



THE RECORDER OF SHEFFIELD

SENTENCING REMARKS

OF

**THE RECORDER OF SHEFFIELD
HIS HONOUR JUDGE JEREMY RICHARDSON KC**

AT

THE CROWN COURT AT SHEFFIELD

ON

THURSDAY 31ST AUGUST 2023

REX

V

ASHLEY PODSIAD SHARP

Preamble

You may remain seated. You must listen with care to what I am about to say. You will stand when I come to pass sentence upon you.

In the printed version of these sentencing remarks there will be headings for ease of reference.

These sentencing remarks will be made available to you, your lawyers, the press and the public a short while after the conclusion of this hearing. I also direct that the printed version of these remarks shall be placed within the relevant section of the Digital Case System.

These sentencing remarks will also be made available to the judicial press office.

Introduction

Ashley Podsiad Sharp you are aged 42 years.

You fall for sentence following conviction by the jury of the crime of Being in Possession of Material Likely to be of use to a Terrorist contrary to section 58 of the Terrorism Act 2000.

The maximum sentence for that crime is 15 years imprisonment.

You have no previous convictions – and that is an important point of mitigation.

You forced a trial. You have therefore forfeited what would have been an important aspect of mitigation.

You told lies to the jury. You will not be punished for telling falsehoods. You will be punished for the crime you committed.

I must consider the issue of whether you are a dangerous offender.

At the time you committed this offence you were a serving prison officer at HMP Armley in Leeds. It is clear to me you are a man who holds racist and other abhorrent views which have three components: first, you are an unashamed white supremacist with extremely dangerous racist and hate-related views which includes extreme homophobia; second, you are a man who denies the existence of the holocaust before and during the Second World War, indeed you idolise Hitler and other Nazi war criminals; and, third, you are a self-professed neo-Nazi – indeed, you appeared to be very proud of that in your evidence before the jury in the trial over which I presided in May 2023.

It is my intention to send these sentencing remarks to the Secretary of State for Justice as the minister who has responsibility for prisons. I have no idea what, if any, vetting was undertaken by the prison service when you obtained your job as a prison officer or what monitoring there was of you once in post. I have absolutely no doubt that a man with the perverted and extremely dangerous views you hold should never be employed in the responsible position of a prison officer. I make no criticism of anyone, but it seems to me to be appropriate that the responsible minister should be apprised of this case to see if any enquiry or action is needed. That is not a matter for me. I simply draw the attention of the Secretary of State to this case.

During the trial the court was compelled to listen to a large volume of material which was the subject matter of the count 1 in the indictment, of which you were acquitted. I make it plain, for the avoidance of any doubt, that material has no relevance to sentencing in this case. It reveals much about your character and perverted views, but it does not affect the sentence in this case. I shall ignore the fact that you found some of the material – indeed most of it – to be innocent and amusing. It was not.

You will be punished for what you did – and that was to have an electronic version of *The White Resistance Manual* on your computer.

The full facts of this case are contained in a typed sentencing note prepared by the prosecution on 17th July 2023. It is not my intention to set out the details of the contents of the manual. It is not in the public interest to do so. It is a manual which contains significant information which would be of use to a terrorist and others who have deranged and disordered minds or mindsets.

It is an extremely dangerous publication. It is a manual for murder, terrorist acts, and how to evade capture.

The simple fact of the matter is you created a cauldron of self-absorbed neo-Nazism masquerading as a low grade all-male sports club. This sought to camouflage your real purpose to incite violence against those you hated with a vengeance. Those individuals were inadequate, ill-educated, unsuccessful, and dangerous.

The terrorist manual was an integral part of this scheme.

Sooner or later that violence would have eventuated.

Facts

The *White Resistance Manual* (WRM) is a document which is explicit and detailed which furnishes those, like you, who harbour perverted and extreme white supremacist attitudes and views, with the wherewithal to commit murder. It is a murder manual for white supremacists.

The introduction to the document is instructive as to its malign purpose. The author writes of the “struggle for white survival”. It states that democracy will be cast aside and “votes will now be cast with bullets and bombs”. It goes on to espouse extreme anti-Semitic views. I will not sully these sentencing remarks by quotations except this:

“No longer will we tolerate any non-white colonizers living and breeding among us. In this new era we fight for nothing less than absolute physical separation of the white race from all Jews and non-whites.”

Those and other views expressed in the document are vile. The content of the WRM is vile.

The manual sets out in some detail the various mechanisms for armed struggle embracing killing people and how to do this.

I will simply summarise the general nature of the contents. The document is in excess of 200 electronic pages.

