

Duane Owusu

Sentencing Remarks

I have to sentence you for the murder of Zawha Mukhtar (M) at around 4.30 a.m. on 16th August 2025 of which you were convicted by a jury at a trial which concluded last month.

The facts giving rise to this offence are as follows.

On the evening of the 15th you went with others to a rave in Hackney. You left there around 2 a.m. and 5/6 of you, as your group then comprised, were driven to Stoke Newington, having been told that there was an event or party of some sort that was taking place there.

In the event, it did not materialise. You and the others were wandering around the streets when you encountered M who, it appears, was doing likewise. Both she and your group were all high on drink and a cocktail of different drugs.

It was decided to go back to an address in Dagenham and M, who had by this time attached herself to your group, got into the car.

In the journey that followed it appears that she was being flirtatious with the males, yourself included (she was sitting on your knee) and she was being loud, erratic and quite wild, to the displeasure in particular of the 2 other young women who were also in the car, to whom according to the evidence she was abusive and aggressive; to the point where she and one of the women became embroiled in a physical confrontation which spilled out into the road when the car pulled up near to a garage.

Matters calmed down, and I accept that you may have assisted in that regard, and everyone got back into the car which drove off. The calm was, however, short lived, matters coming to a head when M took out her phone and started the video recording function, to which one or possibly both of the women took great exception; such that it got to a point where you, DO,

told the driver to pull up, having decided that the only way to resolve the situation was to eject her from the car.

In order to facilitate this, you grabbed hold of her phone and when the driver had stopped the vehicle, you opened the door and threw it out, thinking that she would get out to retrieve it, at which point you could drive off and would be rid of her.

The tragic mistake that she made was not to do this but to cling on to you which, I am entirely satisfied on the evidence, resulted in you pushing her out of the car causing her to fall on her bottom.

As you then proceeded to get out of the car, you kicked out at her in the direction of her head, as she was on the floor and moments later, by which time you were fully out of the car, you kicked out at her again, in a stamping motion.

As it turned out, although I am satisfied this was not your intention, neither of the kicks appeared to connect with her in any significant way.

By this time, clearly alarmed by your acts of aggression, one of the women in the car, Abi Winter, had got out and placed herself in between you and M, in order to protect her. You pushed her aside and with a forceful full swing of your arm, you struck her to the side of her neck, which caused her to fall backwards, striking her head on the back of the ground as she landed, and in so doing, suffering a fractured skull leading to a subdural haemorrhage, which resulted in her death.

Whether you used the heel of your palm, as you maintained or a clenched fist, as contended by the prosecution, in my judgment makes no practical difference.

As is apparent from the CCTV footage, it was a forceful blow for which there was absolutely no need or justification.

Paige Allen, one of the young women in the car, whose evidence I accept, described this part of the incident as follows, 'He flung Abi from him. It was too much. He took it too far. She did not deserve to be thrown out of the car the way he was doing so. He was just lost, there was no controlling him. He seemed so angry. He was just raged. He looked like a monster when punching her. His behaviour was just wrong. I went to help her and he screamed at me to get in the car which I did. Everyone was shouting at him and everyone in the car did not agree with what he had done.'

Following these events, the car drove off but returned to the scene a minute or so later to find that M was still flat out on the ground. Paige Allen continued, 'Me and Abi said we need to get her help, we couldn't leave her like that. The defendant was screaming at us. He said just fucking leave her, no one cares about her.'

The car drove off, but intending to return again to the scene, the driver was in the process of doing a U turn, to your intense annoyance, so much so that you tried to open the door to get out.

As seen on the BWF of the police who had by now arrived on the scene, you were aggressive and bombastic, and the police then having let you go, you railed at the driver for having wanted to go back which had led to the police stopping you. The only person about whom you were in any way concerned at that time was yourself.

