

IN THE CENTRAL CRIMINAL COURT**REX v JORDAN MCSWEENEY****SENTENCING REMARKS**

1. Jordan McSweeney is 29 years old and has 28 previous convictions for 69 crimes dating back to 2006. They range from racially motivated offences, driving offences, and assault on police to battery and assault occasioning actual bodily harm. He began his criminal career as a teenager which may be a sign of the dysfunctional family experience he had endured. Nothing he was deprived of in terms of familial love, boundaries, safety or security could begin to justify his actions and attitudes as an independent adult with the ability to reason and opportunities to reform available to him.
2. On 17 June 2022 he was released from custody after serving a portion of a custodial sentence. On 21 June he went to live with a friend in his caravan in a fun fair in Valentine Park in Ilford. As part of his release on licence he was supposed to attend appointments with a probation officer but failed to do that. Breach of this condition would, as he would have been told, lead to his arrest and return to detention. His licence was revoked on 24 June. On the night of 26 June, just nine days after release from prison, Jordan McSweeney was prowling the streets of Ilford looking for a woman to attack.
3. His victim that night was Zara Aleena, a smart and successful 35 year old. A complete stranger. Someone whose values and character were entirely the opposite of his. She had studied law and was due to be admitted onto the Solicitors Roll. Miss Aleena's Aunt Farah Naz and her grandmother Rashda Parveen have told the court, in articulate, elegant and moving terms how precious and special the woman this defendant sexually assaulted and murdered was.
4. Every human being has her own essential qualities. Zara believed in justice. She had a strong moral compass. She filled her life with big ideas, big plans and a zest for existence. She was confident and active, working and volunteering to use her talents to the full. She was well-loved, her mother's only child and her death has broken that woman. Zara's absence is being felt constantly by the entire extended family. The light has gone out from their lives. They will campaign for a better world in her name. For the life she lost doing nothing wrong, they want to make the world safer for others.
5. The defendant had been drinking that night with the friend whose caravan he was sharing. He was pestering women, he groped a woman in The Great Spoon of Ilford and tried to molest a female member of bar staff. Eventually he was ejected just after 11pm.
6. He walked off in the direction of Cranbrook Road and for the next two hours prowled around, desperate to find a victim. He was captured just after midnight, obviously intoxicated and following a woman, a stranger, down Romford Road. He deployed some degree of subterfuge, waiting to get her in front and falling back behind when she appeared to notice him. The woman may well have realised he was following her because, wisely, she entered a shop and showed her wariness by looking back

towards the doorway. Indeed, he hung around outside that shop waiting for her to leave. He entered and left without making any purchase. She watched him leave and waited yet more time before leaving herself. He was still in the vicinity but hidden and she waited for a while in the curtilage of the shop. When she moved away the defendant emerged and followed her down Gloucester Road. She began to run and she out-ran him. It is no hyperbole to say that her actions that night saved her life. This pursuit had lasted 21 minutes. That woman has not been identified.

7. Before long he identified another potential victim who was inside a chicken shop on Romford Road. He entered and stared at her and put his hand inside his trousers apparently masturbating. There were other men in the shop. He went outside but kept watching the single woman sitting alone in the shop, obviously waiting for her to emerge. When she did he followed her at a distance. He left off the pursuit when his attention fell on a woman stood outside a community centre on the way. This third woman spoke to the defendant. He put his arm round her and his hand between her legs before desisting. The two of them walked down a side street and paused together but she then walked away. It is not known whether this was another encounter with a stranger or the defendant knew her. He has never said.
8. For the next 50 minutes he remained wandering around in Cranbrook Road despite being minutes from where he was living. Shortly before 2am he came across a fourth woman who came out of a side-road into Cranbrook Road. The defendant's attention turned to her immediately and he followed her into Northbrook Road and beyond over the course of minutes. This was another deliberate pursuit and her actions on the CCTV, looking back over her shoulder and speeding up her walk, indicate she also became aware of it. He overtook her and turned into one of the houses in the street, obviously waiting to surprise and grab her. He was disappointed because she happened to be making her way to a house on the opposite side of the street and was able to enter it safely.
9. Coincidentally, Zahra Aleena and her friend Bhamini Bati had been in The Great Spoon of Ilford too earlier in the evening but by 2am they were leaving a Bar called Champs Sports Bar in Chapel Road nearby. Miss Aleena decided to walk home. She did not have far to go. Her friend Miss Bati had called a taxi. As many women do these days she called her friend to check Zara had got home safely but never got a response.
10. The defendant and Miss Aleena reached the junction of Northbrook and Cranbrook Roads at the same time. This was a fatal coincidence. He waited for her to go past and then crossed the road so that he was behind her. He followed her for some distance getting to within a few metres of her, until she reached number 268 Cranbrook Road, a residential property with a wide paved front garden or driveway. At that point there were no other people on the street. The attack was captured on domestic security cameras. He grabbed her and pulled her backwards, one arm around her neck, the other over her mouth. She was dragged deeper into the darkness of the driveway and it is clear that she struggled and fought him. But he had the advantage of surprise and strength and he was successful in subduing her. He then parted her legs while she was on the ground but still she fought and resisted getting up again, again he attacked her and pulled her back onto the ground, she must have been rendered unconscious because he then dragged her around without independent movement from her, he removed some of her clothing and sexually

