

RICHARD SMITH QC SECURES THE ACQUITTAL OF BERLINAH WALLACE



21 May, 2018

Richard Smith QC led for the defence in the recent high-profile murder trial of Berlinah Wallace at Bristol crown court. Ms Wallace was charged initially with throwing a corrosive fluid with intent after she threw sulphuric acid over her partner, Mark Van Dongen, on 23 September 2015 causing him catastrophic injuries. After he was euthanised on 2 January 2017 she was charged with murder.

At the initial trial in November 2017 Richard successfully argued at the close of the prosecution case that the facts could and did not, in law, amount to murder. Richard persuaded the trial judge that the injuries resulting from his client's conduct were not, in law, the cause of Mr Van Dongen's death. The prosecution appealed and the Court of Appeal, in a ground-breaking ruling delivered earlier this year, disagreed and directed a retrial.

Last week at the retrial, the jury agreed with Richard and Ms Wallace was acquitted of both murder and manslaughter. She was convicted of throwing a corrosive fluid with intent and has been sentenced.

The case attracted a great deal of national interest and publicity and now that the trial complete is sure to give rise to a good deal of academic debate on the meaning of causation in homicide:

- <http://www.bbc.co.uk/news/uk-england-44159192>
- <https://news.sky.com/story/berlinah-wallace-found-guilty-of-acid-attack-on-ex-boyfriend-11375729>
- <http://www.itv.com/news/2018-05-17/fashion-student-guilty-of-acid-attack-on-former-partner/>
- <https://www.theguardian.com/uk-news/2018/may/17/berlinah-wallace-found-guilty-of-throwing-sulphuric-acid-at-partner-bristol>
- <https://www.bristolpost.co.uk/news/jury-finds-berlinah-wallace-not-1572414>
- <https://www.independent.co.uk/news/uk/home-news/berlinah-wallace-acid-attack-boyfriend-murder-charge-cleared-sulphuric-a8356226.html>

