



JUDICIARY OF  
ENGLAND AND WALES

**In the Inner London Crown Court**

**The Queen**

**-v-**

**Colin Ash-Smith**

**Sentencing Remarks of Mr Justice Sweeney**

**12 December 2014**

Colin Ash-Smith you are now aged 46. You have been convicted of the brutal murder of Claire Tiltman which you carried out in a dark alleyway just off the main London Road in Greenhithe in Kent in the early evening of 18 January 1993. You stabbed her 9 times with a large knife, and she died from her injuries at the scene. In the meanwhile you made good your escape back to the house in nearby Swanscombe where you were then living with your parents. You were aged 24 at the time. Claire, who you knew via the local British Legion Club, was the only and much loved child of Cliff and Linda Tiltman. You murdered her just 4 days after her 16th birthday. She had an engaging and lively personality, and was extremely popular – with a wide circle of loyal friends.

I have no doubt that this was a premeditated murder that you carried out because of the feeling of power that it gave you. In so doing you not only ended Claire's young life, which was so full of promise, but you also caused unbearable grief and upset to her family and friends.

Claire's murder was not the only attack on a lone female that you carried in the small area of Greenhithe and Swanscombe. In the period between 1988 and 1995, throughout the vast majority of which you lived in that area, you planned a number of other such attacks and carried out two in particular.

In the early hours of 21 December 1988 (and so just over 4 years before Claire's murder, and when you were aged 20) you kidnapped a 27 year old woman at gun and knife point from outside her home in Swanscombe. You then forced her to walk to a quarry, where you attempted to rape her in various positions, and then attempted to murder her – first by strangling her and then by stabbing her in the back five times. You left her for dead and went home. Fortunately she survived. You were not caught at that stage. The offences against this victim were later recorded by you, for your own private pleasure, in a document and in a diary. In the document you described the attack upon her as "my masterpiece" and your plan to carry it out as having been "95% successful". In that same document you also wrote about 3 other

assault plans that you had made and endeavoured, but failed, to carry out to completion in 1988.

In the early evening of 17 October 1995 (and so 2 years after you murdered Claire, and by which time you were aged 27) you attacked a 21 year old woman called Charlotte Barnard as she was walking in the street in Greenhithe. You carried out the attack only some 360 metres from the scene of your murder of Claire and, as with Claire, because of the feeling of power that it gave you. You stabbed her eight times in the back and once to the right flank. She also sustained 5 wounds to the right hand, which she had used to try to defend herself. Leaving her for dead, you made good your escape in your car (which you had parked not far away) and went home to your then girlfriend.

Fortunately, Charlotte Barnard survived and both you and your car had been seen in the vicinity by witnesses who reported their sightings to the police. You were arrested that night. The knife that you had used to attack Charlotte Barnard was found, and her blood was found on your jacket. The document and diary recording your activities in 1988 were also found.

In interview, you eventually admitted both the 1988 attack and the attack on Charlotte Barnard. You also told a significant number of lies, including repeatedly asserting that you were not guilty of Claire's murder.

In the result, the decision was taken not to charge you with Claire's murder.

In 1996 you pleaded guilty at the Maidstone Crown Court to kidnap, attempted rape, and attempted murder in relation to the attack in 1988, and to causing grievous bodily harm with intent in relation to the attack on Charlotte. In the result you were sentenced to life imprisonment with a minimum term of 15 years – which you are still serving now, 19 years after your arrest.

In the meanwhile, the efforts of Claire's family and friends kept her murder in the public conscience, and thanks to the recent full re-activation of the enquiry into it by the Kent Police, further evidence came to light in consequence of which you have finally been brought to justice.

There is only one sentence that I can pass upon you, namely life imprisonment. However, I must also impose a minimum term before you can even be considered for parole.

Your offence was committed before the coming into force of the Criminal Justice Act 2003 – hence I am required to approach sentencing in your case in two stages. First, I must determine, in accordance with Schedule 21 to the Act, the minimum term you should serve. Then, in accordance with Schedule 22 to the Act, I must ensure that I do not specify a minimum term which, in my opinion, is greater than that which you would have been directed to serve under the practice followed by the Secretary of State before 2002 and at the time at which this offence was committed.

As to the facts – this was a premeditated murder, your intention was to kill, you took a knife to the scene for the purpose, and Claire was vulnerable by reason of her circumstances. Your other convictions are a clear aggravating feature, but one that

must be treated with care given that you have already served some 19 years in relation to them. It is accepted that there are no mitigating features as such.

As to the first stage it seems to me that, by the operation of paragraph 5A of Schedule 21, the correct starting point for the minimum term is one of 25 years, and that when the further aggravating features are added in (with appropriate care taken not to double count) the minimum term is one of 30 years.

As to the second stage I have considered the Criminal Practice Direction (Sentencing) N [2013] 1 W.L.R. 3164 and read the case of *R v Sullivan & others* [2004] EWCA Crim 1762.

In my view, given that Claire was vulnerable by reason of her circumstances, and that multiple injuries were inflicted, the higher starting point of 15/16 years would have applied. In addition to that there was planning, and you armed yourself with a knife in advance. There is also the aggravating feature of your other convictions.

That said, and whilst you only have yourself to blame for not admitting Claire's murder in the mid 1990s, it seems to me that I must also have an eye to the total minimum term that would have been imposed had you been convicted of this offence and sentenced for it, along with the other offences, in 1996. In that regard I agree with your counsel that the minimum term would not have exceeded 40 years. In my opinion the appropriate minimum term by the operation of Schedule 22 is one of 21 years.

Colin Ash-Smith the sentence that I pass upon you is one of life imprisonment, with a minimum term of 21 years.