

Who owns blond hair found on Corryn's grave?

RAYNEY TRIAL

Report by BRET CHRISTIAN

A single blond hair found above Corryn Rayney's makeshift grave in King's Park was never tested for DNA, Lloyd Rayney's lawyers say.

A police focus on Mr Rayney meant that certain avenues of forensic investigation had not been followed up, his lawyers said in written submissions to the judge hearing the case.

The hair was found by police in leaf litter next to where Mrs Rayney was buried.

Mr Rayney's lawyers note that

he does not have blond hair. Mr Rayney's lawyer, David Edwardson QC, suggested that police had "manufactured" and "contrived" evidence of a seed pod said to have been found four months after Mrs Rayney's death.

Written defence submissions released this week allege that inadequate sampling of particles from places other than the alleged crime scenes was a major flaw in the police forensic process.

The trial of Mr Rayney for the wilful murder of his wife ended last week, with the verdict to be delivered on November 1.

Crucial to the prosecution case is that Mrs Rayney left home for bootscooting on the night of August 7, 2007, and returned home where, the state alleged, her husband murdered her.

If she did not return home, Mr Rayney cannot be found guilty of the charge.

Mr Rayney says Mrs Rayney did not return before he went to bed. When he awoke he told his daughters and friends he thought she had left early for work.

The Rayneys had separate bedrooms.

Mrs Rayney's broken-down car was found abandoned in Kershaw Street, Subiaco, a week

after she vanished.

The prosecution case was that Mr Rayney dragged his wife's body across the front yard of the family home in Como, put her in her own car, drove her to King's Park and buried her head-first in a grave dug in sand, concealed from view off Lovekin Drive.

While the car was driven from the bush grave, its gearbox was damaged on a bollard, which caused the car to grind to a halt after 3km.

The judge, Brian Martin QC, who is hearing the case without a jury, has discarded as a major piece of evidence a black coat belonging to Mrs Rayney. The

coat's presence on Mrs Rayney's bed was partly relied on by the prosecution to prove Mrs Rayney had returned home that night.

Prosecutors brought three bootscooters to court to tell what they remembered about a coat.

"I am far from satisfied that she was wearing a coat that night," the judge said.

"The evidence is incapable of establishing that the deceased wore a coat that night."

The prosecution was left with particles found on Mrs Rayney's body when it had been recovered to connect her with the home as a crime scene.

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'Rooster' chook ruffles feathers

A chook that thought it was a rooster ruffled feathers in a Nedlands neighbourhood.

"Cristobal looked like a hen but she behaved like a rooster," said owner Jennifer Searcy.

The bird's crowing irritated a new neighbour, who complained to the council about the noise.

"I don't understand it - we live next to a road that is used by ambulances, trucks and buses. There is continual noise," Ms Searcy said.

She said she had lived in Broome Street for 45 years and had had chickens most of that time.

"I think it is a very friendly noise."

She said as well as crowing, Cristobal looked after the other nine hens she had.

Staff from Nedlands council had been very helpful and tried to persuade the neighbours to drop their complaint, Ms Searcy said.

"But they would not, and eventually I had to take her down south to a friend," she said.

"The very next night a marauding fox got in and killed our much loved old hens Henrietta and Amy."

A spokeswoman for Nedlands council said: "The city destroys fox warrens as they are discovered in our bushland areas."



Jennifer Searcy examines the wreckage after the fox attack.

Groups in fist fight on beach

Cottesloe police moved on a group of young men after violence at the beach last weekend.

A witness said two groups had been in a fist fight on Sunday afternoon.

"Frightened mothers, fathers and children fled as the two groups of shouting men clashed," the witness said.

A Year 12 student, who had gone to the beach during a break from TEE studies, said it had been frightening when a group of "bogan-looking young men had a big fight with a group of Aborigines".

Lifesavers saw the fight and phoned police, who arrived within five minutes.

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Most pools fail safety checks

Nine out of 10 household swimming pools in Nedlands are failing safety checks.

Pools that had been given the all-clear when they were inspected four years ago were now falling foul of changes in government regulations, Nedlands planning boss Peter Mickleson told councillors at a briefing on Tuesday.

And council staff were feeling the backlash from residents, he said.

"These are not our regulations - we just have to enforce them. There is no discretion," he said.

Things like the position of latches had changed and whether fencing was needed or if self-closing doors were allowed.

"People could innocently think they had a compliant pool but are now being told you are going to have to spend a bit of money to put it right."

