



IN THE CROWN COURT AT LUTON

7 George Street
Luton LU1 2AA

40AD1343824 & 40AD1346724

Before:

HIS HONOUR JUDGE SIMON
The Honorary Recorder of Luton

THE KING

Prosecution

- v -

JACOB ZUCO

Defendant

Ms K Blumgart KC & Mr S Barker for the Prosecution
Mr N Mian KC & Mr J Smith-Wilds for the Defendant

SENTENCING REMARKS
18 June 2025

Preface

1. If the media report nothing else about these sentencing remarks, let them report the following:

This case is a good example of why young men who seek to justify the carrying of a knife as being for personal protection are both deluding themselves and putting members of the public at risk. The experience of the courts is that, by carrying a knife in public, you are in fact more likely to kill or be killed, especially when the

knife involved is a hunting-style knife, lethal both in size and in design. It is time for society as a whole to take a stand against the scourge of knives in the hands of children and young people and to promote the mantra of Lives not Knives. In this specific case, if it be true that an adult friend bought a knife for the defendant, who was under-18, not once but twice, that person bears a very heavy moral responsibility for the death of the victim in this case.

2. This case also illustrates the potential dangers inherent in trying to exact justice without involving the police or other relevant authorities.
3. On 21 April this year, Jacob Zuco, you were convicted by the jury of two offences: an offence of wounding with the intent, committed on 12 March 24 when you were 17 years old; and the offence of murder committed on 24 May 24, by which time you had just turned 18 years of age. The jury rejected your case of self-defence on both offences. At a much earlier stage of the proceedings, on 10 September 24, you pleaded guilty to possession of a bladed article on the day of the murder.
4. The victim of both the wounding and the murder was the same, Leon Penman. Indeed, on the facts of this case, had it not been for the March wounding incident, the murder in May last year may never have happened.
5. Before moving to the circumstances of the offences in a little more detail, it is important for the Court to recognise the limitations of the criminal justice process. Though Mr Penman's background was not uncomplicated, he was a loved son, partner, a father and a family member, whose loss is keenly felt by those left behind. All that this Court can do is to dispense justice dispassionately according to the law and hope that the conclusion of the criminal proceedings will in some small way allow Mr Penman's family to move on from this sad chapter. It will be necessary to refer to some of the facts surrounding Mr Penman's death which some of those in court may find distressing. I also make clear that in relating various actions by those involved, including Mr Penman, the purpose is to underpin the Court's assessment of the overall sentence in this case. Actions

taken by Mr Penman, in particular, on 24 May 24 are significant in that assessment as I will explain in due course.

Factual background

6. You told the Court that in around December 23 you were robbed at knifepoint while on your way home and that this prompted you to arm yourself with a knife for protection, as you did not like the feelings of vulnerability. Being only 17 at that stage, you could not get hold of a suitable knife, so you enlisted the assistance of an adult friend, unnamed at trial. That person purchased a large hunting knife for you – of the type seen during the trial – and you paid him for it. After the incident in March 24, you disposed of that knife and the same adult friend was enlisted to buy a similar knife as a replacement as you were still underage. When not carrying it around in public, you kept under bed, so your family would not know about it. This second hunting knife became the weapon that ended Mr Penman's life.
7. On the 12th March 24 Mr Penman walked into the A&E Department of Bedford Hospital. He had two stab wounds to his left arm where a knife had penetrated right through his arm and into his left chest area. His arm was bleeding extensively, and nerve damage was diagnosed, which was to be surgically explored. The hospital notified the police, given the nature of the injuries and the police attended the hospital to speak to Mr Penman. He was reluctant to provide much information about how he came by his injuries, though he did mention that it had to do with the purchase of a designer coat from another person, who stabbed him through the window of the vehicle in which he was sitting. As Mr Penman would not cooperate with the investigation and did not name you, Jacob Zuco, the police did not investigate further.
8. The eye-witness evidence of Danzel Powell was that Mr Penman arrived at a pre-arranged meeting with you in the Bedford area, where he tried on the designer coat. Mr Powell said that Mr Penman had already counted out the money that he intended to pay, which was intentionally less than the asking price. Whether it

was your being short-changed by him or worse, the jury rejected your case that Mr Penman drew a knife and that your doing the same and then stabbing Mr Penman was an act of self-defence in a tussle outside of the vehicle.

