

# What happened in the missing 15 minutes?

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By Bret Christian

The judge in the Phillip Walsham murder case drew attention to a missing 15 minutes just before Mr Walsham met his death.

This was the lag between the time the three accused men were last seen near the Stirling train station and when Mr Walsham was found lying on the road, fatally injured

Justice Eric Heenan said: "For someone at the scene who hasn't moved very far, it's quite a long time."

He told the jury that not much attention had been given to the missing 15 minutes during the trial.

It was accepted by both sides that after two of the accused men each kicked Mr Walsham once, they climbed into their white Commodore car and drove away.

They met some friends on the corner of Odin Road and Fulmar Street, Stirling, where they chatted and smoked.

It's what happened next that is in contention.

The three men say they drove to McDonald's in Tuart Hill, then went home.

The prosecution says they drove at high speed back to Stirling Station, parked the car, armed themselves with tyre levers from the boot, hit Mr Walsham on the shoulder with a tyre lever and threw him off the top of the footbridge.

The police drove the route at 80 to 100kmh. At the trial, the prosecution said the test showed the men had just enough time to commit the murder - by some calculations around 30 seconds.

In a strange twist in the evidence, a video clip was played of a detective on the television news shortly after the time-trial to say that the men who assaulted Mr Walsham had been eliminated from their inquiries into his death.

Critical evidence at the latest trial was how long the accused men spent chatting and smoking at Fulmar Street.

Estimates from various witnesses present varied from two and a half minutes to eight or nine minutes.

The shortest estimates came from the accused men.

If more than five minutes, there is no possibility that the three men returned to the station in time to commit the murder.

The defence argued strongly that if the Commodore had returned, it would have passed the stationary car occupied by Clare Pigiardo, the young woman who said she saw Mr Walsham backflip from the bridge.

All three occupants of the Pigiardo car gave evidence that no car passed them.

The McDonald's story was a false alibi, the prosecution said.

Police told the men that a Ford Laser, owned by a man they said they had met at McDonald's, had not appeared on the McDonald's surveillance video.

Salvatore Fazzari, one of the accused men, watched the tape and spotted the car going through the drive-through.

This was at 1.30am. Mr Walsham was injured at 2.38 or 2.39, according to calculations by the judge.

The Laser's owner said he usually stayed at McDonald's for about half an hour, sometimes an hour.

He could not recall how long he had been parked that night.

Simon Watters, lawyer for one of the accused men, said that something completely unrelated may have

happened to Mr Walsham.

His friends had left him and he had been assaulted.

He was last seen by an independent witness ascending the first few steps to the footbridge.

He may have looked over to the railway station and seen a taxi, and decided to walk across the road to catch one home.