



JUDICIARY OF  
ENGLAND AND WALES

**R**  
**-v-**  
**Karan Soni**  
**Luton Crown Court**  
**Sentencing Remarks of Mrs Justice Cockerill**  
**25 November 2022**

*The defendant is to remain seated until told to stand.*

### **INTRODUCTION**

1. This case concerns the death of a young man, Tola Piper. He was 34 years of age at the time of his death. He suffered un-survivable injuries in a collision with a car driven by the Defendant, Karan Soni, on 29 November 2021. The jury has concluded that that death was manslaughter.
2. I am therefore sentencing Karan Soni for that crime. I am also sentencing him in respect of two sets of offences of possession of Class A Drugs with intent to supply (two charges on the main indictment and 5 on a separate Indictment T20220102). Karan Soni pleaded guilty at the start of trial to these offences, one of which dates to and forms the start of the events which led to Mr Piper's death.
3. I have had the benefit of arguments on sentence from Ms Davies KC for Karan Soni and Mr Mulgrew for the Crown. I take account of everything they have eloquently said.
4. I have also heard from Ms Toyin Lawoyin, Mr Piper's aunt, who has provided a very moving Victim Personal Statement which was read to the court this morning and which I have read more than once. That statement makes clear the loss which Mr Piper's family has suffered. In particular Mr Piper's mother Jumoke had already tragically lost her daughter; she has said that when she heard her son was dead she died too. I am well aware that no sentence which I can impose can possibly heal or make up for Mr Piper's family's loss.
5. Karan Soni, in deciding upon the sentence for this offence I must set out my conclusions upon the evidence that I, along with the jury, have heard during this trial. I must sentence you only upon the basis of the facts that I am sure about. If I am not certain about something I must give you the benefit of the doubt.
6. The essential facts, on the basis of which I will sentence you are as follows.

### **THE FACTS**

7. On 29 November 2021 you were a young man with no convictions for any sort of wrongdoing. However, although you resisted the label drug dealer, you had sadly come to be street dealing Class A drugs.
8. You had done well in education and gone to university, but dropped out of your economics degree. You had been working at your family's plumbing supplies business, but had fallen out with them and gone abroad for a time.

9. You returned to the UK during the period of the covid pandemic when arrivals from many locations had to quarantine. You quarantined at the Travelodge in Luton. During this period you were hanging around with people who introduced you to cannabis use. You thought they were friends. It turned out they were not and they instead made clear that you had run up a debt to them. They asked for payment and made it clear that they would not take no for an answer. The seriousness of that response is evidence by the fact that you have steadfastly refused to name them in fear of repercussions.
10. Initially you had a warehouse job, and were then looking to start your own plumbing and handyman business. But you had to pay back your debt and what you were earning was not enough. So one of the people you had been hanging round with suggested you work off the debt by acting as the street dealing part of their operation. You would be given drugs and told where and when to hand them over, to a contact who had already arranged the deal with his own contact.
11. Perhaps unsurprisingly, on 31 October 2021 you were arrested for possession with intent to supply drugs. You were found in the car with an amount of drugs and cash and with a key card for a hotel room where there were further drugs. You were bailed and was due to attend the police station as a condition of bail at the end of the month. Having originally suggested all the drugs were for your personal use, you pleaded guilty to the charges on that indictment at the start of this trial albeit those pleas related to a combination of possession with intent to supply and simple possession.
12. You told the court how the arrest made things worse. Your employers initially did not believe that you had been arrested and accused you of stealing the drugs and money. They only backed off when you showed your bail papers. Even then, they added the value of the lost property to the debt. You had no way of paying this increased debt. And so you were still street dealing and still using cannabis yourself. The toxicology report indicates that you had used cannabis on or about 29 November.
13. And so passing to 29 November you were again sent to exchange drugs for cash in your car on Parys Road in Luton. There you were robbed at machete point by Mr Piper.
14. Mr Piper's story is to some extent similar to yours, but he was older and further along the road of street dealing. We now understand that his life had been badly affected by the loss of his adored sister Adanna when he was only seventeen years old. He had convictions for drugs offences, and offences of violence. He was also using drugs – on this day it seems likely that he had in his system a combination of cocaine and heroin known as a speed ball. However he was also a great deal more than this. He was a family man – with a partner of seventeen years, Amanda, who bravely attended trial and with three children to whom he was an excellent father and who are struggling with the impact of his loss. He was important to his wider family too; Ms Lawoyin has spoken very movingly of what a loving and appreciative nephew and cousin he was.
15. It is however an agreed fact that the police had information to suggest that Mr Piper was planning a robbery that day. Like you he appears to have been acting for others who stayed safe while he took risks for them. So he robbed you of your employers' drugs. While he robbed you, a Nissan containing acquaintances of Mr Piper waited on Birdsfoot Lane. At least some of them were people with convictions for drugs offences.
16. The details of the robbery do not matter. Mr Piper robbed you, using a large machete to compel compliance. You were relieved of the drugs, the cash of your employers and some of your own cash as well as your mobile phone. With the machete to your throat you

