

R v Penelope Jackson

Sentencing Remarks

1. David Jackson was 78 years of age when you murdered him. He was a kind, gentle and caring man. He was a loving father and grandfather who had battled through a number of serious illnesses and yet was still enjoying a well-earned retirement, having spent many years serving his country in the armed forces. He had plans for the year ahead and no doubt well beyond. All that was brought to an end on the 13th of February when you chose to stab him to death. That was a vindictive and cruel act on your part.
2. I have no doubt whatsoever that you wrote the confession note in advance of inflicting the first wound to his chest. I have no doubt you were aiming for his heart. As he was on the telephone speaking to the 999 operator you stabbed him twice more. You chose to stab him in the abdomen because you wanted to ensure that he would die. The confession that you wrote was composed in anticipation of achieving that end. I have no doubt that you intended to kill your husband and that this was a premeditated murder. Your own confession recognised that fact as it suggested two possibilities – premeditation or self-defence. Your actions had nothing to do with that latter concept.
3. Having inflicted fatal injuries you then spent 18 minutes talking to the emergency services during which time you refused all their pleas to go David Jackson's aid. He was alive for much of that 18 minute period and would have been able to hear what you were saying. At one stage in response to an enquiry as to whether he was still alert you called out to him by way of enquiry, but did so in a mocking fashion and with no thought of helping him. At other points you even contemplated stabbing him again and said so. Your behaviour during that call evidences a shocking level of callousness on your part.
4. So why does a 67 year old woman of good character choose to murder her partner of 28 years? Despite professing to still love him you sought in this trial to portray David Jackson as a monster. Whilst there were no doubt tensions in the marriage, points of friction that lockdown will have accentuated, I am quite sure that he was nothing like the person you claimed. You were both strong willed people. Different characters in the sense that you are out going and he was less so, but that would have been complementary to a degree. There had been violence back in 1998 at a time when your husband was, as your daughter Isabelle described, a broken man following the suicide of his son Gavin. Such behaviour then, even in the circumstances that it came to take place, was of course very wrong. But your husband received treatment for the depressive state he was in at that low point in his life, and other evidence makes clear that you found it in yourself to forgive him and thereafter the marriage continued through what must, at many points, have been very happy times.
5. In the months leading up to the killing I have no doubt you were unhappy. The events of the 23rd of December, when your husband broke the glass of the conservatory door in an effort to leave the property, clearly had an impact upon you. The footage that you took of that argument represented a deliberate attempt on your part to goad and torment your husband. It did not support your claim that you lived in fear of him. After he left that night you contacted him and asked him to come back. There was then a very happy family Christmas with your daughter and son-in-law.
6. I have no doubt you reached a stage when you wanted out of the marriage. You knew that your daughter would support you if you elected to separate. There were many other options

open to you other than killing the person with whom you had lived for all those years. By choosing to do so you took the life of another human being and that is a terrible thing to do. It represents a burden that you and all the other family members will have to bear for the rest of their lives. You didn't just kill a man who you once loved but you also deprived many others of someone they loved as well. There was no justification for so doing. Their memory of him will always be tarnished by the manner of his death and the way you have sought to portray him after depriving him of his life. During your four days giving evidence I did not detect a shred of genuine remorse on your part for the terrible crime that you have committed.

7. I have heard moving victim personal testimony that underlines the enormous damage that you have done. The loss to those who loved David Jackson is deep and irreparable. The evidence from Isabelle Potterton exemplifies the conflict those who care for you feel in the context of the loss that you have caused them. The sentence I have to impose can do nothing to bring an end to their grieving.
8. Your age, good character and lifetime of service as an accountant with the Ministry of Defence afford you some mitigation of which I take full account.
9. The sentence for murder is life imprisonment. I have to set a minimum term applying Schedule 21 to the Sentencing Code. The starting point by reference to that is 15 years. The aggravating features that I have outlined require significant upward movement, but that must be tempered to a degree to reflect the available mitigation.
10. In my judgment the minimum term that you must serve in prison is 18 years, less the days you have spent on remand which number 256. That term represents the minimum period you will be required to serve. After it is served, there is no guarantee that you will be released at that time, or at any particular time thereafter. It will then be for the Parole Board to decide if you are fit to be released. You must also understand that if, and when, you are released you will remain subject to licence for the rest of your life and may therefore be liable to be recalled.
11. The statutory surcharge will be added to the record.