

THE KING
V
SHAKEIL THIBOU

SENTENCING REMARKS

1. Cher Maximen took her 3 year old daughter to Children's Day at last year's Notting Hill Carnival. Instead of them both just enjoying a fun day together and in the company of friends, that child witnessed her mother being murdered in front of her.
2. It is not possible to overstate the impact of Cher Maximen's brutal and shocking murder on those many people who knew and loved her.
3. Cher's grandmother Vyleen Maximen stated the harsh but simple truth, that all those who loved Cher must now do the best they can to live their lives without her. It will be unimaginably hard for them all.
4. Cher's mother, Eboney Ellington, gave the court a portrait of her. Cher was a beautiful, smart and vibrant young woman. She was doing well in her life, in a new home with her daughter. Cher was mentoring young people. She was making clothes, about which she was extremely passionate.
5. The heartfelt statement from TJ, Cher's closest friend and like a sister, movingly described the mutually loving relationships Cher had with her friends and family, most notably of course with her little daughter.
6. One of the dreadful ironies of this case is, that as the afternoon wore on and the atmosphere at the Carnival became tense and less friendly, Cher voiced her concerns to one of the few police officers in the immediate area where she,

her friends and their children were located. She made it clear that she would not tolerate any threat to her daughter's safety.

7. The police evidence was clear that, after the floats had all passed, there was violence in the air. It appeared that groups of young men were eyeing each other up aggressively. The police body worn camera footage, which was so vital to proving what happened, showed incidents of violence breaking out.
8. This was not presented to the jury as a case about gangs, but more as a case of young men, intoxicated by drink and drugs, determined to involve themselves in violence. The street was carpeted with what looked like canisters of nitrous oxide. The police were totally outnumbered as the violence spun out of control. At least one of the officers was understandably terrified. Just watching the body worn camera footage was a deeply unnerving experience. To have been there, trying to protect the public, must have been infinitely worse.
9. Shakeil Thibou, you were Cher's killer.
10. The jury's verdict on Count 3 did not, as a matter of law, prove that you took the murder weapon to the Carnival. You told the jury that the knife was discarded by someone else and that you picked it up to prevent an imminent, unlawful attack on your brother and possibly others. The jury was directed that if your version might be true, the verdict would be Not Guilty. The jury convicted you. After your arrest, the police found another very large knife at your home. You had no plausible explanation for it being there.
11. The jury did not see a clip on your phone, filmed on a previous occasion, of you and the youth you went to the Carnival with, sitting next to another gruesome knife.

12. There was also CCTV evidence which the Crown relied on, which suggested that the knife sheath was partially visible in your clothing as you ran away after the murder. I am sure your story about the item being a bag of sugar cane, was untruthful.
13. I have read a recent report about you from a psychologist, Dr Chiu. Amongst other things it describes you as someone at risk of displaying risk-taking behaviour such as carrying items for self-defence.
14. I am sure that you went to the Carnival armed with the murder weapon. I am sure that you intended to use it to cause injury, if the occasion arose. I am sure that you did use it to kill Cher Maximen. You unsheathed it before using it.
15. You admitted that, before the violence started, you drank alcohol. On the CCTV footage you were seen drinking from a bottle immediately before the incident. You were a regular user of cannabis. I am very aware of the dangers of drawing secure inferences from individual frames of camera footage, but the stills of you during the attacks do not indicate that you were sober. I am sure, by the time you got involved in violence, you were intoxicated to some degree.
16. When violence did break out, near to where you were standing, you were quick to move to join in. You had no need to move from where you were standing.
17. There was no CCTV footage of how that episode of violence started. It ended up with both of your brothers and you committing criminal offences.
18. You told the jury that you went to assist your brother Sheldon who was under attack from a man with a knife. You asserted as much in your Defence Statement before you had seen all the recorded footage. However, I am sure that story was a pack of lies, not least because the text messages you exchanged with others in the days before your arrest, came nowhere providing

support for it. Tellingly, not even your brother Sheldon ever said anything to support your account.

19. I am sure you were so fired up that you did not hesitate to use your knife in front of a huge crowd of people, including children, most of whom were there to enjoy themselves. Your violence was so brazen that it was carried out in front of police officers in full uniform and wearing body worn cameras. You put many people at risk and you even injured Cher's little daughter.

20. The police body worn camera footage was analysed meticulously. It shows you doing your best to stab another young man, Adjei Isaac. There was no evidence you knew each other. The reason for your attack remains unclear. It is clear that you repeatedly thrust your knife at his stomach. It was terrifying to watch. He had nothing in his hands as he backed away from you. Luckily for him, he was agile enough somehow to dodge your thrusts and he escaped injury. In relation to that attack, your defence of self-defence was wholly implausible. The jury was not sure that you intended to kill him but the jury was sure you intended to cause him at least really serious harm. Bearing in mind the size of the knife and the number and direction of the thrusts, I am sure that your intention cannot have been far short of an intention to kill. That attack provides terrifying context for what you then went on to do.

21. In the melee, you and Adjei Isaac fell on to the people who just happened to be next to you, including Cher and her daughter. Adjei Isaac left the scene. As you got to your feet, Cher was tugging at your coat and kicking out at you – clearly to protect her daughter. You swung round with your ugly knife in your hand. You looked at Cher and then, with at least moderate force, you deliberately stabbed her in the groin. I am sure that the Crown was entirely correct to

suggest that you were determined to get out of Cher's clutches. She was in your way and you stabbed her to make your escape.