drove Mr Piper further down the road before letting him out. Mr Piper then made off at a gentle run.

17. You told us and I accept that you were scared both at what had just happened and at what your employers would say and do when they found out you had been relieved of a second set of drugs and cash. You decided to follow Mr Piper. What was at the heart of this trial was whether you did so with the intent of running Mr Piper down (either to wing him or to cause him serious harm) or whether you were following with a view to either blocking the path and panicking Mr Piper - or at least getting information about where Mr Piper had gone.
18. By their verdict the jury have concluded that they were sure that the impact between Mr Piper and the car was not the result of an accident but the result of you deliberately driving at Mr Piper. They have also however decided that they were sure that at the point of impact you did not intend to cause serious harm, though any sober and reasonable person would have realised that there was a risk of some harm, albeit not serious harm resulting. The story of the next few minutes, consistent with their conclusion, is as follows.
19. Mr Piper initially went into Powell Close. You blocked the end of the close. Mr Piper came back out and jogged off down Birdsfoot Lane. He appeared quite relaxed. A witness who emerged from the Co-op was not alerted to anything suspicious; a similar impression emerges from watching the CCTV footage. As Mr Piper passed the Co-op the Nissan containing his acquaintances moved off and turned into Dewsbury Road. Mr Piper followed the same course.
20. Meanwhile you manoeuvred from Powell Close onto Birdsfoot Lane and followed. You had to decide whether to stop behind a suddenly stopping black car or go round it onto the wrong side of the road. Wanting to keep Mr Piper in sight – being, as you said, in a rush – you did the latter. The result was that two cars had to steer into the bus lane to avoid your car. One of them hooted, drawing the witness’s attention to the car for the first time.
21. You followed Mr Piper into Dewsbury Road. What happened next took scant seconds. The first part of it was captured side on in a CCTV camera facing down an access road located 38 metres along the road and running at right angles to the road. The latter part of it has had to be reconstructed from that footage and the consequences. The evidence was presented to the jury in an exemplary fashion by PC Holmes (forensic collision investigator), Officer Seal (case officer) and Dr Fitzpatrick-Swallow (forensic pathologist).
22. It appears likely from photos taken shortly after the scene was released that there were cars parked on the left hand side of the road and the Nissan, moving very slowly, took up quite a lot of what remained of the road. Further up the road, beyond the Nissan, were cars parked with two wheels on the right hand pavement.
23. Mr Piper was jogging along the right hand pavement. You saw Mr Piper apparently hailing the Nissan. You quickly decided that the Nissan was Mr Piper’s getaway vehicle.
24. It was your case that you decided to try to get its number and to see who was inside. You said you had some thought of blocking the Nissan if you could. The jury has rejected that evidence by its verdict of manslaughter. It has concluded that you intended to hit Mr Piper. Consistent with that conclusion, the CCTV shows the car heading straight for Mr Piper showing no hesitation or braking and we know from the forensic collision evidence that the Insignia speeded up, albeit only slightly, the speed moving from 12.27 mph to 14.92 mph – below the 20 mph speed limit for the road.

