



IN THE CROWN COURT AT LUTON

REX -v- NICHOLAS PROSPER

SENTENCING REMARKS

1. Nicholas Prosper; you are 19 years old. On 24 February 2025 you pleaded guilty purchasing a firearm without a firearm certificate on 12 September 2024, the murders of your mother Juliana Falcon, your sister Giselle Prosper aged 13, and your brother Kyle Prosper aged 16 early the following day, possession of a firearm with intent to endanger life and possession of a bladed article.
2. I was told at 8.45am this morning that you were refusing to attend court. I ordered that you had to be brought. You do not want to be here, but it is not your choice. You have to face the consequences of your actions; to hear the court's sentence passed in public, and it is important for those who loved your victims to see you sentenced.
3. The facts underlying these convictions are chilling. For about a year, after leaving sixth form college in Luton, where you were failing to work towards A levels, you planned a school shooting on a scale that you hoped would make you globally notorious. You explicitly sought to emulate and outdo Adam Lanza, the 20-year-old American who shot dead 20 children and six adults at Sandy Hook Elementary School in Newtown, Connecticut in 2012, before shooting himself to avoid capture. You aimed for 34 deaths, one more than the deadliest school shooting of recent times in the USA, that at Virginia Tech in 2007. As the investigation revealed, this case incorporates many recurrent themes in school shootings such as a young male perpetrator, selection of distinctive clothing or uniform, recording a message about the activities, a sexual interest in children, withdrawing into an on-line world, reference to violent computer games, suicidal intention and a lack of empathy towards the victims.
4. To achieve this goal, you researched firearms and produced a meticulously forged firearms certificate. You set about buying a shotgun, pretending you needed it for clay pigeon shooting, which you were able to speak about confidently. The forgery was of sufficient quality that after one failed attempt, when the seller grew suspicious because you offered so much more money than he had advertised the gun for, you succeeded in acquiring a 12 Ball Nikko double barrelled shot-gun and 100 cartridges on 12 September from someone who held it legally. The man delivered it to the car park of the block of flats in the northern outskirts of Luton where you lived with your mother and siblings. You paid £650 and £30 petrol money. That seller described you as '*polite and well-speaking*', '*a perfectly normal person*'. You did not come across as a novice with firearms.
5. This presentation was inconsistent with the way you had been behaving with people since you returned to school after GCSE exams, two years earlier in

September 2022. Although of at least average intelligence you had become noticeably disinterested in interacting with others. You didn't want to be in the sixth form and were angry that your mother made you go. Juliana Falcon had separated from your father Raymond Prosper, when you were about 8 years old, but he saw his children regularly and lived not very far away. Juliana worked full time to support her family. She had noticed you were withdrawn at home just as at school. Your parents agreed with a referral to the local Child and Adolescent Mental Health Services team, but nothing came of it. Although autism was suspected and you seemed to be overwhelmed by social interaction and uncooperative in lessons, you resisted assessment or intervention. You were asked to leave school in March 2023.

6. From then until September 2024, you existed in an online world choosing little real-life contact with others apart from attending a gym and working part-time stacking supermarket shelves for a few months. Your internet activity has been analysed. You were deeply fascinated by notorious murderers, perpetrators of mass school shootings around the world, and rapists. You collected images of a six year old girl C (one of the victims of the Sandy Hook school massacre), photographs of two nearby primary schools and over two hundred indecent images and videos of children. Nineteen of these were of the most serious kind, category A depicting the rape of children. You recorded audio files discussing topics such as necrophilia, the six-year-old victim C and a computer game called The Walking Dead.
7. On 13 September 2023, exactly one year before the murders you phoned St Joseph's Catholic Primary School which you had attended happily, to find out the daily timetable and movements of the children. You carried out reconnaissance at the school and captured images of staff and pupils from the school's web-site. In one of the notes you have written since arrest you drew a diagram of the early years classroom at St Joseph's and wrote alongside '*Kill all*'.
8. In April 2024 you put together a curated outfit made up of black and yellow clothing, a yellow bucket hat and shoes with yellow soles. You videoed yourself at home dressed in your distinctive outfit, acting out the shooting with a piece of wood in place of a gun. In June you tried to make contact with the mother of C using a pseudonym.
9. You looked at numerous images of firearms documentation, details of guns for sale and obtained the means to forge your own firearms certificate into which you inserted a copy of the signature of a police officer. That summer you obtained the manifestos of Anders Brevik (who killed 77 people in Norway in 2011) and Christopher Dorner (an ex-police officer who killed several people in California in 2013). As the date drew near, you even searched for the weather forecast for Friday 13 September.
10. Having taken possession of the shotgun and cartridges on 12 September you spent the rest of the day reading about the impact of shot gun injuries to the neck, this was the means by which you intended to kill yourself after the school shooting. Into the following morning you also researched necrophilia, Sarah Everard and your usual diet of mass shootings. From 4.11am for half an hour, you watched extreme animated pornography. At 4.42am the last images you looked at were of school massacres including from the Columbine High School in 1999.

