

REX -v- FRANCIE McCARTHY

SENTENCING REMARKS

Francie McCarthy, you are today to be sentenced having been convicted by the jury of the Manslaughter of 16 year old Deonte Mowatt-Slater who died on 22nd October of last year 3 days before his 17th birthday. This case is yet another example of the fatal consequences which stem from the carrying knives and the needless loss of a young boy's life.

Deonte was a young boy who had been led astray in the recent past. He did not have the maturity to deal with the pressures to behave in a criminal way and no doubt found the thrill of ebikes and the attraction of having money too much to resist. Those of us who deal with cases such as this on an almost daily basis know only too well how easy it is for young boys to get sucked into the world of crime by those who groom youngsters into believing that they will have fun, make money and become invincible. The reverse is in fact true and those young boys sadly often end up completely out of their depths and feeling that there is no alternative despite the efforts of their loved ones and professionals.

To his mum, nan, siblings and wider family Deonte was very different from the person portrayed at your trial. He was his mum's younger son – her baby. Your actions have taken away one of her 2 children at a tender age and in the most brutal way. She noticed the change in Deonte when her father became ill and died and when Covid hit. She liaised with CAHMS (Child and Adolescent Mental Health Services) as she saw him being sucked into a criminal lifestyle. In order to get him away from Islington she moved away in March 2024. However on the 21st October the family went to see his grandmother who lives in Archway. Towards the end of the evening Deonte asked to stay longer with his nan where he was in good spirits.

That meant that he was in his old stamping ground with a stolen moped with false registration plates which he rode off from his nan's address telling her and his girlfriend that he was popping out for food.

Shortly after midnight Deonte was riding the moped in Courtauld Rd. He was wearing dark clothing and a balaclava. You were in the area to collect a drug debt. You were armed with a knife. You told the jury that you had been dealing class A drugs for 2 or 3 years and that you carried a knife to protect yourself.

You and Deonte came upon each other apparently by chance. I note however that you both had connections with rival gangs and their illegal activities.

Witnesses heard and CCTV recorded shouting between the 2 of you. It is clear that Deonte turned his bike around and mounted the pavement. He rode towards you. You took out your knife and you stabbed Deonte in the neck cutting his carotid artery and in his chest. The wound to the chest cut through his rib and penetrated his lung and must have been delivered with severe force.

Having been stabbed Deonte rode off and collided with a lamppost. You were shouting to him to “come here” clearly intent upon further violence. Deonte fell to the ground and was fatally wounded. He was tended to by a brave female local resident until the emergency services arrived. His mother was taken by police to where he was laying dying in the street from wounds inflicted by you. Despite the efforts of the paramedics and doctor he could not be saved.

The impact of the loss of Deonte upon his mother and family is immeasurable. There is void which nothing can fill. Deonte will not grow up. He will never be a man nor realise his potential. His mother is broken and has to take medication. His brother feels the pain of his loss. His girlfriend goes to his grave every day and feels indescribable pain that she will never see Deonte’s smile or hear his voice again. His half-brother has lost his protector and struggles to find hope.

I can only reassure all who knew and loved Deonte that I have carefully considered and reflected upon all they have said and I completely understand their turmoil. Mrs Mowatt expresses the hope that the sentence I pass will deter others. I am sorry to say that for those of us working in these courts the longer and longer sentences we pass do not sadly seem to deter others from carrying knives and fatally injuring others. No term of years will ease the pain of Deonte’s family. Their lives are changed forever by what you did. Nothing I can do today will bring Deonte back or minimize the pain suffered by his loved ones. They still seek closure which has so far not been achieved and may never be.

However I have to be true to the jury’s verdict.

Having fatally wounded Deonte you did not stay to help. You ran away. You got rid of the knife, your clothes and your phone. You went to Romford to lie low.

You were arrested on 25th October. You did not answer police questions. The jury rejected your assertion that you were acting in lawful self-defence.

The Sentencing Council Guideline sets out 4 levels of culpability for offences of unlawful act manslaughter. Your offending falls within culpability B as Deonte’s death was caused in the course of an unlawful act which carried a high risk of

death or GBH which must have been obvious to you since you deliberately armed yourself with a knife which you then used.

The Starting Point is therefore one of 12 years custody with a range of 8 to 16 years.

I accept that when Deonte mounted the pavement you may have believed that he was going to rob you but there was absolutely no need for you to draw a knife let alone use it twice on two of the most vulnerable parts of the body. Your aggression is demonstrated by your chasing after Deonte after he had been fatally wounded.

I had the advantage of presiding over the trial and of seeing you give evidence. I am satisfied that any momentary belief that you needed to defence yourself was quickly extinguished and replaced by a desire to teach Deonte a lesson.

There are a number of aggravating factors:

- (i) You have previous convictions for possession of knives
- (ii) You told the jury that you always carry a knife
- (iii) You told the jury that you have been dealing class A drugs for 2-3 years
- (iv) You are associated with those involved in gang violence
- (v) You ran away from the scene and disposed of evidence namely the knife, your phone and your clothes.

Turning to mitigation:

There was I accept no planning and you are relatively young. You are now 22. You have not yet attained maturity which the courts recognise may not occur in a young male until around the age of 25.

I have read the very detailed PSR which says all there is to say in your case. I have also read your letter and the letter from your uncle. You were spending your days dealing drugs and smoking cannabis. You had no desire to obtain qualifications or a job. If any good can come out of the tragedy of this case it is that since you killed Deonte you have begun to realise what a waste your life was and the risks involved in going about your life dealing drugs armed with a lethal weapon. You have begun to appreciate the benefits of education and of leading a law abiding life. You have a very young child whose arrival did not change your way of life as you now appreciate it should have done. You will see him grow up something Deonte's family can never look forward to. You are now demonstrating remorse as shown by your letter which I hope one day Ms Mowatt will be able to read.

Having taken all those matters into account, I have concluded that the aggravating factors significantly outweigh the mitigation and the least sentence I consider appropriate is one of 14 years custody.

I then have to consider the question of dangerousness. As at the date of the offence you undoubtedly presented a significant risk of serious harm to the public and would have qualified as a dangerous offender. But I have to decide whether you will present as such a risk upon your release. In the light of the length of the sentence you will serve, your progress on remand and the length of the licence period following your release I have concluded that a determinate sentence is adequate to protect the public from future risk from you.

Accordingly the sentence is one of 14 years' imprisonment.

Surcharge