25. At some point in this small window of time you had steered up onto the right hand pavement. The kerb was low and it may well be that your evidence that you were not aware of it is entirely true. But very shortly afterwards you steered back towards the Nissan slightly either instinctively, or to avoid a car ahead on the pavement.
26. As you did so you deliberately hit Mr Piper, who was right in front of the car. Although the speed was slow the impact was such that the Insignia lost its badge in the impact. Mr Piper was, as the CCTV shows, “collected” onto the Insignia’s bonnet.
27. Key to the jury's verdict and the parameters for my sentencing exercise is the uncontentious fact that in normal circumstances Mr Piper would have suffered no serious harm from this low speed collision. As Ms Holmes said, this is why 20mph speed limits are put in place, because statistically all that is likely to result from an impact at that speed is a few bruises and a nasty shock. But in this case something highly unusual occurred.
28. At about the same time as you steered towards the Nissan, the Nissan itself turned its wheels towards the left hand side of the road. The Nissan's tyre was touched by tyre of your car, also facing left, and provided a ramp which drew the Insignia up the side of the Nissan. Ms Holmes said that it was "a very rare occurrence for wheels to interlink and wheels to end up off road in low speed collision". Ms Davies KC in closing called it “a freak incident” and bearing in mind the conditions for it to occur and the speeds involved, anyone watching the footage will concur with that description.
29. Without this rare occurrence Mr Piper would not have died. Without this rare occurrence you would not face the charges you did. That is because as a result of this freak incident Mr Piper was catapulted to the ground directly beneath the left hand front tyre of the Insignia as it came down. Both tyres went over him. His chest was, to use Dr Fitzpatrick-Swallow’s terminology, “devastated”.
30. Mr Piper suffered massive catastrophic injuries to his rib cage and because of the breaking of his ribs, also to his lungs. There was a multiplicity of significant devastating injuries with most ribs fractured, most more than once. Many were displaced into the chest cavity, puncturing his lungs. Those injuries were unsurvivable, whatever had been done for Mr Piper. The combination of the deliberate slow speed collision and the freak incident led inevitably to his death and his family’s bereavement.

## **SENTENCING PRINCIPLES**

31. The objects of sentencing in criminal cases are set out in s 57 of the Sentencing Act 2020. I have regard to those objects. Pursuant to s. 59 of the same Act I must also follow any sentencing guidelines which are relevant to the offender’s case unless I am satisfied that it would be contrary to the interests of justice to do so. The Sentencing Council has provided guidelines to judges sentencing for the offences which I am considering. The guidelines are intended and very carefully designed to do exactly what their name suggests and assist any court in achieving a right and proper balanced sentence according to the facts of the individual case.

32. In this case I have regard to the following Guidelines:
- a. In relation to the Manslaughter offence: the Guideline for Manslaughter, and also that dealing with Seriousness. I conclude that in this case, with the very particular facts which I have outlined, the latter has nothing relevant to add. I therefore proceed only by reference to the Manslaughter Guideline.
  - b. In relation to the two drugs offences, I have regard to the Guideline for Drugs Offences.
33. I will deal first with categorisation of the offences. The Manslaughter Guideline only requires me to assess the culpability of the offence, the harm in the case of this offence being naturally taken as being of the utmost seriousness, because it involved a death.
34. The Prosecution has suggested that this should be categorised as at least a Category B case, either on the basis that death was caused in the course of an unlawful act which involved an intention by the offender to cause harm falling just short of GBH or that death was caused in the course of an unlawful act which carried a high risk of death or GBH which was or ought to have been obvious to the offender. The Defence have contended that the case is a Category C case in that this was a case where there was no high risk of death or GBH which ought to have been obvious, particularly given the speed involved and the evidence of PC Holmes as to the harm which was likely to result.
35. In many cases involving a death caused by a deliberate impact from a car it is likely to be the case that the offence falls into Category B – that is because of the damage which a car (being a heavy object moving at speed) may well cause even without any intention to cause serious harm. I have considered carefully whether simply because of that potentiality I should follow that course. I am however satisfied that the Defence analysis is on the – as I have said very unusual – evidence in this case, the right one. On many occasions the combination of speed and the mass of the car will inevitably mean an obvious high risk of death or serious harm. But in this case the obvious risk was, because of the low speed not the causing of serious harm. It was the causing of some probably minor harm. The risk of what happened occurring was not obvious – it was at the outer reaches of possibility (and in that respect comes close to one of the criteria for Category D). It follows that this case falls within Category C, though possibly tending more to the top end than the bottom. For Category C the starting point before taking aggravating and mitigating factors into account is 6 years custody.
36. There are the following three aggravating features in your case:-
- a. The offence was committed while on bail while you were under a condition not to enter Luton save to report on bail
  - b. Use of the vehicle as a weapon.
  - c. Leaving the scene and not reporting the accident.
37. Of these the first two are the most serious; and the first is the factor on which weight was really placed by the prosecution. But the other factors must also be given some weight.
38. I also raised in argument the possibility that the following might be seen as aggravating:

- a. The driving might well have caused harm to others as the CCTV on Birdsfoot Lane and the defendant's own evidence as to lack of attention to the road on Dewsbury Road shows.
- b. The offence was committed under the influence of drugs.

