

Channel 5 documentary on Jodi Jones murder divides opinion on guilt of Luke Mitchell

Channel 5's two-part documentary 'Murder in a Small Town' which investigated the involvement of Luke Mitchell in the 2003 murder of Jodi Jones has sparked considerable debate on social media since its broadcast earlier this week.

Opinions are divided depending on which site you visit with many claiming that the programme proves his innocence and demanding a retrial whilst others remain adamant that his conviction was sound pointing out that the makers of the documentary were selective in what was shown.



No members of Jodi's family took part in the programme apart from a brief news clip taken after the verdict but her mother has since appeared to dismiss the claims of Mitchell's innocence.

Written over a picture of sunflowers, she posted a quote which was also shared by Jodi's sister Janine, which read: "Truth will always be truth, regardless of lack of understanding, belief or ignorance."

In addition it is understood that Channel 5 had to remove the second part of the documentary from its streaming platform after a complaint over the identity of a man being visible in one scene showing a new list of suspects and witness complained to Ofcom over comments made about him on the show.

The 'investigation' by two former Strathclyde police officers was also widely criticised, in particular the reconstruction of a witness's sighting of a couple suspected to be Luke Mitchell and Jodi Jones and one of the officers suggesting that 'his gut feelings' never let him down.

Much of the discussion surrounded Luke Mitchell's alibi for the afternoon in question when he claimed to have been cooking a meal for his mother Corrine and brother Shane.

If that is true then he has been the victim of a dreadful miscarriage of justice having spent the last 17-years in prison for a crime he couldn't have committed.

Viewers watched his mother Corinne continuing to maintain that when she returned from work around 5.15pm that night and Luke was in the kitchen mashing potatoes, but what the documentary failed to mention was that his brother Shane provided a statement to the police and subsequently gave evidence at the High Court contradicting this version of events.

In that statement which was taken at the time of his brother's arrest, Shane Mitchell claimed to have been watching internet pornography and conceded that he would not have done this with anyone else in the house. He made the claim after police had taken possession of his computer during a search of the house.

He had previously made two statements regarding the events that afternoon during which he confirmed the alibi but in court admitted that his mother had gone over the details with him before he spoke to the police on the second occasion when he changed the time that he arrived home that day and included many of the details relating to the meal his brother had cooked.

At court he confirmed that he had been in his room but under cross examination from Donald Findlay QC he agreed that his brother could have been in the house without his knowledge. He also claimed to have no memory of that day due to drugs

issues.

In addition, some viewers with knowledge of the case pointed out that no mention was made of a telephone call made from Luke Mitchell's mobile phone at 16.54 hours to the speaking clock. During a police interview Luke Mitchell conceded that he could not give any explanation as to why he had called the number although Mr Findlay later suggested it was 'out of pure idleness.'

Since he failed to give evidence at his own trial, he could not be questioned as to why he would have made this call from inside a house where presumably there would have been plenty of other ways to find out the exact time. This piece of evidence instead backed up the prosecution case that he was on his way to meet Jodi at a prearranged time.

Corrine Mitchell gave evidence to back up Luke's claims but her credibility had been called into doubt in relation to events at a tattoo shop where she had falsely 'verified' her son's age as 18. When questioned she was caught out in a number of inconsistencies after the Crown produced independent witnesses from the tattoo parlour who contradicted her account plus expert fingerprint evidence of a consent form signed in the name of an acquaintance of Mrs Mitchell with Luke's fingerprints on it.

Another vital piece of the Crown case involved the disappearance of Luke Mitchell's distinctive Parka jacket which was linked the fact that neighbours had reported that a log burner in the back garden of Mitchell's home had been used around 1830 – 1930 and later, at around 2200 that night with an unusual smell emanating from it. The inference being that the coat had been burned to destroy evidence.

The prosecution successfully argued that the evidence of the missing parka could easily have been negated with an innocent explanation but none had been provided.

In Scots law under such circumstances, the 'absence of some explanation by the accused – where the person accused is the one person who can know the real truth' – a jury may be entitled to draw an inference of guilt"

So what happens now?

Luke Mitchell has had four previous attempts to overturn his conviction. Two were rejected on appeal and a bid to have his case referred to the UK Supreme Court was turned down at the High Court in Edinburgh.

Another appeal was refused by miscarriage of justice investigators at the Scottish Criminal Cases Review Commission.

His legal challenges appear to be exhausted unless new compelling evidence becomes available. His 20-year minimum sentence will be up in four-year's time he will be eligible for a parole hearing however release is unlikely whilst he still protests his innocence.

He told the documentary that he is prepared to spend the rest of his life in prison rather than admit to killing Jodi.