

**IN THE CROWN COURT AT CARLISLE**

**REX**

**V**

**JACQUELINE MOUNSEY**

**SENTENCE REMARKS: His Honour Judge Barker**

**25<sup>th</sup> February 2025.**

1. Jacqueline Mounsey you were convicted by the jury of wounding both your partner Mark Bennett and your daughter F with intent to cause them grievous bodily harm. You must now be sentenced for these two offences contrary to Section 18 of the Offences Against the Person Act 1861
2. On the 10<sup>th</sup> June of last year you lived with your daughter F and Mark Bennett at 187 Whernside in Carlisle. This had been the family home for about 7 years. You had been in a relationship with Mark Bennett for 15 years, your daughter was aged 6 ½ years. You did not go out to work but cared for your daughter and your partner, you were Mark Bennett's carer and received his allowance.
3. Before the 10<sup>th</sup> June there was evidence that there had been disharmony between you and Mark Bennett. The Jury heard of an incident where you were said to have tried to smother him with a pillow. They also heard that you had been subjected to violence by Mark Bennett, though you told the jury he had not being violent to you for 7 years, a witness Kai Simpson saw you with a black eye(s) and Mark Bennet told him he had caused it backhanding you. your daughter also spoke of seeing Mark Bennett pushing into a door which caused a bloody nose
4. Other neighbours spoke of a change in your behaviour in the months before the 10<sup>th</sup> June, which seemed to coincide with the loss of your mother. That you became anxious and

were described as behaving strangely with a focus that social services would take your daughter away. You had also made a number of declarations that you wished for another child, this was something which was not shared by your partner Mark Bennett.

5. On the morning the 10<sup>th</sup> June Mark Bennet was asleep on the sofa in the sitting room under a duvet, he became aware of you pacing around in the room, you called your daughter down and he turned over to face away from the room and you. You then stabbed him in the neck with a sharply pointed long bladed kitchen knife. He described feeling a jab and a crunch from his neck, that he fought with you to get himself up from the sofa and that you were intent on striking him again. He was found to have a incised wound to the back of his right ring finger , which the pathologist considered to be a defensive injury. Although Mark Bennett only had one serious wound to his neck I find that you attempted to strike him with the knife more than once against which he was required to defend himself. In addition when he was able to get up from the sofa, he made his way out of the house, you pursued him carry one knife. Again you attempted to attack him, there was a struggle and he was able to take the red knife from you and disarm you. He was by this point bleeding heavily from his neck, this was clear from the blood depositions and the evidence of Malcom Greenley the neighbour who witnessed this part from his upstairs bathroom window.
6. It is also clear that by this point your daughter was a witness to what was happening and very likely to what in whole or in part had happened, as Malcolm Greenley heard your daughter shout “Don’t hurt Daddy” just before he looked out of the bathroom window and saw Mark Bennett being followed by you in the garden. I am satisfied on the evidence which I heard in the trial that at the point Mark Bennett left the garden and into the street neither you nor your daughter were injured.
7. Only some minutes later Malcolm Greenly went into the street and saw you and F, he described this in his evidence.

*It was like a scene horror movie Jacki and F were covered in blood from the neck down. F was just covered in blood, I have never seen so much blood , she was just a little girl in knickers covered in blood it was like a scene horror movie Jackie was not aggressive to F. When I saw Jackie she said Mark stabbbbed us, F didn’t say a single words. Jackie looked dazed and shocked*

8. The first words you said to MG were” Mark stabbed us but he said I stabbed him”. By now you had stabbed F in the neck not once but twice on either side of the neck with a long bladed and sharply pointed kitchen knife. You had also stabbed yourself in the neck. So immediately upon seeing MG you sought to blame MB for what you had done to MB, I am satisfied that your purpose in stabbing both F and yourself was to divert the blame from yourself and onto Mark Bennett and so identify him as the sole aggressor and therefore explain his injuries. I further find that the reason for doing so was that you realised there was a very real risk that F would be removed from your care. This was something which you had become fixated on in the weeks and months before hand. Your actions were deliberate, callous in the extreme, exploitative and born out of self -interest.