11. Between then and 5.33am when you left the tower block neighbours heard a serious disturbance in your 8th floor flat. Later it was established that you were disturbed by your mother who realised something was terribly wrong and her intervention forced you to act earlier than you intended. From extrinsic evidence such as the scenes of crime examination of the flat, the evidence of neighbours, the pathology, together with some of your own accounts the sequence appears to be that when your mother realised you had a gun she struggled with you before you shot her in the head at very close range, in the hallway. You placed a novel with the title 'How to kill your family' on her legs. Your little sister Giselle woke up, she put on her glasses, and you fired a shot at her from a distance which grazed the back of her head. The terrified girl ran to hide in the living room and tried to conceal herself. You pursued her and inflicted an immediately fatal contact shot to her right eye. Your brother also woke and tried to seek refuge in the kitchen and protect himself with a knife. It was an unequal contest. You shot him in the chest from a distance but then, while he was still alive and moving, stabbed and slashed him more than one hundred times to his head, face, neck, torso and limbs while he pleaded with you not to kill him. One of the wounds penetrated his lung but they were intended to disarm him, when you had, he ran into the hallway where you shot him dead with a close shot in the head. The first 999 call was logged at 5.29am.
12. The police arrived at 5.50am and entry was forced by armed officers at 6.08am to find a scene of horror, as well as the three dead there was blood staining throughout the flat including handprints in blood, as well as aspirated and spattered blood. Several knives were found bloodstained and at least one of them apparently bent out of shape. You had to have re-loaded the double barrelled shot gun at least twice. There is no evidence that you sexually assaulted any of your victims.
13. Plainly, these murders were not intrinsic to carrying out a school shooting. But they were part of your plan and the boy you idolised, Adam Lanza shot his mother while she was in bed, before driving her car to the Sandy Hook Elementary school.
14. You spent the next two hours hiding from the police. At 6.22am you posted a pre-recorded video to Facebook in your shooting uniform, reading a script about the Walking Dead game. You said you intended to shoot your sister in the face.
15. Police activity in the area was intense and you realised that it was far too early to go to any school. You emerged from bushes at about 7.55am and raised your arm to a marked police car. You had blood on your hands, clothes and glasses. You had re-loaded the gun with two cartridges and 33 other cartridges were recovered where you had left them, en route between the tower block and the school. You had disposed of two mobile phones which were recovered by the police. You later admitted you had joined a paedophile Twitter group to discuss sexual attraction to children and the primary purpose in trying to destroy the phones was to protect your online friends from being 'arrested for child porn'. You had abandoned the gun but had kitchen knife in your pocket. After arrest you displayed no signs of agitation or mental distress. You were inappropriately cheerful and engaged the officers in conversation. You asked if the local schools were locked down.
16. You made no comment in interview but later gave a mental health nurse who was assessing you in custody some further details, including that you had planned for

a year to kill 34 people, ending in your own suicide. Thirty of them were to be school children aged 4 or 5. The year before, a plan to rob a gun-seller had failed and so you took steps to acquire a firearm by deception. You had intended to carry out the shooting on 12 September but decided that 13 September sounded better. You took a knife with you when buying the shot-gun in case it didn't go smoothly and you were prepared to kill the seller. You hadn't hated your mother or siblings and had had a good life with them. Your intention had been to kill them in their sleep and rape your sister. You had intended to leave the flat around 8.30, arrive at St Joseph's school at 9am, go into a class and pretend to rob the teachers then start shooting the 4-year-olds, continuing in another classroom if necessary to achieve the target of 30 children. You wanted to cause the biggest massacre in 21st century as there had not been one. Your mother waking up at about 4.50 had triggered your activity early. You wished you had killed more.