assaulted her. The security camera on the front of the house does not provide a clear image of these events. He kicked and stamped on her, his movements indicating that these were repeated heavy assaults. He was not carried away, he had not been overtaken by a uncontrollable urge, it is clear that he was wholly aware of what he was doing. This is indisputably correct because when he realised someone was coming past the house, on the pavement he bent out of sight before resuming what he was doing. After satisfying his lust he proceeded to destroy the woman he had just degraded. With sickening deliberation he stamped on her.

11. Then he left the driveway but after walking a few metres he returned and repeatedly stamped down on her body again, using a balustrade for balance. He searched her body again and left for a second time carrying something of hers. Still not finished, having walked away, this time further, he again returned to Miss Aleena and bent down by her body before stamping on her again. This abduction, sexual assault, and murder lasted just 9 minutes.
12. He had carried away her phone, keys, purse, leggings and underwear and they were found abandoned nearby.
13. He was captured on CCTV at the fair where the caravan was located, on his way back home and blood stains were visible on his clothing and shoes.
14. Zara Aleena's body was found by two couples walking past and emergency services were called. Some those members of the public have been traumatised by what they saw. The court commends their swift and compassionate actions in seeking help. Miss Aleena was desperately injured, struggling for breath and her life was in danger. All that could be done was done by the medical professionals who answered the 999 call. They tried to save her life on the driveway for over an hour. She arrived at The Royal London hospital after 4am and the work continued but by 9.58am she was dead.
15. She had suffered 46 separate injuries. These included severe blunt force trauma to her head, deep lacerations to her scalp, bruising to her lips, eyes, ear, nose and jaw. She had also sustained genital injuries. The severity of the violence used caused traumatic brain injury. She had died because of the brain injuries and prolonged neck compression. She had been stamped and strangled to death.
16. The defendant had left two fingerprints in blood on the balustrade. Through intelligent and swift work by the Metropolitan Police he was quickly identified and arrested on 27 June at his caravan in Valentine Park. He made no coherent response to arrest.
17. His blood stained trainers and jeans were found secreted in the caravan park. He had hidden them there in afternoon of 26 June. His demeanour on the relevant CCTV footage from the site suggests no cares, no regret, no contrition.
18. At the police station he said he was on medication for ADHD and suffered from a split personality disorder. He also claimed to have been bitten by a dog. He refused treatment and threatened officers at the station. He made no comment in three interviews and exhibited utter disrespect for the situation he was in given what he knew he had done so recently.
19. Nothing a judge says can make any difference to what happened to Miss Zara Aleena. No sentence of the court can bring her back. The defendant had the physical advantages of strength and surprise. In everything else she was better than him. She was talented, spirited, intelligent and kind. Spending the evening with her friend she

had done nothing wrong, taken no mis-step, shown no lack of sense. She was simply a happy, healthy, woman living her life in what most Londoners think of as the best city in the world.