9. I am fortified in this view because of your actions in prompting F to say to the police that it was Mark Bennet you was the attacker. F initially maintained this account but as she became more settled and secure in her foster placement she was slowly able to disclose the truthful account. She later went on to say

*Mam was the bad one because... when she stabbed me, she was holding on my neck tight, so I couldn't breathe*

*Mam did me with a knife, she hurt me on the sofa in the living room and she told me to say it was Dad, not her.*

10. This is a very serious and aggravating aspect of this case. You having stabbed Mark Bennett in the neck then deliberately stabbed your own 6 year old daughter in the neck and then yourself, for the sole purpose of shifting the blame from you to Mark Bennett.

#### Injuries

11. Mark Bennett: He had 2.5cm v shaped stab wound- very close to the jugular, which had it been compromised would have led to a very high likelihood of death
12. F; two separate wounds and therefore 2 separate acts of stabbing either through a change in position by F due to her struggling with you or by you choosing a different point of attack. I remind myself of Dr Cieka, pathologist's evidence about F's injuries – that she came with millimetres of being killed twice.
13. You yourself had 2 x wounds to your neck, one described as a tentative or hesitant wound indicative of you building up courage to injure yourself. It is telling there was no such hesitant marks on either of your victims.

#### Impact.

14. Mark Bennet – VPS; it is clear this attack has had a profound effect upon him. He describes this as having destroyed his life, lost everything, his child, his family setting, his animals and his home. He continues to suffer with affects both physically and emotionally. He is seeking the assistance of Mental Health professionals.

15. F- I remind myself that F was 6 ½ at the time . I have read the report of Dr Young which has been prepared for the benefit of the Family Court and released for the purpose of this sentence. The statement of her Foster Carer Ms Atkinson and her Social Worker Katy Johnson. It is clear that F has been deeply affected by your actions. She has displayed significant fear and anxiety , a need for near constant reassurance for her safety. She is hyper anxious , very mobile and hyper compliant to please. It is likely her educational and development will be arrested because of this attack. She will continue to require therapeutic support for many years Her future remains uncertain but I find that she has suffered significant psychological harm as a result of being attacked by you, her primary carer and attachment figure. There is in my view the very strong likelihood that she will suffer long term damage and trauma which will have a significant impact on her life.

#### Mitigation

16. It was the view of both Psychologists that you were suffering from depression at the time, that you could not recall events of 10<sup>th</sup> June because you suffered from dissociative amnesia. I am though concerned that since the trial you have now disclosed that you recall asking your daughter F to lie while in the police car, this suggests a curious patch work of recollection.
17. You lost your own mother and this loss appears to have had a profound effect on you.
18. You were said to be have been a victim of sexual abuse , though not at the hands of Mark Bennett. There is evidence that you were the victim of physical violence at the hands of Mark Bennett and were at risk
19. You lost a son Noah when he was an infant in 2015
20. Prior to this incident at the age of 53 you were of good character and had no previous convictions and had lived a good live

#### Guidelines

21. Addressing Step 1 for Mark Bennett I find the following

##### Culpability.

I remind myself that I am required to weigh all the factors in the case when determining culpability. I identify three High Culpability Factors- so there are multiple factors

- Use of a highly dangerous weapon, this being a sharply pointed kitchen knife used in a stabbing motion

- Mark Bennett was obviously vulnerable at the point you attacked him. He was waking from his sleep in his home, laid on the sofa and had turned away from you at the time of attack.
- Persistent and Prolonged attack
- But I accept these are also affected by the Category C factors of mental health and abuse at the hands of the victim. However, I do not find that these are of sufficient impact when set against the seriousness of the High Culpability factors to reduce it from High Culpability, they do though impact where within the range I set the SP.

### Harm

I find this to be a grave injury Category 2. The classification of injury cannot simply be reference to the nature of the incised wound, said to be a 2.5cm V shape. It is the location which elevates this to be a grave injury. Were this to have been on the foot or the hand then it would not be grave but it being close to the jugular vein does elevate it to a grave injury.

