



REX V. JOEL VICTORIOUS

SENTENCING REMARKS

1. On 11th July 2024, you pleaded guilty to the attempted murder of your wife, Denitsa, or Deni as she is known. That plea came about a week before your trial was due to start at this Court. Sentence was adjourned for the preparation of a pre-sentence report to include an assessment as to dangerousness.
2. You and Deni have been married for some 15 years. There are four children now aged 16, 15, 10 and 6.
3. At about 5am on Sunday 22nd October 2023, when Denitsa was in her bed, you went into the room where she was and then repeatedly struck her to the head with a hammer. You then dragged her to the ground and continued your attack. You continued to do so even after she put her hands up to protect herself and her hands were also struck. She was in her bed with the youngest of your four children when this attack started.
4. The older children were awoken by the sounds of what was going on and came into the room where the two of you were, and dragged you away and into the kitchen, blocking you there and allowing Denitsa to get out of the property. Whilst you were in the kitchen, you picked up two knives and caused stab wounds to yourself.
5. Once out of the property, Denitsa went into a communal courtyard and shouted for help. You pursued her out to the courtyard. Your eldest son assisted his mother to the main road out of your sight. Denitsa then collapsed on a path by the Old Kent Road. At that point you went towards her still with the two kitchen knives in your hands. A short while, you went back towards the home address and sat on a communal wall which is where you were when police arrived.
6. In terms of injuries you caused, there was a 5cm laceration to the right-side top of her head, a 2cm wound to the back of the head, several skull fractures, scratches to the front of her chest

and bruising to both forearms. There was a deformity to her left wrist and a small puncture wound to her right hand. Her head wound was stitched and she was admitted to hospital before undergoing an operation to treat a fracture of the right hand. The wound to her left hand was also stitched and both hands put in casts to immobilise them. The skull fractures needed further examination.

7. In the victim impact statement your wife sets out that as a result of this horrific attack, her life has been irreparably changed. She says that the trauma she experienced goes beyond the physical injuries sustained, and has permeated every aspect of her existence, leaving her with a permanent reminder of that night in the form of a brain injury. She describes suffering a sustained a right fifth metacarpal neck and left third metacarpal shaft comminuted fracture as well as a depressed skull fracture from multiple hits to her head. The brain injury she sustained has impacted her life in ways that, as she puts it: *“.. are difficult to articulate fully. I struggle with memory loss, making it hard to remember even the simplest of things, from where I placed my keys to important conversations I've had. My ability to concentrate has been severely affected, making tasks that once seemed routine now feel overwhelming. I experience severe headaches and dizziness, which can strike without warning, rendering me unable to function. This brain injury is not a temporary setback; it is a lifelong condition that I must learn to live with. The doctors have told me that some of the damage may be permanent, and while I am undergoing therapy and treatment, the reality is that I will never fully recover. Also, I have sustained severe injuries, including broken hands. The injuries I have endured to both hands by Joel has not only caused me immense pain and suffering but has also profoundly impacted my ability to care for my four children, who depend on me for their well-being. These injuries have had a devastating effect on my daily life. As a mother of four young children, my hands are essential for nearly every aspect of their care. Simple tasks that I once took for granted, such as preparing meals, helping with homework, bathing, and dressing my children, have become excruciatingly painful or, in many cases, impossible.”* As she also makes clear, there is the significant impact on the four children of the attack on her not only from the result of it, but in part witnessing the events on the day.
8. You are now aged 51. Whilst there are no convictions recorded against you, there is a caution for common assault from earlier in October 2023. In the context of this case, it is a significant caution as it relates to another assault to your wife. You and your wife had agreed to separate at that time, and were using separate bedrooms but had agreed to continue to live together as a family. I note that it is said that your

behaviour had become controlling and aggressive in the weeks preceding the assault in early October and that it was committed within the context of an escalation in your behaviour. The date of the assault was 4th October 2023: two weeks before the attack on 22nd October.

9. You and the family moved to the UK in 2020, but I note from the detailed pre-sentence report that your status here with the Home Office is yet to be resolved. It appears that your status in the UK is dependent on someone in the EU, namely your wife, and that you will not be able to apply for settled status until you have been here for 5 years. It may well be the case that as a result of this conviction and sentence that you are deported from the UK.