I accept that you didn't know that M was gravely injured, but the point is that you couldn't have cared less, whereas a moment's investigation would have revealed that she was lying unconscious; whatever may have been her condition, you were content to leave her there flat out on her back as a result of a blow from you, on her own, at 4.30 in the morning, clearly very substantially under the influence of drink and/or drugs, for all you knew miles away

from home and with no means of getting home. More callous and selfish behaviour it is difficult to imagine.

I want to say something about M. She was 27 years of age when you killed her. She had had a very tough life. At the age of 3 she developed meningitis which had made her completely deaf in one ear and significantly so in her other ear. As a teenager she had suffered a second bout of meningitis.

Despite these difficulties, she had made great strides. At the time of her death she was working as a financial assistant at the Young Vic theatre and had ambitions to become an accountant. She was a vibrant personality who loved life, and the VIS from her brother on behalf of the family that has been read to the court describes how absolutely devastated all of her family are at their terrible loss. She was, as her brother put it, a beautiful, determined and loving soul.

As has no doubt been explained to you by Mr Borrelli, in any case of murder, the mandatory sentence is one of life imprisonment. I am though required to fix a minimum term (explain what that means).

It is common ground in this case that, pursuant to paragraph 5 of Schedule 21 of the Sentencing Act, the appropriate starting point in your case is one of 15 years. I am required to consider whether that figure should be adjusted to take account of both aggravating and mitigating factors.

In my judgment there are a number of significant aggravating features:

1. M was unquestionably vulnerable, for 2 separate reasons. Firstly because of her deafness, although I accept, notwithstanding this, she was fiercely independent, and I also accept that is something of which you were unaware, but as a matter of general principle, you must take your victim as you find them. Secondly, as already

mentioned by me, I am satisfied you well knew from the erratic way in which she was behaving, coupled with the laughing gas that you saw her taking, along with the rest of you, she was 'out of it' which necessarily impacted on her self awareness as well as her ability to look after herself, as a young woman out on her own, late at night. I of course accept that she was not targeted because of her vulnerability, but the fact of her vulnerability is, of itself, an aggravating factor, in my judgment.

2. There is the fact of your antecedent history. In 2010 you received a sentence of eight years imprisonment for conspiracy to rob. This involved the robbery of a store where the shopkeeper was killed. You were the getaway driver. I accept that you were not involved yourself in the infliction of any violence but it was a very serious offence as reflected by the sentence imposed upon you. I note also that you have a subsequent conviction for an offence involving the supply of Class A drugs, and moreover at the time of the incident with which I am concerned, you were on bail in respect of a fresh allegation involving the supply of Class A drugs.
3. At the time of this incident you were yourself under the influence of drink and drugs. I accept that everyone else whom you were with, also were, apart from the driver, and this played no part in what you did, save and except that you may have behaved with a greater degree of restraint had you not been so affected.
4. Having assaulted M in the way that you did, as I have already mentioned, you took no steps to see if she was alright or to obtain help for her.

So far as mitigation is concerned, I have taken into consideration the work that you have done whilst in prison as well as the several impressive character reference presented on your behalf. In addition, there are what I regard as 2 particularly relevant factors:

1. The fact, as has always been accepted by the prosecution, that there was no intention on your part to kill;

2. The fact as I also accept that the incident was very short lived, was relatively spontaneous and unplanned, and as such involved no element of premeditation.

I am satisfied though that the aggravating features to which I have referred outweigh the mitigation that is available to you.

In the circumstances I fix the minimum term at 16 ½ years. There falls to be deducted from that figure the 238 days that you have spent in custody which means that the further time that you will be required to serve before you could be considered for parole will be 15 years and 310 days.

Surcharge.

Commendation.

I am told that this was DC Harding's first role as CCTV officer in a homicide investigation. Her work was most impressive and was of the highest order. She dealt with this aspect of the case from the outset and was responsible for piecing it all together. All the key documents (graphics, storyboard and transcripts) were hers. She devoted many hours of meticulous work to creating appropriately balanced and jury-friendly material and putting everything in good order for the trial. She is to be commended and congratulated.