However Ms Davies KC has persuaded me that it would be wrong to take these factors into account given that there was no-one on Birdsfoot Lane other than Mr Piper and as to the drugs it was merely a trace in the system and post incident use could have accounted for it.

39. I turn to the mitigating features. They are these:-

- a. You have no relevant convictions. In fact you were of good character at the time of the offence.
- b. I accept that you are remorseful. That was clear from your evidence.
- c. This was not a fully premeditated attack; I accept that this is a case which while deliberate was a potentially slightly panicked reaction to a genuinely terrifying robbery.

40. There are not insignificant points. I have also had regard to the mitigation so ably offered on your behalf by Ms Davies KC. She has drawn my attention in particular to the very positive reports and references of your behaviour in prison which suggest that you are doing your level best to put your life back on track.

41. As for the drugs offences it is agreed that they are Category 3 and that the offences on the day of Mr Piper's death fall into Significant role. The only difference between the Prosecution and the Defence is whether the earlier offences on 31 October are on the cusp of Lesser role, because of the smallness of the debt at the time. Again I consider that this submission has force. That makes the November offences ones which have a starting point of 4 years and 6 months, while the October offence would be (other factors apart) starting at about 4 years. Looking at each indictment each drugs count of course has near total overlap with the others.

42. The second drugs offences are aggravated by your being on bail. The mitigating factors for both are essentially:

- a. Your good character (qualified slightly as to November by the fact of your having been charged with the October offences)
- b. The pressure put on you to deal drugs (a factor not counted for the purposes of categorisation and to which I can therefore properly give some weight)
- c. The extremely promising reports which have been submitted of your behaviour in prison, which show what a productive member of the prison population you have become; benefitting others as well as yourself in the assistance you are giving them.

All of these deserve considerable weight in my judgment.

43. There is also the question of credit for plea. In relation to the drugs offences on 31st October 2021 you originally pleaded not guilty at PTPH, however your advocates then withdrew and on top of that, the Bar took action. The defence therefore invite 20-25%

credit for that plea, it occurring before trial and no defence statement having been served. I accept that submission, which was not opposed.

44. The defence also submit that there should be full credit for plea for the offences on 29th November 2021 as you had not been charged with those offences and entered guilty pleas at the first time of arraignment. Again that submission was not opposed and I accept it.
45. In arriving at the sentence I have had regard to the aggravating features, whilst also having regard to the mitigating factors and the personal mitigation advanced on your behalf. I have also carefully considered the question of totality, there being three sets of criminality across two dates – and so far as the drugs offences are concerned more than one count on each indictment. It is necessary that the sentence imposed, however structured, reflects the totality of the criminality of the offending.

## **THE SENTENCE OF THE COURT**

*The defendant is to stand up*

### *Manslaughter*

46. Plainly, given the nature of the offence, only a custodial sentence can be justified. Although the two sets of offences under the November indictment might normally be sentenced concurrently as arising out of the same set of circumstances I consider it in this case to be preferable to sentence them separately in part because of the tragic outcome of the later offence, and in part because of the mechanics of the later parts of this sentence. (I will however sentence each set of drugs offences concurrently as to the offences on that indictment.)
47. In respect of Manslaughter, I sentence you, Karan Soni, to 7.5 years in custody.
48. Because of the length of that sentence you will serve two thirds of your sentence in custody.

### *Drugs Offences*

49. In respect of the November drugs offences (Counts 4 and 5), taking into account the preponderance of mitigating factors and credit for plea as well as the need to fairly reflect the totality of the offending, the least sentence which I can impose is 18 months on each count. Those sentences are to run consecutive to the sentence on the manslaughter charge but concurrent with each other.
50. In respect of the October drugs offences (Indictment T20220102 Counts 1, 2 and 3) the least sentence I can impose is 16 months in custody for each of these overlapping offences of possession with intent to supply. Again, that sentence is consecutive to the sentences on the Manslaughter offence and to the sentence for the November indictment drugs charges; but concurrent inter se.
51. There will be no separate penalty in respect of the simple possession counts relating to MDMA and cannabis for personal use (Indictment T20220102 counts 4 and 5), which it is agreed do not cross the custody threshold.