Step 1 – SP 7 and range of 6 – 10 years

### Additional Aggravating Features.

- Offence was within a domestic context and was an attack upon your partner. (I bear in mind the Overarching Principles for domestic Abuse.)
- Presence of a Child
- Steps taken by you to divert blame – he was treated initially as a suspect
- Although the attack which caused the injury was short lived and was the first part of the attack, it nevertheless continued for sometime and involved pursuit with a knife into the garden.

### “F”

Step 1

### Culpability

- Significant Degree of Planning and Premeditation – you returned into the house, took up another knife, decided on the purpose and motive of attacking F and then did so twice. Although this cannot come within the same concept as revenge, there is I find an aspect of high culpability which equals revenge. Where the sole purpose of this assault was to create a pretence of lies behind which you would hide and seek to blame your victim Mark Bennett for your actions.
- F was Obviously highly vulnerable
- Use of a Highly Dangerous Weapon

### Harm

I remind myself that the guidelines direct the court to *“All cases will involve ‘really serious harm’, which can be physical or psychological, or wounding. The court should assess the level of harm caused with reference to the impact on the victim”* Here the physical injuries themselves are grave, Category 2, but I must also consider here the additional psychological harm and impact caused to this young girl. This in my judgement elevates this to Category 1 Harm for the reasons I have set out above.

Category A1 – SP 12 Range 10 – 16

### Additional Aggravating Features.

- Offence was within a domestic context and was in the home of F.  
(I bear in mind the Overarching Principles for domestic Abuse.)
- This whole incident was prolonged and protracted.
- Causing F to lie.
- Abuse of trust

### Dangerousness

22. I am satisfied that you fulfil the criteria for Dangerousness. I agree with the assessment made in the PSR by very experienced Probation Officer Ms Arrowsmith. The basis for this attack on MB is unclear, the speed with which you turned on your daughter F is chilling and showed a complete disregard for the safety of your own daughter. You have made no admissions, though there appears to be a medical reason for this, nevertheless in the view of Ms Arrowsmith you offer little victim empathy. I find that there is a significant risk of committing specified offences on member so the public.

### Sentence

23. In this case I consider it appropriate to make Count 4 the assault upon F the lead offence and for this to be increased to take account of the assault upon Mark Bennett

### Count 4: Wounding with intent to cause grievous bodily harm F

24. This was a very serious assault upon a vulnerable young girl who looked upon you for care, support and protection. Although you were acquitted of any murderous intent and you are not to be sentenced for this, it remains that the risk of loss of life particularly for F was very high. This must in some way have been obvious to you when you took the knife not once but twice to F's neck. I take the SP at Stage 1 to be 14 years

25. The additional aggravating features here are less ,they have been considered at Step 1 and so explain the increased Starting Point of 14 years. The aggravating features and the mitigation balance each other out. However to take account of the assault on MB and considering the principle of totality there will be an increase of a further 4 years making a sentence of **18 years** on Count 4

Count 2: Wounding with intent to cause grievous bodily harm Mark Bennett

26. The Starting Point at Stage 1 is 7 years . There will be an increase of a year to take account of the additional aggravating features, which on balance outweigh the mitigation. The sentence on Count 2 is **8 years** and will run concurrently

Extended Determinate Sentence

27. Because I have determined that you fulfil the dangerous criteria you will also be required to serve an extended determinate sentence. There will be an additional licence period of **4 years**. This means the total custodial portion of your sentence is 18 years, you will not be eligible parole until you have serve two thirds of your sentence (12 years) however you will not be released from the custodial portion of your sentence unless the Parole Board is satisfied that it is no longer necessary for the protection of the public for you to be confined. You will though be released no later than the expiry of the custodial term of 18 years. Once you are released you will remain on licence until the conclusion of the extended licence period and so remain at risk of being returned into prison until then if you were to breach your licence terms of commit further offences.
28. The statutory charge applies.

His Honour Judge Nicholas Barker

25<sup>th</sup> February 2025.