20. The defendant has been brought to court today but has refused to come up to this court room. He has given an excuse that he does not want to revisit the events he is responsible for. It is agreed that his non-attendance is voluntary and it is appropriate to sentence him in his absence.
21. But the defendant's decision not to come up from the cells to court, to hear the devastating impact of his crimes shows that the man who took Zara Aleena's life has no spine whatsoever.
22. Murder carries a life sentence. I have to determine the minimum term to be served in accordance with paragraph 3 of Schedule 21 to the Sentencing Act 2020. It should be clear to everyone that this figure is just the minimum and it will only be when the Parole Board considers the defendant is no longer a risk that he could be released. That day may never come.
23. The prosecution submits that this case is one in which the seriousness of the murder, considered together with the sexual assault, is particularly high. The defence agree. The starting point for the Court's determination of the minimum term is, therefore, one of thirty years. Mr Glasgow K.C. submits that accounting for the aggravating and mitigating features and for them guilty pleas, this case merits a sentence well in excess of the minimum term. Mr Carter-Stephenson K.C. disagrees and urges the court to pass a more moderate minimum term in all the circumstances.
24. In this respect the specific disputes I have to resolve are four-fold.
25. Firstly, the prosecution and defence agree there is evidence the defendant was planning to commit a sexual offence and there is no sign of significant planning or premeditation for murder. However, I do not agree that this is a case of someone seeking what has been described as an 'intimate encounter.' That is far too neutral a description, albeit understandable, from defence counsel. Most of the defendant's behaviour in the two hours before he dragged Zara Aleena off the street reveals a resolve to find and attack a vulnerable female. He confronted or followed several women. I am sure that the defendant intended to sexually assault a woman violently using such force as required to achieve submission and to frighten her. Although I do not sentence on the basis that this was a premeditated murder, I am also satisfied that he was quite prepared to kill if necessary, as it turned out he decided it was.
26. Secondly, although he has no previous convictions for sexual offences or crimes of serious violence, the prosecution relies on records of his previous aggressive behaviour as an aggravating feature. The evidence is of four specific incidents since 2009 and a large number of incidents of aggression in prison. I ignore the earliest incident referred to by the prosecution. In 2010 his partner alleged domestic violence. She told the police that he had assaulted her, pushed her down the steps, pulled her hair and strangled her. She bore visible injuries. He was arrested and gave an account to the police largely in line with what she had said but he excused himself because she had been "going on" and, as a result, he lost his temper. Between May 2018 and June 2019 he abused another woman with whom he was in a relationship, soon after it began. He would slap her, punch her, beat her up, kick her in the ribs and drag her along the road. In February 2020, while in prison, he threatened to kill a prison officer who had spoken to him after he had damaged his cell. He said he would cut off his head and

open him up. This sort of threatening attitude and behaviour is his default presentation. Intelligence reports disclosed to the defence demonstrate that on 20 December 2015, whilst located in the segregation unit in a prison, he made threats to cause very serious harm to a female prison officer. They also include a report that in March 2017, he became abusive and aggressive when asked to remove photographs from his cell well by another female officer to whom the defendant also made threats of really serious bodily harm including stabbing. He said “I’ve stabbed guvs before, check my file, and watch what I do to you”.

27. His record of adjudications in custody shows that he had 223 adjudications between 6 August 2010 and 2 June 2022. 165 of which resulted in charges; 139 resulted in verdicts; and 169 resulted in sanctions. Among them are numerous adjudications for committing ‘assault’, and for ‘*using threatening, abusive or insulting words or behaviour*’. The Police Intelligence Unit Incidents for a Prisoner report records 102 incidents for Jordan McSweeney between 2 August 2012 and 17 April 2022. Amongst these incidents are serious assaults on other inmates, improvised weapons being found in Jordan McSweeney’s possession, and general disobedience.
28. I remind myself that it is only that which I can be sure of to the criminal standard of proof that can be relevant to the decision I must make on a minimum term. I am sure to that standard that the defendant is a pugnacious and deeply violent man with a propensity to violence. In my judgment this material is also relevant to the extent that it demonstrates that his behaviour on the night of 26 June 2022 was not an aberration. It was a steep and sudden escalation of violence which had simmered in his life for many years.
29. Thirdly, I have to determine whether this is a case in which I am sure that the degree to which Miss Aleena suffered mentally or physically before her death is an aggravating feature. It is argued that she is likely to have been unconscious very early on and during much of the attack. This is speculation and there is evidence contrary to that suggestion including the need, as he saw it, to return to the victim twice after initially leaving her. She survived eight hours after the attack. I am sure she will have suffered inordinately and this is an aggravating feature.
30. Fourthly, I have no doubt Jordan McSweeney intended to kill Zara Aleena. The nature of his attack, the stamping on her head and the fact he returned twice drives me to the conclusion that by the end his was a determined intention to kill.
31. Finally, is there any degree to which culpability for this murder is lowered because of a mental disorder or disability? Mr Carter-Stevenson submits that I should have regard to the defendant’s statement at the police station that he has Attention Deficit Hyperactivity Disorder and personality disorder. As I observed to counsel the court has no psychiatric report from any expert who examined the defendant. I have considered the report of the psychologist Dr Black very carefully. I bear in mind all the mental ill health identified therein, which counsel has summarised as making the defendant someone who struggles in the community and has real difficulty in making and maintaining a healthy social life and relationships. Despite the brokenness the defendant has experienced I do not consider that there is any cogent material upon which I can conclude that the mental health issues which he undoubtedly has, or the anti-social conditioning from his upbringing, are capable of reducing his culpability to any material extent. I sentence him on the basis that his mental faculties were such that he bears full responsibility for his actions.

