

## Wikipedia – Murder Conviction Without a Body

**Conviction for murder in the absence of a body** is possible. Historically, cases of this type have been hard to prove, forcing the prosecution to rely on other kinds of evidence, usually [circumstantial](#). Developments in [forensic science](#) towards the end of the [20th century](#) have made it more likely that a murder conviction can be obtained even if a body has not been found.<sup>[1]</sup>

### History[[edit](#)]

The rule in English [common law](#) that a body is necessary to prove murder is said to have arisen from the "[Campden Wonder](#)" case which occurred in the 1660s. A local man vanished and after an investigation, three individuals were [hanged](#) for his murder. Two years later, the supposed victim appeared alive and well, telling a story of having been abducted and enslaved in [Turkey](#).<sup>[2]</sup> The "no body, no murder" rule persisted into the 20th century.<sup>[3]</sup>

In 1937, a young girl called [Mona Tinsley](#) disappeared, and Frederick Nodder was suspected of having killed her. He claimed that she had been alive when he last saw her, and on the basis of the rule was prosecuted only for [abduction](#). Tinsley's body was found some time later and Nodder was then prosecuted for her murder. His defence was that he had already been acquitted of this charge, but this plea was rejected and he was hanged.<sup>[4]</sup>

The idea that a body was required to prove murder was mistakenly believed by [John George Haigh](#). Already a convicted [fraudster](#), he believed that dissolving a body in acid would make a conviction for murder impossible. In 1949, the remains of his last victim, Mrs Durand-Deacon, were found to contain part of her [dentures](#). From this, her dentist was able to identify the remains, and Haigh was found guilty, sentenced to death, and subsequently executed on 10 August 1949.<sup>[5]</sup>

Haigh had misinterpreted the [Latin](#) legal phrase *[corpus delicti](#)* (referring to the body of evidence which establish a crime) to mean an actual human body. This was one of the first instances of [forensic science](#) being used in such cases.<sup>[6]</sup>

### Abolition of "no body, no murder"[[edit](#)]

The rule was finally abolished for practical purposes in the UK with the 1954 case of Michail Onufrejczyk. He and a fellow [Pole](#), Stanislaw Sykut, had stayed in the United Kingdom after the Second World War and ran a farm together in Wales. Sykut disappeared and Onufrejczyk claimed that he had returned to Poland. Bone fragments and blood spatters were found in the farm kitchen, although [forensic technology](#) was then insufficiently advanced to identify them.

Charged with Sykut's murder, Onufrejczyk claimed that the remains were those of rabbits he had killed, but the jury disbelieved him and he was sentenced to death, but reprieved.<sup>[7]</sup> He

appealed,<sup>[8]</sup> but this was dismissed by the [Lord Chief Justice, Lord Goddard](#), saying that "things had moved on since the days of the Campden Wonder"<sup>[3]</sup> and also

"... it is equally clear that the fact of death, like any other fact, can be proved by circumstantial evidence, that is to say, evidence of facts which lead to one conclusion, provided that the jury are satisfied and are warned that it must lead to one conclusion only."<sup>[9]</sup>

The United States case of *People v. Scott*<sup>[10]</sup> held that "circumstantial evidence, when sufficient to exclude every other reasonable hypothesis, may prove the death of a missing person, the existence of a homicide and the guilt of the accused".<sup>[11]</sup>

Circumstantial evidence was originally deemed sufficient to obtain a murder conviction in the Australian "[Dingo baby case](#)", and in others such as [Bradley John Murdoch](#) and the [murder of Thomas and Jackie Hawks](#).

## **Other modern cases**[\[edit\]](#)

### **1980s**[\[edit\]](#)

In 1984, [Mark Tildesley](#), a seven-year-old schoolboy, disappeared after leaving his home to go to the fairground in [Wokingham, Berkshire, England](#). In 1990 it emerged that, on the night he disappeared, Tildesley had been abducted, drugged, tortured, raped and murdered by a [London](#)-based paedophile gang, led by [Sidney Cooke](#). Another man named Leslie Bailey was charged with murder in 1991 and the following year was given two [life sentences](#). Bailey was murdered in prison by other inmates shortly afterwards.<sup>[12][13]</sup> The case remains unsolved despite being featured heavily in the national press and on [BBC TV's \*Crimewatch\*](#).<sup>[14]</sup>

In 1988 [Helen McCourt](#), a 22-year-old insurance clerk from Lancashire disappeared.<sup>[15]</sup> Ian Simms, a local pub landlord, was subsequently charged with and convicted of her murder. This case was also one of the first in the UK to use DNA fingerprinting.<sup>[16]</sup>

American courts have also been allowed to press murder charges even if a body has not been recovered. In 1990, a [Connecticut](#) jury convicted [Newtown](#) airline pilot Richard Crafts of killing his Danish wife Helle in the 1986 "[woodchipper murder](#)", so called for [the machine](#) he had rented to dispose of her body in nearby lakes and streams. He was sentenced to 50 years in prison. The [state police](#)'s forensic unit, led by [Henry Lee](#), was able to match the DNA of some of the fragments that were discovered to Helle Crafts and the wood chipper her husband had used. It was the first bodyless murder trial in the state's history.