Mr Mickleson said that after years of hiring a contractor to carry out inspections, the city was now employing its own inspector, who would start work on Monday, October 29.

He said pools were inspected on a four-year cycle and there were about 900 to check this year.

Hipkins votes to save his job - twice

By LINDA CALLAGHAN

Nedlands mayor Max Hipkins used his casting vote to save himself from an embarrassing decision about his plan to take on Nedlands MP Bill Marmion.

Councillor Kerry Walker asked him to step down from his mayoral duties until after the election.

She said it would avoid any possible conflict between council decisions and Mr Hipkins' campaign stance.

"Your candidate's position might not be in line with the council's," she said.

Councillor Nikola Horley was absent, reducing the votes around the table to an even 12.

Six councillors, Mike Somerville Brown, Kerry Walker, Ben Hodsdon, Robert Binks, Ian Argyle and Leo McManus, voted to ask Mr Hipkins to step aside.

The other six, including Mr Hipkins, voted against.

Then Mr Hipkins used his second, casting, vote to kill the idea.

After the meeting Mr Argyle said he was disappointed.

"He should not have taken part in the debate anyway. He should have left the room," he said.

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A makeshift cross at the King's Park gravesite after Mrs Rayney's body was exhumed.

Who owns the blond hair?

• From page 3

No signs of blood or a struggle were found inside the house.

Particles of brick dust, sand, plastic, moss, paint and other material found on her body after it was exhumed are proof that she was killed at home, the prosecution says.

They say the particles, plus particles found inside three seed pods from a liquidambar tree, match others found at the home.

The defence submission says there are many explanations for the apparent particle matches.

The presence of the particles does not prove beyond reasonable doubt that Mrs Rayney returned home that night, the defence says.

The first explanation is that the particles are highly mobile. Mrs Rayney lived at the address and was exposed to such particles daily.

The defence says that many of the trace particles found on her were also found on the back seat of her car and could have been deposited there any time before her murder.

Particles could have been transferred to her body while it was being transported on the night she died, or "mopped up" when her body was dragged across the seat to be buried.

Brick dust in her bra matched that at the Monash Avenue family home, but plastic particles found in the bra did not, the defence says.

It was a failure of the prosecution that it did not address and explain the discovery of items in the grave site that did not match Monash Avenue, the defence says.

There was no evidence of

damage on her outer garments that showed her body had been dragged across brick paving at the house, as alleged by the prosecution.

"Dragging of the body would have resulted in a much greater abundance of the particles," the defence submission says.

A major flaw in the prosecution case was that it made no attempt at extensive sampling

The absence of soil from King's Park is inexplicable.

of other sites to show that the "link" particles were unique to the home in Monash Avenue, the defence says.

"This was overlooked in the mad scramble to establish a link between brick and plastic particles and Monash Avenue. It strongly suggests these samples came from another place.

"The comparison was deliberately confined. The selection of samples provided bias," the defence submission says.

"The evidence bears little weight unless it can be determined that the samples are unique to Monash Avenue."

Soil found on Mrs Rayney's jeans matched some found on the toe of one boot, but neither matched soil at Monash Avenue.

The origin of metal particles, fibre and plastic found on her jeans was never identified.

Vacuum machine waste recovered from both Lloyd and Mrs Rayney's cars showed brick particles.

There was no evidence that the paving bricks at Monash

Avenue, probably recycled, were any different from those found all over Perth suburbs, the defence says.

Some samples from her boots and from inside the seed pods did not come from Monash Avenue. Pieces of glass and pieces of Styrofoam recovered from Mrs Rayney's body did not match any similar samples from the family garden.

In addition, a piece of black fibre snagged on a tree branch at the gravesite matched another piece found on a branch dragged over the filled-in grave, but matched no known clothing, including that belonging to Mr Rayney when his home was searched.

"The dark fibre also matches fibre found on Corryn Rayney's shirt," the defence says.

"Fibres recovered from the gravesite suggest the involvement of a person unconnected with the Como address, not Mr Rayney," the submission says.

Liquidambar seed pods - two recovered from Mrs Rayney's hair and one said to have been found months later in her body bag - had unexplained discrepancies, the defence said.

It was incongruous that the seed pods from her hair were subjected to an "enormous" volume of King's Park sand when buried in the grave but no trace of sand from King's Park was found in the pods.

"The absence of soil from King's Park is inexplicable," the defence says.

The forensic continuity of the third pod was challenged by the defence.

"There is a possibility that

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