17. I am conscious that nothing I can do or say can reflect the worth of Juliana, Kyle and Giselle's precious lives or the depth of their shocking loss for their family and friends. Nevertheless, I want to express the court's sincere condolences. Raymond Prosper has described the desolation of his family as a loss that will never be healed. He considers himself to have lost two sons, Kyle and you. Juliana Falcon was hard-working. She cared for her children and tried to persuade you to get help when he was struggling at school. She was an innocent victim of an ungrateful, unfeeling son whose only wish was to be famous through destroying the lives of young children. Kyle Prosper was sixteen with his whole future ahead, he fought bravely for his life but there was no contest with his older, armed brother. Giselle was just thirteen years old, a smiling girl, no doubt the treasure of her parents and friends.
18. The sentence for murder is life imprisonment. The court ordinarily fixes a minimum term, every day of which must be served because there is no automatic release. A minimum term does not in any way equate to the value of the life of a murder victim, still less three such victims. After serving the minimum term an offender can apply for release to the Parole Board. The Board can only direct release if it is satisfied that imprisonment is no longer necessary for the protection of the public. If released, the second part of the sentence begins which is supervision, subject to licence conditions restricting the offender's freedom, and a life-long liability to be recalled to prison.
19. Possession of a firearm with intent to endanger life also carries a maximum of life imprisonment although that sentence is not mandatory.
20. I have received detailed submissions from the Crown and the defence on the application of the framework in Schedule 21 Sentencing Act 2020 for assessing life sentences. They have referred me to a number of cases where the statutory scheme has been considered including *R v Ian Stewart and others* [2022] EWCA Crim 1063, *R v Davies* [2020] EWCA Crim 921, *Connor Chapman v R* [2024] EWCA Crim 190, *R v Jones and others* [2005] EWCA Crim 3115, *R v Markham and Edwards* [2027] EWCA Crim 739 and *R v Kamarra-Jarra* [2024] EWCA Crim 198. At the court's request they provided further written submissions shortly before the hearing about the application of the recent amendment to the framework which, by s.321 of the Act extends the availability of a whole life order to murderers aged 18, 19 or 20. Plainly, given the nature of the overall offending in this case the court

has to consider whether this is one of the rare occasions when that provision is satisfied. I have considered all the authorities and all the written and oral submissions carefully.

21. I bear in mind that in the case of an adult aged 21, the murder of two or more people where each killing involved a substantial degree of premeditation or planning, or where a single child (a person under 18) was murdered with a substantial degree of premeditation or planning, a whole life order would be 'the normal starting point' (LCJ, para.10 *Stewart and others*.) This is obviously such a case. However, s321(3C) provides that the court may arrive at a whole life order in the case of an 18–20 year old only if it considers that the seriousness of the combination of offences, is exceptionally high even by the standard of offences which would normally result in a whole life order. This is described, accurately, as an 'enhanced exceptionality requirement'.
22. Despite the gravity of your crimes, it is the explicit joint submission of counsel that a lengthy finite term will be a sufficiently severe penalty, and this is not such an exceptionally serious case of the utmost gravity where the sentence of last resort must be imposed on an offender who was 18 at the time and is 19 today. It is argued on your behalf that you were not entirely to blame for your offences because you are autistic and have some psychopathic traits in that you are incapable of feeling empathy or remorse. I am also invited to conclude you are less mature than your chronological age.
23. In determining these matters, I have to view the case as a whole. Although you are indisputably a very dangerous young man, the risk to the public is met by the imposition of a life sentence. The aim of sentencing in a case of murder is just punishment for the crime. Just punishment requires a careful assessment of the perpetrator's culpability and the harm caused by the crime. In every murder the harm is of the utmost severity.
24. Your crimes involved the following,
 1. Very substantial premeditation
 2. Three murders on the same occasion, but committed individually
 3. Each victim was shot with an illegally held firearm
 4. You acted during hours of darkness on people who had been asleep in their own home
 5. A 13 year old child, was shot in her face while trying to hide under a table
 6. A 16 year old child, was shot in the chest after which he was stabbed with a knife or knives causing numerous injuries including a wound that penetrated his lung, before being shot to the head
 7. Your brother endured additional suffering during the attack in which you used at least two weapons
 8. Each victim suffered the anguish of anticipating or being aware of, the deaths of others.
 9. The fraudulently acquired and illegally held firearm was to be taken to a school to endanger the lives and kill dozens of young children
 10. A murder spree with the sole aim of glorifying the name of the perpetrator in the history of mass killers was your sole motive
25. I have in mind the definitive guideline which assists judges dealing with offenders with mental or developmental disorders and neurological impairments. The