It contains:

1. Information about the various ways to commit terrorist acts.
2. Considerable practical information about firearms and other weapons. It also has a complete section on explosives and related material. It often makes reference to "assassination".
3. There is graphic detail about how to kill people and which is the best method depending on the circumstances.
4. At one section it covers Improvised Explosive Devices including letter bombs. In this regard there is this chilling quotation:

"Some of our comrades in Germany have had great success in killing and maiming a number of immigration advocates and lawyers (most of them Jews of course) with this type of device, as of this writing those responsible have not been caught. Sieg Heil!"

5. There are sections on committing arson, poisoning people, sabotage of public utilities and communication systems.
6. The avoidance of detection is covered in some detail. This includes using encryption of computers.

It was agreed evidence in the trial that this manual would be useful to a terrorist.

It is an extremely dangerous document.

You had possession of it.

You went to considerable lengths to encrypt this document on your computer devices - as suggested in the WRM. It is only when you were served with various statutory notices that you provided passwords to enable counter terrorism officers to access to the material.

As part of the backdrop you established an organisation called the *White Stag Athletic Club*. This group of white men whom you recruited was designed to attract disaffected and disillusioned white men who had disordered views. In order to be a member it was necessary to be a racist. The vetting procedure was such that you asked whether these individuals had Jewish heritage or a Muslim background, whether they were homosexual, or whether they were of mixed-race heritage.

This was not some form of ludicrous sports club. You were recruiting men with equally malevolent views to your own for a malign purpose. That is very clear from the evidence in the trial about the speeches you made to them. You appeared to be encouraging them to some form of combat.

I have no doubt whatsoever you harboured terrorist intentions and your motivation was terrorism. I doubt you would have perpetrated this yourself – although that is something of which I cannot be sure. You may have been so overwhelmed by hatred that you may – in time – have perpetrated a terrorist act. I am in complete agreement with the probation officer who is the author of the PSR when she stated:

“Whilst no direct victims are identifiable via this offence, the potential implications are extremely serious. [The defendant’s] actions demonstrate a significant commitment to the ideologies he expresses. He has progressed from informal contact with like minded men to the creation of what he describes as the WSAC ‘project’ with the aim of actively recruiting on-line. At some point in the future it is entirely possible that he would have found it necessary to act upon the injustice and faults in society which he perceives, via terrorist acts.”

Having encouraged these ignorant and disillusioned men you had absolutely no means of controlling them or knowing how they would respond. I have no doubt you were inciting hatred and you were encouraging acute violence towards those you hate.

There is not a shadow of doubt you harbour ingrained racist and homophobic views of which you are very proud. The language you utilise to describe those groups and communities was vile in the extreme. You place Hitler and his henchmen as idols in your life. You retained material about racist and terrorist attacks on your computer – this included copies of the live stream of racist and terrorist attacks.

In short and simple terms you are a self-professed neo-Nazi who possessed an extremely dangerous publication. You recruited white men with identical views to be sycophantic supplicants to an extremely dangerous and perverted cause. These young men were nascent neo-Nazis and you were encouraging them in their unbridled racism, homophobia and ludicrous, but dangerous, white supremacy theories.

I have not overlooked the fact you had a certain weapons in your home.

I have little doubt that sooner or later one or more of these individuals would have indulged in violence directed towards a minority group whom you – and they – hated.

PSR

The Pre-Sentence Report is very insightful to your conduct and attitudes. The conviction has not caused you to reflect or repent. Indeed, this may have caused you to have enhanced hostility towards society and the forces of law and order. I agree with the author of the PSR that your cognition is extremely distorted.

It concludes that you demonstrate a significant capacity for serious harm. This is described as potentially immediate and you are assessed as posing a

high risk of causing serious harm. The report concludes there significant concerns for public safety.

I regard the criticisms of that report advanced by your counsel, Mr Eguae, to be comprehensively misplaced. The idea that an experienced probation officer has been in some way “swayed” in her views because of the you being an admitted Nazi was an unfounded and unwarranted criticism.

Sentencing Guideline

The definitive guideline of the Sentencing Council on Terrorist Offences of 2018 must be followed.

I am entirely satisfied that this case falls into category B1.

I reject the submission made on your behalf that the case falls within category C1 and at the lower end of the range open to the court. It is argued you had no terrorist connections or motivations. Whilst there is no evidence you had connections with known terrorists, there is much evidence that you harboured the motivation for terrorism. It is accepted the case falls within harm category 1.

I reject the submission that you regarded yourself first and foremost as a peace loving “Christian”. You certainly said as much. I, however, do not believe you. The evidence points firmly in the other direction.

A variety of other submissions were advanced about the use of the document, the fact you did not furnish the police with the password until compelled to do so, and how you had no interest in violence.

The submissions about these various aspects of the case are comprehensively misplaced.

