guilty in charge 2, I would have imposed a punishment part of 21 years. I believe it appropriate to discount that period by one seventh. Accordingly, the period will be one of 18 years.

In respect of charge 2, where as I have indicated you have pled to matters much more serious than the pleas from the first two accused, I sentence you to a period of seven years, again discounted by one seventh giving a period of six years which will be concurrent. Both sentences are back-dated to 20 December 2007, the date from which you have been in custody in relation to this crime".