32. The presence of the following aggravating features is agreed. The location and timing of the offence, in public in the early hours of the morning, witnessed partly by members of the public, and the attempts made to dispose of or conceal evidence such as blood stained clothing and shoes. Two other factors which I consider to be important require attention. Firstly, I am sure that the taking of Miss Aleena's mobile telephone was a deliberate attempt to prevent her calling for help or giving a description of what had happened to her, before she died, and secondly, he had shortly before been released from his most recent sentence. The revocation of his licence on 24 June was placed on the Police National Computer on 25 June. In my judgment he committed this offence in the expectation that he was likely to be returned to custody soon in any event.
33. Apart from the guilty pleas I find no mitigation. The defendant has never expressed any remorse or demonstrated empathy for the outcome of his behaviour. He cried at the police station but this was after his arrest for murder and rape, and it was not accompanied by any expression of sorrow for the impact on anyone else. His licence has been revoked and he has been serving the remainder of his previous sentence while on remand so there are no days to be counted against the sentence I pass today.
34. I have taken care to avoid double counting. The sexual assault is a category 1A offence because the defendant used violence and threats and abducted the victim from the street. There was a significant degree of premeditation because he wandered around the area until he found the ideal circumstances in which to commit the offence. This was a particularly violent sexual assault, committed at night, in a public place, on a woman out alone. The defendant removed Miss Aleena's knickers and caused injuries to her genitalia as well as the injuries that led to her death. The sentence for that offence, had I been dealing with it alone would have been 6 years imprisonment taking into account all the circumstances including the offending, had there not been a guilty plea. I allow one third discount for the plea. I take the view that this offence is already incorporated into the minimum term for murder because I have taken the higher starting point of 30 years and I reflect the aggravating features of it in the minimum term for the murder.
35. Having been arrested on 27 June The defendant was charged with murder and rape on 29 June. On reception in prison he indicated that he could not comprehend that he had done what he had done. He appeared for a preliminary hearing on 1 July 2022 and his PTPH was set for 30 September 2022. Prior to the listing the solicitors acting for the defendant wrote to the Court to inform them that they had not received an expert report commissioned from a psychiatrist because the defendant had not seen him. Furthermore, owing to the industrial action being taken by the defence Bar, his instructed advocate would not be present. Accordingly, the hearing was adjourned to 19 October 2022 and an extension was given for service of the defence statement. The defendant failed without a reasonable excuse to attend two appointments with the psychologist (21 September 2022 and 3 October 2022) and his solicitors wrote to the Court again to request a further adjournment. When the case came before the court for PTPH on 19 October 2022, the defendant refused to attend, and it became apparent that he had not attended a conference that had been arranged with his solicitors. The defence were directed to secure the services of a psychologist who could provide a report as soon as possible and the PTPH was adjourned to 24 October 2022. On that date, the solicitors still did not have a report from the

psychologist and the PTPH was adjourned once again to 11 November 2022. In the report of Dr Black which is dated 26 October 2022 and which was, the court assumes, in the hands of the defence soon after that date, the defendant reported that he did not remember what happened and could not believe what he was seeing when shown the CCTV in interview. In fact at the police interviews after arrest the defendant affected a bored and disinterested façade.

36. The defendant was not produced at the next hearing, because he had tested positive for Covid, and the PTPH was put back to 16 November 2022. Despite a direction that he attend in person, the defendant refused to come to court on 16 November 2022 and a video link had to be arranged. The defence took instructions from the defendant and approached the prosecution about a potential plea, and this was indicated to the court. The PTPH was adjourned to 19 November 2022 and on that occasion the defendant pleaded guilty to the preferred two count indictment.
37. I accept that the defence solicitors commissioned expert reports to ensure there was no psychiatric defence to the charge of murder and to ensure fitness to plead and to be tried. These were responsible steps in a case of such gravity. I also accept that because of the action taken by criminal barristers the defendant was not able to receive advice from a junior barrister or King's Counsel until October this year. I reject the suggestion from the defence that because he was heard on a prison phone telling his mother that he was "bang to rights" he should be taken to have indicated at a very early stage that he would accept responsibility for the killing. He never indicated this to the court until 16 November and at stages his non-engagement frustrated the work being done on his behalf. In addition, as Mr Carter-Stephenson accepted in his written submission on sentence, he caused some additional delay through taking a belligerent attitude when required to come to court including telling the jailers on one occasion that there was no point in attending a hearing at which he was required. Overall, my conclusion is that he is entitled to less than the maximum discount on the murder count and I would allow one eighth although given the length of the term I will impose the maximum discount allowed is 5 years.
38. Considering all these features, after trial the minimum term would have been 43 years. I allow five years for the plea of guilty indicated via counsel on 16 November a few weeks before the trial.
39. A sentence of 4 years concurrent is imposed for sexual assault. The sentence for the brutal, sexually motivated murder of Zara Aleena is imprisonment for life with 38 years as the minimum term.
40. The court would like to thank counsel and commend Mr and Mrs Condur, Georgina Woolard and Maria Burgum.

Mrs Justice Cheema-Grubb
14 December 2022