guideline makes it clear that while any disorder or personality trait present should be considered, it will not necessarily have any impact on the sentence. Culpability, the degree of responsibility for an offender's actions, may be reduced by reason of any impairment or disorder he was suffering from at the time, but this only applies if there is a sufficient connection between the impairment or disorder and the offending behaviour.

26. A consultant forensic psychiatrist Dr Iain Kooyman has produced a full report dated 5 February 2025 and an addendum for this hearing dated 2 March. Both reports must go with you to custody, together with these sentencing remarks. Dr Kooyman's conclusion is that although you have not undergone a formal diagnosis, you have traits of autism spectrum disorder (ASD) albeit not to a severe degree. ASD is a neuro-developmental disorder, not a mental illness. It is individual. In your case it means that you have persistent deficits in social communication and interaction, and restrictive patterns of behaviour, interests and activities. These explain almost all the abnormal aspects of the way you related to people and obsessed about things you were interested in such as school shootings and serial killers. The internet facilitated this through the free availability of imagery and commentary. This means there is an indirect connection between your ASD and your offending but it is important to note that your ASD does not correlate to an increased risk of violence. Nor did ASD, in this case, impair your ability to understand the nature of your conduct, exercise self-control or form rational judgments when you decided to commit violent crimes.
27. Dr Kooyman observed that since your arrest you appear to be functioning better and incarceration has not caused you to suffer as most people would because you have little need for social relationships. You have expressed pride in your crimes and the attention gained from them. Dr Kooyman makes another apposite observation: the rigidity of your thinking due to ASD explains why, when your plans to arrive at the school at about 9am when the children would be assembled in the early years class were foiled, you did not adapt the plan.
28. In addition to ASD Dr Kooyman found you exhibit an extreme lack of empathy; the ability to understand and share another person's feelings and thoughts which is important for building relationships. You have also expressed no remorse and no sorrow. Indeed, when asked by the psychiatrist if you would try to commit another massacre you replied, "*well, that's their job, to stop me getting the weapons if I get released.*"
29. A lack of empathy and/or remorse is not unusual in the criminal population and Dr Kooyman concludes that these drove your decision to commit mass murder and enabled you to do so. In the section concerned with psychopathic disorders which these traits align with, the guideline advises judges "*If empathy is severely impaired – for example the capacity to recognise distress in others and make appropriate use of that information – this may severely impair capacity to desist from harming others.*" I add emphasis to the word '*may*'. Each individual and each offence must be considered specifically, without a blanket approach. In my judgment this brief section of the guideline envisages a situation where an offender's ability to make appropriate use of his knowledge of the distress of others ie a cognitive process, rather than an emotional one, is diminished so that

his capacity to desist from harming others is severely impaired. This case is far from that.

