

Mistaken Identification Consequences

Jason Armitage KC practised at 1 Bedford Row Chambers in London, specialising in criminal cases. The chambers provided advice, advocacy, and court representation for both the defence and prosecution handling serious, complex criminal law cases involving homicide, fraud, and serious organised crime. Jason was known in the criminal fraternity as a barrister who wouldn't ask too many leading questions of a client, which likely stymie his ability to "get them off" by establishing they were indeed guilty. This is because a barrister cannot set up a positive case in court that contradicts what they actually know by, for example, putting the client on the stand to lie and claim an alibi that the barrister knows to be false.

Hence, a well-known art thief, Charlie Anderson, found himself in conference with Jason Armitage KC, who had been recommended by a fellow gangster, Bobby Marsden, who, himself, had been charged with murder the previous year, and was acquitted by a jury at the Old Bailey with the help of the brilliant advocacy of Jason Armitage KC.

Charlie Anderson had been charged with aggravated burglary under Section 10 of the Theft Act 1968. He was accused of entering the home of Nicolas Granger, a well-known art dealer at 3 Mount Street, Mayfair, on 9th March 2025, and in the process of stealing a rather fine Frida Kahlo self-portrait, he had inflicted grievous bodily harm on Mr Granger, who was unlucky enough to be at home at the time. Anderson had used a handgun to knock him out before stealing the Kahlo painting. Because he was carrying a firearm and had severely injured Mr Granger, there was a potential maximum sentence of life imprisonment.

The painting had subsequently been recovered from an art gallery in Paris. After an exhaustive investigation, involving the police tracing the movement of Anderson from CCTV footage outside the gallery and through accessing his smartphone, they had identified him and arranged a police identification parade. The owner of the art gallery, Jean-Pierre Chauveau, had attended the line-up and identified Charlie Anderson as the person who had sold him the Kahlo self-portrait. The victim, Nicolas Granger, however, was unable to do so, as he had only caught a glimpse of his assailant before being knocked out.

At the conference with Anderson, Jason Armitage pointed out that the only evidence against Anderson was his identification by the art dealer Chauveau.

What's more, the fact that Mr Granger did not identify him was to Anderson's advantage, even though the prosecution would contend that he didn't have a chance to see him having been 'struck from behind.' The only way I could get you acquitted, the barrister announced, was if Mr Chauveau withdrew his evidence – he would have to say he was "mistaken in his identification."

The next time Anderson saw his barrister in conference, he handed him a letter and asked if he would "make sure Bobby Marsden got it." He went on to say that Bobby would ensure that Mr Chauveau would, "do the right thing."

Eighteen months later, Jason Armitage KC duly defended his client in court, but after a declaration by the prosecution that their principal witness, the art dealer Jean-Pierre Chauveau, had withdrawn his testimony, declaring he had made a mistake when identifying the accused, the prosecution case fell apart. The judge declared Mr Charles Anderson was acquitted, and he was therefore free to go. Jason Armitage KC reflected on another successful case notched up, albeit somewhat unethically, he surmised, as he told himself he didn't actually know what was in the letter he had made sure Bobby Marsden received. Another lucrative fee secured, but more to the point, another villain to give him a good reference to the gangster fraternity.

On June 9th, three months later, Jason arrived at his salubrious home in Primrose Hill at 7pm after another successful day in court. He let himself in and called out to his wife and daughter, but there was no answer. Perplexed, he entered his living room, and to his horror, he saw the bodies of his wife and daughter on the floor covered in blood. Then he felt a gun at the back of his head and on impulse started to turn towards the figure behind him. "I wouldn't do that if I were you," whispered the assailant. It was then that Jason Armitage caught Charlie Anderson's reflection in the mirror. Both were equally surprised, one to see the man who had saved him from a lengthy prison sentence, the other to see his former client in his house and with a gun. "Well, isn't that a pity? It's too late now to unsee what you have seen", declared the villain. "I don't believe a jury would accept it was a case of mistaken identity this time..."

The detectives discovered three bodies at the crime scene the next day.

Jeremy Hosea