52. In relation to each of the drugs indictments you will serve half of that term in custody. You will serve the remainder on licence. You must keep to the terms of your licence and commit no further offence or you will be liable to be recalled and you may then serve the rest of your sentence in custody.
53. The 359 days which you spent on remand in custody will automatically count towards the sentence which I have now brought into operation.
54. There are then a number of other orders which follow from this main part of the sentence.

#### *Driving Disqualification*

55. The first relates to disqualification from driving. Disqualification from driving is an order which I have a discretion to make and in the circumstances it is not contentious that I should make such an order. It is for a period to be determined by the Court and with reference to the custodial element of the sentence - particularly the release point for any custodial sentence. The aim of the order is to ensure that the discretionary disqualification period is geared to the seriousness of the driving element of your offending and the protection of the public – but that it is served after the release from prison.
56. As to this:
- a. I impose a discretionary disqualification period pursuant to s. 34 Road Traffic Offences Act of 6 months. I do this bearing in mind the purpose of the order (protection of the public), the circumstances of the case and your previous unblemished driving record.
  - b. It is then necessary to add an extension pursuant to s 35A of the RTOA. That will be a period of 45 months (ie. equal to half the sentence imposed for the principal offence).
  - c. There is then an uplift pursuant to s35B of the RTOA to cover (i) the period to be served for other offences and (ii) an uplift to cover the fact that two thirds of the manslaughter conviction will be served in custody. That uplift is 32 months – being 17 months to reflect the time you will spend in custody on the drugs offences and 15 months to reflect the fact that you will serve two thirds of the sentence for manslaughter.

**57. This leads to a total disqualification of 83 months - but allowing for the time spent on remand and in custody prior to sentence (359 days) the period of disqualification from today's date is 71 months: ie 5 years and eleven months.**

58. In addition I order that you must pass an extended driving test before the disqualification is lifted.

#### *Forfeiture and destruction and surcharge*

59. I also make orders (which were not opposed) for forfeiture and destruction. The first, forfeiture only relates to cash:

*Cash seized on 31st October 2021*

£275 cash from the defendant's home address during a search

*Cash seized on 29th November 2021*



£1225 cash found in street on Dewsbury Road  
£220 cash found in Mr Piper's jacket at the scene  
£88.95 cash found in the Insignia  
**Total: £1808.95**

60. The second is forfeiture and destruction of items seized either on 31 October or 29 November 2021

*29th November 2021*

Exhibit 2 – Large machete style knife  
27 wraps of diamorphine (13.3 grams)  
A quantity of crack cocaine

*31st October 2021*

17 wraps of diamorphine (23.9 grams)  
21 wraps of crack cocaine (4.5 grams)  
1 wrap of MDMA (0.9 grams)  
6.72 grams cannabis

61. Finally, the statutory surcharge applies to this offence and will be added to the Court record in the appropriate amount.

*Post Script*

62. Finally may I say a word of thanks and commendation to the investigating team. I have mentioned in the course of the sentencing remarks the word of Officer Seal the Officer in the Case whose preparation and presentation of the evidence, in particular the CCTV evidence was absolutely exemplary. I have also mentioned PC Holmes the forensic collision investigator whose expert evidence was thorough and beautifully clear.

63. I should also mention:

- a. Senior Investigation Officer – Sam Khanna
- b. Deputy Senior Investigation Officer – Solomon Beere
- c. Disclosure officer – Tanzeem Siddiqui
- d. Family Liaison Officers who have supported Mr Piper's family – Fay Streeter and Kat Savage

64. I would also like to convey the thanks of the Court to Ms Grancea. Although some facets of her recollection were not entirely accurate, her evidence was, as my summing up and sentencing remarks have made clear, entirely honest and very helpful overall. It is the more credit to her that she engaged when a number of other potential witnesses did not, and in circumstances where she had to undergo the ordeal of giving evidence shortly before her due date.