### **1990s**[\[edit\]](#)

In 1996, [Thomas Capano](#) was convicted of the murder of Anne Marie Fahey, his former lover. Investigators did not have a murder weapon or body, nor any evidence that Capano had purchased a gun. He was convicted of first-degree murder in part due to the evidence given by

his brother Gerry, who had admitted to helping Capano dump Fahey's body in the Atlantic Ocean.

In May 1999 the New Zealand High Court convicted [Scott Watson](#) of the murder of Ben Smart and Olivia Hope. Their bodies have never been found.<sup>[17]</sup>

## **2000s**[\[edit\]](#)

In 2000, prosecutors in [Orange County, New York](#), secured that jurisdiction's first-ever bodyless murder conviction. Gregory Chrysler and Lawrence Weygant were found guilty of beating Dominick Pendino, a coworker they mistakenly believed had given police the tip that had led to their arrest on drug-dealing charges, to death with a baseball bat and disposing of his body. They relied on eyewitness testimony from a former girlfriend and police informant, as well as forensic evidence showing that enough of Pendino's blood stained a car seat for him to have died without immediate medical attention.<sup>[18]</sup> Neither the body nor the bat have been discovered: Chrysler and Weygant remain in prison and have rebuffed efforts to elicit the body's location from them.

In June 2001, [Essex](#) teenager [Danielle Jones](#) went missing and despite a body never being found, the required circumstantial evidence was provided by [forensic analysis](#) of [text messages](#) sent by the accused, her uncle Stuart Campbell, who was convicted of her murder 18 months later. Police determined that Campbell had sent text messages from Danielle's mobile phone to his own after she disappeared, to make it appear that she was still alive, and noted that the spelling of several words in the text messages sent from Danielle's mobile phone had changed after she was reported missing. Their suspicions were also supported by mobile phone records which showed that Campbell's mobile phone, and that of his missing niece, were within a short distance of each other when the messages were sent.

In 2002, [Girly Chew Hossencofft](#)'s husband and his mistress were convicted of her murder, which occurred in 1999. Hossencofft's remains have never been located.<sup>[19]</sup>

In spite of advances in forensic technology, the possibility of the supposed victim turning up alive remains. In 2003, [Leonard Fraser](#), having allegedly confessed to the murder of teenager Natasha Ryan, was on trial for this, and other murders, when she reappeared after having been missing for four years.<sup>[20]</sup>

In 2006, prosecutors in [Nashville, Tennessee](#), had Perry March arrested and extradited from Mexico after he had been secretly indicted on charges of [murdering his wife Janet](#), who had disappeared in 1996. An attempt to have March's in-laws killed while March was awaiting trial led to the arrest of his father, who as part of a plea agreement confessed to burying his daughter-in-law in a pile of brush near [Bowling Green, Kentucky](#), but he was unable to lead police to the body after the intervening nine years. Perry March was convicted in 2006 almost ten years to the day after his wife disappeared.

In the Australian no-body murder of [Keith William Allan](#), evidence from forensic accountants established a motive for his murder. The chance police finding of one perpetrator driving Allan's car and the conduct of all perpetrators, in particular mobile telephone records, were also important factors in their conviction.<sup>[21]</sup>

In 2007 in Omaha, Nebraska, Christopher Edwards was convicted of murdering his girlfriend Jessica O'Grady, whose body has never been found. His mattress was soaked with her blood.

In 2008, [Hans Reiser](#) was convicted of first degree murder of his wife, Nina Reiser. After conviction and before sentencing, Reiser pleaded guilty to the lesser charge of second degree murder in exchange for disclosing the location of his wife's body.<sup>[22]</sup>

## **2010s**<sup>[edit]</sup>

In 2012, in Scotland the prosecution twice won a conviction without a body in the [murder of Suzanne Pilley](#) and the [murder of Arlene Fraser](#).

In May 2013, Mark Bridger was convicted of the [murder of April Jones](#), a five-year-old girl from [Machynlleth](#), [Powys](#), [Wales](#), who disappeared on 1 October 2012. At his trial, Bridger claimed to have run her down in his car and killed her by accident, and to have no memory of what he did with her body after drinking heavily. The jury rejected his version of events, as bone fragments and blood discovered in Bridger's house within days of her disappearance were matched to the [DNA](#) of April Jones. The body of April Jones was not found despite the largest missing person search in UK history. Bridger claimed in court that April's DNA was found in his house as he had held her body there before disposing of it, but his claims were not believed by the jury.<sup>[23]</sup>

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