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MR SMITH: Well indeed.

THE JUDGE: He didn't just give the police a false story about it, he moved the body so that he wouldn't be connected with the, shall we say, the final moments of this victim. That's the serious aspect of this.

MR SMITH: When your Honour says the final moments, on my instructions when he returned from work the young man was deceased.

THE JUDGE: Yes.

MR SMITH: I say that --

THE JUDGE: What --

THE JUDGE: He made the call suggesting that the person was still breathing, but that wasn't the case.

THE JUDGE: One can understand that he might panic discovering the body in his flat, but surely everyone knows that in those circumstances whatever sort of panic you have you don't go moving the body and pretending its nothing to do with you, which is what he did. Everybody knows the police have got to investigate and see what happened and the law has to take its course and he made a serious effort to thwart that.

MR SMITH: Well this was a serious error of judgment.

A THE JUDGE: Yes.

MR SMITH: From somebody who is not a criminal and has
no record, unlike some of the other defendants that
B have been --

THE JUDGE: No, but he knew very well that this was
criminal activity, moving the body and pretending
is was nothing to do with him and then giving the
C police a completely false story.

MR SMITH: Well your Honour yes and in effect, it
meant that the -- and I make my mitigation I hope
D sensitively, it had also meant that there was, it
meant that the family of the deceased were not
fully aware earlier of the circumstances in which
E their family member died.

THE JUDGE: Yes. Well, I think you've covered all the
points of mitigation that could possibly have been
F put.

MR SMITH: Yes. Thank you very much. Just finally,
one thing that obviously he pleaded guilty at the
G first opportunity.

THE JUDGE: Yes.

MR SMITH: My friend and I discussed this at the
preliminary hearing and drafted the indictment in
H consultation so that he could get the maximum
credit he could for this indictable offence.