Sentencing Guidelines.

10. Applying the relevant sentencing guidelines for attempted murder from the Sentencing Council guidelines on assault, clearly in my judgment this is within category 1 as to harm in light of the permanent and irreversible injury caused to your wife. On culpability, this is within category B. Considering all of the factors set out and as a hammer was taken to the scene with the intention it would be used. One needs to interpret that with some care on the facts here, but overall, category B is appropriate. On the guidelines, a start point of 30 years' custody and a range of sentence of between 25 and 35 years' custody.
11. In terms of statutory aggravating factors, there is the caution for assault on your wife. In terms of other aggravating factors, this was committed in a domestic context. It is also a very significant feature of this case that two of your children had to intervene to stop you and that this offence was committed when all of the children were in the house, and started when the youngest child was in bed with their mother. In my judgment these factors lead to a start point of 32 years.
12. You will receive some credit for your plea. In my view credit of about 15% is appropriate.
13. I need to consider the issue of dangerousness. The test is whether there is a "*significant risk to members of the public of serious harm occasioned by the commission (by you) of further specified offences*". I have seen and read the pre-sentence report and I am grateful to the author of the report for her observations as to the features of you and this case that lead to her assessment that whilst you do pose a high risk of serious harm to your wife and children and indeed any future

partner, there is, in her assessment, no similar high risk to other members of the public.

14. The ultimate decision as to future risk is one for me as the judge to make on all the material available to me. If I was to find that you are dangerous, then that has some potentially significant consequences for sentence. Having reflected on all that I now know about this truly horrific offence, the background to it, the impact on your wife and children, your sense that you are the victim rather than the perpetrator and the lack of any real insight from you, what is clear from the PSR and the medical notes I have seen, I do find that the test is met. You are someone where there is in my view a very significant risk to the public of serious harm occasioned by the commission of further specified offences by you.

Mitigation.

15. On your behalf Ms Nicol accepts the caution for the assault is an aggravating factor. In terms of 'taking a weapon to the scene' she observes that this was within the home. I agree that some regard should be had for that. I have been referred to the medical material on stress you were under at the time of the offence. It has little if any impact on sentence. I note the impact on you of the self-inflicted injuries: that too has little impact. Ms Nicol has set out the nature of the relationship between you and your wife on your part. Through her, you express remorse for what you have done, and I have no doubt the family may draw a little comfort from that. However, as I indicated when she made her submissions, there is, as set out in the comprehensive pre-sentence report a real lack of insight on your part of what you have done.

Sentence.

16. On attempted murder, if I was to pass a determinate sentence, the sentence allowing for plea would be reduced from a start point of 32 years to one of 27 years' duration. As I have found you to be dangerous, and with regard to the provisions of s.285 of the Sentencing Act 2020, I need to consider whether the offence is such as to justify the imposition of a sentence of imprisonment for life. In my judgment it clearly does. Even the briefest summary of what happened when you attacked your wife in the presence of your 5 year old child with the other children in the house and two of them having to get you away from their mother leads to that conclusion, and that is the sentence I intend to impose.

17. Having identified the term of a determinate sentence, taking two thirds of that

period, the sentence I impose here is one of life imprisonment with a minimum term of 18 years.

18. I do not wish there to be any misunderstanding as to the sentence passed. As with the passing of any life sentence, it is just that – a life sentence. In determining the minimum term, the court is not saying you will be released at that date: the sentence is one of life imprisonment. The minimum term is the term to be served before the parole board can consider your case and consider whether you are someone where it is safe for you then to be released on licence or not. The earliest that can happen is in 18 years less the 288 days you have been on remand [17 years 77 days]. If the information which I have been provided with as to the number of days on remand proves to be inaccurate, then the prosecution or defence must notify the court so that the case can be relisted to correct the calculation as soon as possible and in any event within 56 days. A person sentenced to life who is released remains on licence for the rest of their natural life.

19. If the statutory surcharge applies in this case, the appropriate order can be drawn up.

Recorder of London
His Honour Judge Mark Lucraft KC
Central Criminal Court,
Old Bailey,
LONDON
EC4M 7EH
September 5th 2024