9. Mr Penman's reluctance to name you is likely to have had rather more to do with matters related to the driver of the car he was in, Mr Powell, than any desire to protect you, but that was the course Mr Penman chose to take. The significant functional impairment in his left arm as a result of the injury you inflicted in March clearly weighed heavily on Mr Penman. This incident set the scene for what then happened on 24 May last year. Furthermore, it was following the murder in May that the investigation into the stabbing in March was reopened.
10. I pause at this juncture to observe that you had now witnessed your ability to use the knife and the seriousness of the injury that it could cause. You took, what superficially one might describe as, a rational decision to dispose of the first knife. However, it was not out of fear for what you might do with it if put in a situation again that caused you to produce it, but instead to destroy the evidence of what you had done. This is clear from the disposal of your mobile telephone which contained messages that would link you to the meeting with Mr Penman about the coat. Tragically, rather than distance yourself from being unlawfully armed in public, you chose to get your adult friend simply to replace the discarded knife with another of equal lethality.
11. I accept without reservation that when you left home on 24 May 24 you did not go looking for Mr Penman; indeed, quite the opposite. You were however armed with the replacement knife.
12. I also accept, as is plain on the video footage shown to the jury, that you did not see Mr Penman (or anyone connected with him) until he came up behind you and hit you, he doubtless being driven by an understandable but wholly misplaced desire for revenge. That provocative act by Mr Penman was met by your gesturing to the knife in the waistband of your trousers, but without producing it. Though Mr Penman appeared to back off, he in fact then made his way to the car of his

partner, Nikki Chandler, which he then drove at speed in the direction in which you were initially cycling away from the scene. At the same time, there was shouting and gesturing from others, including from Nikki Chandler, who accepted threatening to strangle you, and Martin Chandler, her brother, who can be seen with a pair of garden shears aloft following in your direction. I accept that all that was going on around you likely caused you to hesitate instead of continuing to leave the area.

13. What happened next was described by a number of witnesses at trial, from which I am satisfied that Mr Penman drove Nikki Chandler's car directly at you, intending to do you at least serious harm. He plainly made contact with your bicycle, one wheel of which was buckled. It was then that you produced your knife and stabbed Mr Penman through the window, causing the single, fatal wound to his right chest, penetrating over 20cm into his body and causing injury to various organs, resulting in profuse haemorrhaging and respiratory compromise. It is unnecessary to relate the injury in any further detail.

14. Once Mr Penman had driven back to the car park from which he had come, before then losing consciousness, the video footage shows you subsequently making your way fairly slowly off in the direction of home. I do not doubt that the events as a whole had left you in some shock. You were then detained by members of the public until the police arrived. The knife, possession of which you pleaded guilty to, was retrieved in a sheath, tucked down the front of one of the three pairs of jogging bottoms that you were wearing.

Sentence hearing

15. For the purposes of this sentencing hearing I have read:

Sentencing notes from the prosecution and defence;
The Victim Personal Statements from Leah Dudley, Mr Penman's mother,
and from Nikki Chandler, his partner, which have been read into the record

and which give a glimpse into the suffering caused by Mr Penman's murder;

A psychological report from Dr Mazda Beigi;

A two-page handwritten letter from yourself; and

A number of detailed character references from family members and others who speak highly of you as the person they know.

16. I have listened with care to the oral presentation of the prosecution opening and defence mitigation and I repeat my thanks to all trial counsel for their conduct of the trial and of the sentencing hearing.

Jacob Zuco

17. You are 19 years of age, having been born on 19 April 2006. You were therefore 17 years of age at the time of the March 24 wounding and just 18 years and one month at the time of the murder of Mr Penman. Until your plea of guilty in September last year to possession of the knife on the day of the murder in May, you had no previous convictions, cautions or reprimands, although you admitted in evidence regularly carrying a large knife with you in public since December 23 and also some social supply of magic mushrooms and cannabis.

18. As Mr Mian KC observed the character references provide a significant insight into the very positive aspects of your character, which chime somewhat with your presentation in court, but are so at odds with the offending for which you now face sentencing. Without referring to it explicitly there is also material in the psychological report that may bear on the context in which you came to possess a knife and to use it with devastating consequences.

15. In passing sentence I intend to take the murder as the lead offence and pass concurrent sentences on the wounding and the knife offences. Whilst the wounding offence will then have to be reflected by an uplift in the minimum term for the offence of murder, the knife offence, as will become clear, is already

accounted for within the minimum term. It is therefore necessary to determine the sentence for the wounding offence first, as this will act as a guide to the required uplift. I emphasise that this is not a matter of simple mathematics, because the Court is required to stand back and consider the overall sentence for the purposes of Totality – that is imposing the shortest minimum term that reflects the seriousness of the offending as a whole.

16. In respect of all offences, I have fully in mind the relevant parts of the overarching guidelines on Sentencing Children and Young People and on Sentencing Offenders with Mental Disorders etc.