22. Bearing in mind the knife attack a few seconds before, I am sure your intention was either to kill or, if not, then a hair's breadth away. The best that can be said in your favour, bearing in mind the jury's verdict on Count 1, is that there was no clear intention to kill.

23. Fatally wounded, Cher fell to the ground. As her friends and decent members of the public tried to help her, you ran off in an attempt to evade justice.

24. As you left the area, you swapped outer clothing with your male companion in order to avoid arrest. You disposed of the knife, apparently in a drain.

25. The HEMS team arrived and Cher was taken to hospital.

26. Neither when you were arrested on 27 August 2024, nor at any later stage, did you do anything to help the police or Cher's family get to the truth of what happened. At a later stage you offered to try and show the police where the knife was discarded.

27. I do not add a day to your sentence for the way you ran your ambitious defence case but, whatever remorse you have now said you feel, your primary ambition was to get away with murder.

28. On 31 August 2024, Cher died in hospital from the effects of the catastrophic abdominal injury you had inflicted on her.

29. I must now sentence you for:

- a. Count 1A: the attack on Adjei Isaac, an offence contrary to s18 Offences Against the Person Act 1861; and
- b. Count 2: the murder of Cher Maximen; and
- c. Count 3: possession of an offensive weapon.

30. The law is that the only sentence a judge can pass for an offence of murder committed by a person of your age, is one detention in YOI, for life.
31. I must fix the minimum term which you must spend in custody before you are even eligible to apply to the Parole Board for release on licence. If you are ever released by the Parole Board you will remain on licence, and subject to recall, for the rest of your life.
32. In this case I shall reflect the criminality in Count 1A by adding to the minimum term on Count 2. Having done that, I will pass a determinate sentence on Count 2, concurrent with the life sentence.
33. In relation to Count 3, I shall also pass a concurrent determinate sentence. That offence does not aggravate Count 2 because the statutory starting point for the minimum term in your case reflects the fact that you took a highly dangerous knife to the scene for use in unlawful knife violence.
34. On Count 2, because you took a knife to the scene to use for unlawful violence, and did use it to kill, Schedule 21 of the Sentencing Code indicates a starting point for your minimum term is 25 years.
35. The fact that this murder took place in front of hundreds of people, including children, in broad daylight at a major public event is a very serious aggravating factor. Such brazen crimes of violence shake the confidence of the general public to go out and enjoy themselves. In that context, I have considered the statement from Ian Comfort, the Chair of the Carnival.
36. Even if this murder was not pre-meditated or planned, you went out armed and prepared for knife violence.
37. Although both attacks were over in seconds, there were two knife attacks and they were not otherwise connected.

38. Furthermore you committed both violent offences when, I am sure, you were under the influence of alcohol, at least.
39. In any event, you sobered up enough to leave the scene, change clothing, dispose of the knife and keep your head down. If you felt remorse at that stage, you did nothing to demonstrate it.
40. There are mitigating factors. Firstly, you were only 20 at the time. I have had regard to the Sentencing Council guideline for sentencing children and young offenders, and the relevant case law. Secondly, you had no previous convictions. In relation to your character, I have read with care the many impressive letters in your support. I do not wish to be unkind but I doubt if all the people who wrote those letters were aware of the evidence. Thirdly, I can take into account the personal mitigation to be derived from your very difficult upbringing. Your childhood and teenage years involved grave challenges. You were a Looked After Child. Despite all this, the letters in your support say that you could be polite, thoughtful and caring. Fourthly, I will accept you have cognitive and IQ limitations and your communication difficulties as reported on by the psychologist and the intermediary. If nothing else, they will affect your time in custody. I have considered the tentative opinion that you show signs of PTSD and ADHD. For the purposes of the Sentencing Council guideline for sentencing those with mental disorders or impairments, I find no link any such symptoms to your offending. On the evidence, you were not under any threat.
41. As to the material concerning modern slavery, I regard it as neutral for present purposes.
42. I heard you give evidence and I did not find the experience at all reassuring. Even with the support of an intermediary, you had no plausible answer to many

of the obvious questions you were asked. But I am not prepared to attribute that to any notable degree of immaturity. To the contrary, none of the letters put forward in your support indicates that you are immature for your age.

43. As I have said, your conduct immediately after the offence and during the proceedings points away from genuine remorse. I am not inclined to take much account of the remorse you have expressed now that you have been convicted.

44. The aggravating and mitigating factors balance each other out.

45. Had it stood alone, the minimum term on Count 2, would have been 25 years.

46. For the purposes of the guideline for completed offences under s18 Offences Against the Person Act 1861, the facts I have recited clearly establish this was a Category 1A offence. This indicates a starting point of 12 years custody with a range up to 16 years. The fact that this was not a completed offence was not for want of you trying. Had I been sentencing you for Count 1A and Count 3, the latter would have aggravated the former. Had Count 1A stood alone, I would have passed a sentence of no less than 15 years and I would have been considering whether you were a statutorily dangerous offender. A sentence of 15 years custody would mean you serving at least 10 years.

47. Taking into account the Sentencing Council guideline on totality, I add 4 years to the minimum term to reflect Count 1A.

48. For the purposes of the offence Guideline, Count 3 was an A1 offence and, had it stood alone, it would have attracted a sentence of no less than 18 months.

Sentence.

1. Count 2: Detention in YOI for life, minimum term 29 years, less 261 days you have spent on remand. In other words, 28 years 104 days.
2. Count 1A: 15 years detention YOI, concurrent to the sentence on Count 2.
3. Count 3: 18 months detention YOI, concurrent.
4. Victim surcharges as appropriate.