30. Dr Kooyman states that although you struggle to consider, inherently or emotionally, how other people think or feel, that is the extent of your limitation. You are intellectually capable of logically deducing the impact of your actions on others. You told Dr Kooyman you had made the choice to commit mass murder and become posthumously famous. It was your preferred alternative to a menial 9-5 job for the rest of your life which you believed was your future. You made a series of choices to put your own desires above any consideration of the lives of many others. There is no suggestion that you didn't understand the law or that killing people is morally wrong. You just didn't care. You had not previously displayed any difficulty desisting from harming others. The lack of an emotional connection to your victims or sympathy for what they suffered or would suffer had important consequences because it disinhibited you but, in my judgment, it does not reduce your culpability because your cognition and ability to refrain from murder were not diminished. It would be irrational for it to do so when the harm you committed and also intended to commit was obviously so very grave and deliberately so in order that it gained you the benefit of wide publicity and international infamy. If your lack of empathy makes it easier for you to make that choice, so be it but I do not treat that as reducing your culpability or as a mitigating factor.
31. I have reminded myself of the Guideline on Sentencing Children and Young people because considerations of maturity, insight and understanding do not end once an offender reaches the age of 18. You are different to most people but that does not mean you were or are immature for someone of your age. Your intentions were not immature fantasy. Six months ago you were able to defraud an adult considered responsible enough by the authorities to have a genuine shot gun certificate into selling you, face to face, a lethal weapon. Your communications with the man in advance and in person demonstrated a clear understanding of how to reassure a much older and experienced man. Nothing in your meticulous researching and planning over the course of many months indicates immaturity nor does the care with which you created a clever forgery of a shot gun certificate to defeat the controls on the sale of guns in the United Kingdom. Your claims to the police after arrest that it was 'not murder' show you had thought about what you might say in such an eventuality.
32. Although I have been troubled by this shocking case, axiomatically a case which the judge considers to be on the borderline is not one that cleanly clears the hurdle of enhanced exceptionality. Having dealt with culpability and maturity, the question is whether in ensuring due punishment the seriousness of the offences overall is such that it is not possible, consistent with my duty to the public, to specify any minimum term. Having reflected, I agree with the parties and do not impose a whole life order in this case. Firstly, because you were thwarted from completing your intentions, otherwise this case would have had a very different and even more appalling outcome. Secondly, this prosecution has resulted in guilty pleas. Thirdly, you were 18 at the relevant time, at the bottom of the bracket for the power provided for in s.321 (3C) and I have available a substantial finite term well above the starting point.

33. I reject the mildly put submission that disruption to your childhood caused by the separation of your parents when you were young provides mitigation for these offences. The evidence is that your father lived nearby and saw you regularly, most recently just two weeks before the murders. You had a supportive family.
34. **Nicolas Prosper**; you intended to unleash disaster on the community of Luton. Your plans were intelligent, calculating and selfish. Your ambition was notoriety, you wanted to be known posthumously as the world's most famous school-shooter of the 21st century. The lives of your own mother, and younger brother and sister were to be collateral damage on the way to fulfil your ambition. Your plans failed because your mother woke up and realised that you had a gun and were determined to use it. This led to an horrific triple shot-gun murder with each victim dying knowing you had killed or intended to kill the others. Words such as heartless and brutal are insufficient to describe the horror of those last moments of the people who were closest to you.
35. I have decided to impose a minimum term. In drawing back from a whole life order I have already taken into account your age, your guilty pleas and the fact that you did not carry out any violence after you left your flat despite having re-loaded the shot-gun.
36. To account for the aggravating features overall in this case the minimum term you must serve has to be increased very significantly indeed from the Schedule 21 starting point of 30 years. I remind you that each of the three murders you committed would reach the threshold for a 30-year minimum term on its own. The increase I impose is the least possible in all the circumstances. There is no mitigation beyond those matters I have already taken into account.
1. On count 1 the sentence is 3 ½ years custody concurrent.
 2. On each of counts 2, 3 and 4 I impose concurrent sentences of custody for life with a minimum term calculated from 49 years from which the time you have already spent on remand must be deducted. Counsel have calculated this as 188 days. If that is incorrect the case must be listed so it can be corrected. **The sentence is custody for life with a minimum term of 48 years and 177 days.** However, you remain highly dangerous and it may be that you will never be released.
 3. On count 5 the sentence is custody for life with a minimum term of 18 years concurrent. This is a discretionary life sentence under s.274 Sentencing Act.
 4. On count 6 the sentence is 1 year custody, concurrent.
37. I order forfeiture of the shotgun, the cartridges, the knife and the phones.
38. Finally, I repeat my observation that Juliana Falcon, Kyle Prosper and Giselle Prosper's deaths are almost certain to have saved the lives of many children. The community owes them its gratitude and their memory should be honoured.

Mrs Justice Cheema-Grubb

19 March 2025