Wounding with intent

17. In respect of the wounding offence committed on 12 March 24, Culpability is A - High because the hunting knife qualifies as a highly dangerous weapon. As to harm, there was limited medical evidence from the period up to Mr Penman's death as to the nature and degree of the injury, but there was evidence from Nikki Chandler and others about the effect of it on his use of his left arm. Moreover, there was evidence from the pathologist, Dr Fitzpatrick-Swallow, that she observed muscle wastage and other signs indicating significant functional impairment. The Crown submit that this amounts to Category 1 Harm (being permanent, irreversible injury which has a substantial and long-term effect on the victim's ability to carry out their normal day to day activities or on their ability to work) and the Defence do not submit otherwise. In the absence of direct medical evidence, Ms Blumgart KC for the Crown confirming there is no other relevant medical evidence, the fact that Mr Penman more than two months after the incident was in essence unable to use his left arm, taken with the pathological evidence satisfies me that Category 1 Harm is made out.
18. The starting point for an A1 offence of wounding with intent is twelve years' custody with a range of ten to 16 years. There is no evidence to make a finding of the presence of any factors increasing seriousness from the guideline. You had

no previous convictions or other matters recorded against you and, from the details in the character references were someone of positive character. You were 17 at the time and were of maturity consistent with that chronological age. Mental health issues were also present, as described in the psychological report, which may have contributed to poor consequential thinking and decision-making. You have expressed remorse for your actions during the trial, to the psychologist and in your personal letter to me and I judge the remorse and regret to be genuine.

19. Bearing all these matters in mind, were the wounding offence to have been sentenced alone, the sentence after trial for an adult would have been in the region of nine to ten years. That would have been reduced in your case further for your age and related factors to a sentence in the region of six to seven years' custody.

20. I will return to the actual concurrent sentence to be imposed for this offence at the conclusion of these sentencing remarks.

Murder

21. The sentence for murder is fixed by law for those over 18 as custody for life, under section 275 of the Sentencing Code. Sections 321-322 of the Sentencing Code require this Court to set the minimum term to be served in custody before being eligible for consideration for release by the Parole Board. To set the minimum term the Court must consider the seriousness of the offence, taking account of the considerations in Schedule 21 to the Sentencing Code, as well as all other relevant facts of the case and guidance from applicable case law.

22. It is not disputed between the prosecution and the defence that this case comes within paragraph 4 of Schedule 21 in that it involves a knife taken to the scene, at least to have it available to use as a weapon. This is strictly correct, given the wording of paragraph 4(2)(b), because carrying a knife for so called protection means intending to have it available to use as a weapon – whether to scare someone else off or to use even in self-defence. It matters not that, as in this

case, the decision to carry the knife on 24 May 24 had nothing directly to do with any potential for meeting Mr Penman, but was intended for more general protection and to remove the unpleasant feelings of vulnerability that you said you experienced after being robbed some six months earlier. Such an offence is normally to be regarded as sufficiently serious for the appropriate starting point for determining the minimum term to be 25 years. It is important that all in court understand that the taking of a knife or other weapon to the scene adds ten years to the next starting point down.

23. For completeness, given that you were only a month past your 18th birthday at the time of the murder, the equivalent starting point for a 17-year-old (taken from paragraph 5A of Schedule 21) is 23 years. The starting points for those under 18 were increased by Parliament in 2022 from lower figures as a matter of public policy.

24. I find that in the circumstances of this case, there are no statutory aggravating factors from the list in paragraph 9 to Schedule 21, in particular there was neither significant planning nor premeditation. Although Mr Penman would have had a degree of vulnerability from the injury to his left arm, the circumstances in which he was stabbed immediately after driving into you, do not in my judgment qualify as his being particularly vulnerable as envisaged by the factor in paragraph 9(b). None of the other factors in paragraph 9 are relevant. The murder did occur in a public place and there were people around, but the actual stabbing of Mr Penman was of very short duration and much was obscured from the view of others.

25. As to mitigating factors in paragraph 10 of Schedule 21, when I enquired, the prosecution did not argue that an intent to murder was proved here, and I agree, not least because the evidence is of a spontaneous response to being driven at, at least partially in shock at the very unexpected turn of events. There was no premeditation at all as indicated earlier and this is a mitigating factor. There was no correlation between your decision to carry the knife that day and there being in

your mind an intention to use it on Mr Penman if you saw him. Any broader intention to have it available does not mean that there was premeditation.

26. Paragraph 10(d) refers to a defendant being provoked and 10(e) to a defendant acting in fear of violence. The facts of this case speak for themselves. Given that when assaulted earlier by Mr Penman, you only gestured to the knife but did not produce it, I am satisfied that Mr Penman's driving at you, intending you harm, amounts to a substantive mitigating factor of provocation and/or acting in fear of violence.

