# Constance Marten halts testimony in trial over newborn Victoria’s death found in bin



Aristocrat Constance Marten has made headlines as she stands trial for the tragic death of her newborn daughter, Victoria. The spotlight intensified when Marten, aged 37, announced her refusal to continue cross-examination during proceedings at the Old Bailey. The prosecution led by Joel Smith KC claims that Victoria died from hypothermia or potentially smothering while co-sleeping in what was described as a "flimsy" tent. This arrangement was part of Marten and her 50-year-old partner, Mark Gordon's, decision to live "off-grid" in the South Downs, ostensibly to prevent their child from being taken into care—similar to their four other children.

The stark nature of the allegations only deepens the tragedy surrounding Victoria's death, as her remains were ultimately discovered in a shopping bag amid rubbish in a disused allotment shed. The couple stands accused of gross negligence manslaughter and causing or allowing their daughter's death, charges they vehemently deny. Last week, Marten expressed her disdain for the prosecution, referring to Smith as “diabolical” and "heartless" during a heated exchange that saw her break down under questioning. She indicated that the process of being cross-examined made her feel that her character was being defamed.

She described the situation with her daughter, asserting from the witness stand that she would turn back time if only she had known Victoria was in danger. The narrative she presented to jurors was one of parental love and selflessness, framing their decision to go on the run as a means to protect their child. “Mark and I don’t relish being on the move constantly... we did it because we love our daughter so much,” she testified, adding that the act was one of "parental love."

The ramifications of Marten's decision to halt her testimony will weigh heavily on the trial, as the Recorder of London, Mark Lucraft KC, cautioned the jury to consider the impact of incomplete evidence on their deliberations. Jurors were informed of the difficulties inherent in assessing the validity of the trial without fully completed testimony, a situation that leaves considerable uncertainty regarding the case's outcome.

In previous proceedings, Marten and Gordon were convicted of concealing the birth of their child and perverting the course of justice, culminating in a retrial that could take place as early as March 2025. The earlier jury’s inability to reach a definitive verdict on the more serious charges of gross negligence has led to further scrutiny of both their actions while on the run and the broader implications of their case on child welfare and parental responsibility.

The deep sense of tragedy surrounding this unsettling case is compounded by the societal implications it raises about vulnerable families and systemic failures that can occur in child protective services. While Marten views her actions through the lens of a mother’s fierce protection, the prosecution presents a stark contrast—arguing that their decisions led to a situation that endangered the very life they sought to protect. As this complex case unfolds, it underscores the intersections of love, desperation, and the harsh realities of law and morality.

### Reference Map

1. Information on Constance Marten's refusal to continue her testimony.
2. Details about the prosecution's claims regarding the circumstances of the child's death and the couple's attempts to evade care services.
3. Insights into the couple's previous convictions and the complexities of the ongoing trial.
4. Marten's testimony about her feelings and perspectives around the events leading to Victoria's death.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.independent.co.uk/news/uk/crime/constance-marten-evidence-mark-gordon-court-b2750007.html> - Please view link - unable to able to access data
2. <https://www.independent.co.uk/news/uk/crime/constance-marten-evidence-mark-gordon-court-b2750007.html> - Constance Marten, 37, has declined to continue her cross-examination in her trial over the death of her newborn daughter, Victoria. The prosecution alleges that Victoria died from hypothermia or was smothered while co-sleeping in a 'flimsy' tent after Marten and her partner, Mark Gordon, 50, took her 'off-grid' on the South Downs to prevent her from being taken into care. Victoria's decomposed remains were later found in a rubbish-filled shopping bag in a disused allotment shed. Marten and Gordon deny gross negligence manslaughter and causing or allowing her death.
3. <https://www.bbc.co.uk/news/articles/cq55x87nqnzo> - An Old Bailey jury has been discharged in the case of Constance Marten and Mark Gordon after being unable to reach verdicts. Marten, 37, and Gordon, 50, denied manslaughter by gross negligence of their newborn baby Victoria, whose body was found inside a shopping bag in a shed in Brighton on 1 March 2023. The jury deliberated for over 72 hours but could not reach a majority verdict. The prosecution will now consider whether to seek a retrial.
4. <https://www.bbc.com/news/articles/cqee6p0enjno> - Constance Marten and Mark Gordon have been found guilty of concealing the birth of a child and perverting the course of justice. The jury was discharged after failing to reach verdicts on other charges, including manslaughter by gross negligence and causing or allowing the death of a child. The couple will now face a retrial, possibly in March 2025, and will remain in custody. The original jury returned the two guilty verdicts on 23 May, before they were discharged.
5. <https://www.theguardian.com/uk-news/article/2024/jun/26/constance-marten-and-mark-gordon-guilty-of-two-counts-over-baby-death> - Constance Marten and her partner, Mark Gordon, have been found guilty of concealing the birth of a child and perverting the course of justice after the body of their baby daughter was found following a high-profile search. Marten, 37, and Gordon, 50, had also faced charges of manslaughter by gross negligence and causing or allowing the death of a child, all of which they denied. An Old Bailey jury was discharged last week after more than 72 hours of deliberation.
6. <https://www.the-independent.com/news/uk/crime/constance-marten-trial-family-mark-gordon-news-b2513210.html> - Constance Marten has insisted that what happened to her baby 'could’ve happened to anyone' as she described the newborn’s death as a 'horrible accident'. The mother told jurors it was her falling asleep that led to her daughter’s death. During cross-examination at the Old Bailey, she said: 'She died because I fell asleep.' Rejecting the prosecution’s suggestion that she put Victoria in a position that endangered the infant, she said instead the baby’s death 'was a horrible accident that happened,' adding: 'It could’ve happened to anyone.'
7. <https://news.sky.com/story/constance-marten-and-mark-gordon-trial-mother-asked-where-is-your-baby-as-partner-demanded-food-and-drink-on-arrest-13065415> - An officer's bodycam footage showing the moment of arrest sees Marten being told that she is under arrest for child neglect. Marten replied: 'For doing what?' She was then asked by officers: 'Where's your child? Where's your child? Sorry, where is your child, we need to know?' to which she did not respond. A dog handler then asks her: 'Tell me now because I'm going to send the dog into the wood to try and find someone so you tell me where it is now.' Marten was then further arrested for concealment of the birth of a child, which she is heard saying was 'not an arrestable offence', adding: 'You can't arrest someone for hiding a pregnancy.'