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NEWS

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Tales of two wives exposed a killer

LOVING mother Kim Galbraith took great care to wait until her policeman husband Ian was asleep and then coolly shot him through the head.

The weapon she used at the family home at Inveraray in Argyll was Mr Galbraith's own deer rifle, a high-velocity, American made .27 Ruger.

By her own account, she lay at his side and fired.

The forensic pathologist thought the distance might have been greater, between two and three feet, because of characteristic propellant burns on the skin around the entry hole.

The deer round took away a large part of Mr Galbraith's brain, his skull and his face. Death was instantaneous, his hands and arms lying in the exact position in which he had been asleep.

As Kim Galbraith's counsel, Mr Donald Findlay, said in court, the events simply screamed out for an explanation.

At the end of a trial fraught with emotion, during which distressing allegations of domestic abuse were heard, a jury chose to eschew the histrionics of Mr Findlay and accept the plainer version of events offered by the Crown.

The Crown offered no concrete motive for the murder, but then it was not obliged to.

Kim Galbraith, for whatever reason, had retrieved her husband's rifle from one cupboard, gathered the bolt from another, reassembled the gun, loaded the magazine with two rounds

from a box of shells beside the rifle and then walked to the bedroom where her husband lay sleeping.

Only the day before, she had asked her husband to show her how to load the gun.

That sequence of events last January almost certainly condemned her to a life sentence.

The Crown held that once Kim Galbraith gave way under police questioning and admitted that her version of events was riddled with inconsistencies, it was an open and shut case of murder.

Mr Findlay admitted the killing to the jury when he put to a Crown witness, a friend and former police colleague of Mr Galbraith, that there was a dilemma at the heart of the case.

Here was a loving couple, he said, doting on their daughter, involved in a stable relationship, discussing having another child, happily talking about their plans for the future - which included buying the idyllic Sandhole Cottage and renovating it into a B&B - and then Kim Galbraith took Crown Exhibit Number One and killed her husband with it.

He did not ask the witness, London policeman Christian Waterkyn, to resolve the dilemma, only to acknowledge it, which he did.

Before him, other witnesses had spoken of what a decent, fundamentally nice young man Ian Galbraith was.

Mr Galbraith's first marriage had ended, the court heard. His father, a Royal Navy veteran who spoke of taking his son yachting from their home at Burnham-on-Crouch in Essex and bringing him to Scotland for outdoor holidays, could not offer an explanation of why it had ended.

But the first wife testified that Ian Galbraith was "a lovely man". They had had a good time together until she divorced him, citing Kim Galbraith as his lover.

There had, she said, been no unusual sexual practices in their marriage and she had suffered no physical or emotional abuse.

Kim Galbraith told a radically different tale, one which presented her husband as a sadist who indulged in foul perversions while holding a knife at her throat, who held a handgun at her head and made her perform oral sex on him.

She claimed to have been afraid for her life. On the slightest excuse, she alleged, Ian Galbraith would "punish" her by forcing her to perform sexual acts which embarrassed and shamed her. His speciality, she claimed, was to insert objects into her body - including the deer rifle.

It was also alleged by Kim Galbraith that her husband summoned prostitutes from Glasgow to Argyll so that they could indulge in perversions together.

The court was also told about hard-core pornography found at the house and Nazi memorabilia.

The Crown dismissed these, but they served to fit a pattern that the defence wished to establish.

As all of these allegations were put to the court, the key question remained. Why did Kim Galbraith stay with her husband if even half of what she said was true?

Her defence, designed to bring the murder charge down to culpable homicide, was built around the notion that she was an abused woman.

In an attempt to explain her behaviour, the defence called witnesses to describe to the jury the nature of domestic abuse and its effects on those who suffer it.

However, the conclusion the jury reached is that Kim Galbraith was lying about the level of abuse which she suffered and that her motive for killing her husband were not those which she claimed.

Despite Kim Galbraith's allegations being held by a jury to be untrue, the case has nevertheless brought the general issue of domestic abuse back to public attention.

The question raised in court remains. Why would any victim of domestic abuse stay?

Speaking after the case, Laura Aitken of Scottish Women's Aid said: "The popular notion is that she must like it or she would not stay."

That attitude, however, fails to take into account many underlying problems and it also makes it difficult to talk about it.

The woman may have no money of her own. In some cases, Women's Aid has learned of women who were locked in the house and could not leave.

The presence of children can inhibit the woman from breaking away from the abusive relationship. In practical terms, it may be difficult or impossible for her to round up small children, clothe them and leave at short notice, particularly if she may have just undergone some traumatic assault.

For women living in an isolated area, it may be doubly difficult, said Ms Aitken.

In a small, tightly-knit community, very often neighbours have no inkling of what is going on and the natural instinct is to hide abuse.

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