27. Age and other personal mitigating factors fall to be factored into the minimum term as well.

Bladed article

28. Before formulating the minimum term to be served, I turn briefly to deal with the bladed article offence.

29. Culpability A automatically applies because it involves a knife. The Crown submitted, and the defence agreed, that it was Category 1 in that it caused serious alarm/distress. However, I find myself unable to accept this joint position. The actions of those with Mr Penman and other members of the public disclose concern and indeed anger. The aftermath of the use of the knife undoubtedly caused distress, but it was only produced in the moments after Mr Penman drove into you and must have been re-sheathed and put away fairly promptly as it was back in the waistband of your trousers by the time you were on the move and then apprehended, moments later.

30. In the circumstances, I have determined that this is a Category A2 offence, with a starting point of six months' custody and a range of three months to one year. Were you being sentenced for it on its own, there being no factors increasing seriousness but factors reducing seriousness or reflecting personal mitigation,

such as age and levels of maturity, the notional sentence would have been one of five months' custody, which is reduced by 20% credit for your plea of guilty at the official PTPH for the murder allegation, which was still two months from the original trial date. There will therefore be a sentence of four months' custody on the bladed article offence concurrent to the sentence for murder.

Minimum term

31. I return to the assessment of the minimum term that must be served before you are eligible to be considered for release. I have concluded that I should take the point between the pre-18 and post-18 starting points for a murder within paragraph 4 of Schedule 21 as the notional starting point. The mid-point is 24 years. Nothing should be added to this for the bladed article offence to avoid double-counting, but there must be an uplift for the wounding offence. Applying the principle of Totality, I increase the notional minimum term by three years to 27 years, before applying a significant reduction to represent all the mitigation in this case.

32. I have identified two classes of mitigation – that which is personal to you and that which arises out of the specific facts of this case. In my judgment, the mitigation arising out of the facts of the case carries greater weight, and I have dealt with this in detail in the factual background and the mitigating factors from Schedule 21. Much of what is said about age and maturity is already reflected in the only marginally lower starting point for those aged 17, to which I have had reference. It is only in those cases where there is particular immaturity beyond the range identified for chronological age, which is not the case here, that a substantial downward adjustment is appropriate. There is material about adverse childhood experiences in the psychological report that must be factored into the Court's consideration and you have the benefit of very positive references about your general character. Taking the two strands of mitigation together, I reduce the notional minimum term to one of 20 years. From this will be deducted the 1 year and 23 days which you have already spent on remand in custody so that the minimum term which you will serve from today is 18 years and 342 days.

33. It is important to emphasise to those in court and the public at large that the sentence for murder that I impose is custody for life. The setting of a minimum term affects when there is eligibility to be considered for release. Whether and when someone serving a life sentence is released is a matter for the Parole Board, based on an assessment of it being safe to do so. Even then there may be numerous licence conditions applied and the person remains on licence for the rest of their life with the prospect of recall to prison.

Sentence

34. Jacob Zuco, the sentence for murder is fixed by law. This means there is only one sentence I can pass on you for that offence. For a person your age it is called custody for life. I must determine the minimum period that you must serve before you are first considered for release on licence. For the reasons I have explained in detail, I fix the minimum term which you will serve in custody, before the Parole Board may first consider your possible release, at 18 years and 342 days. The Parole Board will then decide whether you can leave custody at that stage, and if so on what terms. If you are refused parole at that time you will remain in custody, subject to regular reviews by the Parole Board. If and when you are released you will be on licence for the rest of your life. If you break the terms of your licence you will be liable to return to custody. Any mistake as to the time on remand deducted in this case can be corrected without you having to come back to court.

35. For the offence of wounding with intent on 12 March 24 I impose a sentence of six years' custody concurrent to the sentence for murder. For the bladed article offence there is a concurrent sentence of four months' custody.

36. I impose the statutory surcharge in the appropriate amount.

37. Ancillary orders – I make deprivation orders under s152 Sentencing Code in relation to the knife, together with the two mobile telephone handsets, the drugs

and all associated paraphernalia; the sum of £230 in cash and the damaged electric bicycle. All these items were seized from you on 24 May 24.

38. I thank the Major Crime Unit and officers involved in the investigation of this offence for the hard work, care and attention given to it. In particular I formally commend Detective Constable Marcus Johnson for his professionalism, diligence and perseverance especially in relation to his investigative work on the March incident. I am aware that this posed some very specific challenges, all of which were overcome, despite many other calls on his services in relation to other cases.

39. I repeat my sincere thanks to all counsel for their diligence in presenting this case to the jury and the assistance afforded to me throughout the trial.