Mr Eguae asserted on your behalf that the White Stag Athletics Club was a self-improvement group which involved a group of white men coming together to overcome internal challenges in their lives in order to make the lives of themselves and their families better. I reject that as arrant nonsense.

I accept the submission that I must look at all the circumstances of the case – and that I have done.

It is clear to me on the evidence in this case that, in terms of your culpability, you were not in the two extremes postulated by categories A and C. You had set up the White Stag Club for a criminal and terrorist purpose, in my judgment. Your motivation was undoubtedly terrorism.

In terms of culpability you fall within category B.

I have no doubt the WRM had material within it which had the potential to facilitate an offence endangering life and harm is very likely to be caused.

In consequence the starting point is 7 years imprisonment and a range of 5 to 9 years.

I am very conscious of the risk of double counting. I have taken the racial and sexual orientation feature of this case into account when placing this in category B1.

I shall take into account the length of time you had the material and the use of sophisticated encryption to camouflage the WRM to avoid detection – as advised in the document.

Although the crime was not committed in prison, I regard the fact you were a prison officer to be a very serious matter. You had contact with vulnerable white men who were disadvantaged and disaffected – some of whom may well have been ripe for selection by you, had the situation presented itself.

The sheer volume and detail of this document is also of importance.

Step 3 is irrelevant in this case.

You have forfeited what would have been important mitigation at step 4.

I shall consider the issue of dangerousness in one moment at step 5.

I have well in mind the other steps where relevant.

Mitigation

It is at step 3 of the guideline I must consider mitigation.

You have no previous convictions. That is of importance. I also note your family situation. Your children will undoubtedly suffer by it being known that their father is a man convicted of a terrorist offence, and is a neo-Nazi with shocking white-supremacist views.

I have read the various statements of those who refer to your character. These include neighbours. You camouflaged your true feelings and views from these people. I accept they speak well of you. I have also read the statement of a friend in Poland and from a minister of a presbyterian church in York. It appears you also camouflaged your real views from him and the remainder of the congregation.

Mr Peter Eguae's principal line of argument related to the classification of the case by reference to the sentencing guidelines. I have already rejected that line of argument.

Notwithstanding the absence of any further submissions, I have reminded myself of the necessity to keep a sense of proportion and perspective about this case.

I make it plain that there are times when you are able to conduct yourself in a decent and law abiding way with friends, family and neighbours.

Dangerousness

I do not address the issue of dangerousness lightly.

It is argued on your behalf that I would not be justified in determining you to be a dangerous offender.

I reject that submission.

I have well in mind the statutory criteria within section 308 of the Sentencing Act 2020. I must decide whether you pose a significant risk to members of the public of serious harm occasioned by you of further specified offences – that is to say in the context of this case serious crimes of violence. In making my assessment I have well in mind the factors set out in section 308(2) embracing this criminality, your pattern of behaviour and all the information I have about you as an individual.

There is no doubt you hold deeply ingrained racist and homophobic views which are unshakeable. You are proud to be a neo-Nazi and white supremacist. You were in the process of recruiting white disaffected men to your white supremacist organisation and you had the clear motivation for terrorism targeting those whom you hated.

The PSR makes it clear you pose significant dangers.

I am of the view that you are unrepentant and have shown not the slightest remorse. I take the view you pose significant risks to society and public protection demands an enhanced level of protection. It is my view that unless you are monitored very closely you will continue upon the course of racist and other hate-related violence amounting to terrorism to which the WRM was directed.

You are plainly a very dangerous individual. The test established by section 308 is met. The public need to be protected from you for as long as possible.

You are a dangerous offender and it is my view an extended sentence is not only warranted, it is essential in your case, for the maximum period of time permitted by law.

Conclusion

In the result I have formed very straightforward conclusions which can be simply stated by reference to the steps in the definitive guideline.

First, I have no doubt you are a dangerous offender and an Extended Sentence is demanded in this case. The public need enhanced protection from you and your perverted views.

Second, a prison sentence of some substance is merited in this case.

Third, for the reasons I have given this case falls into category B1 of the terrorism guideline.

Fourth, there is not one iota of remorse. Indeed, completely the reverse. You revel in this swamp of malignant racist views which leads you to harbour terrorist material, and one day – I have no doubt – one of your number would have indulged in a terrorist act directed towards the people you hate.

Fifth, the only mitigation is the fact you have no previous convictions. That brings the sentence down from what would have been the correct level of 9 years absent any mitigation.

It is my view the correct level of custody in this case to punish you for what you did is 8 years imprisonment. That is a severe sentence and it is intended to be severe. Anyone who did as you did deserves a sentence of this severity.

I am satisfied there is a real and pressing need for the public to have enhanced protection from you. An extended sentence is needed – beyond doubt in this case.

I shall impose the maximum level of extension, namely 5 years.

Serious Crime Prevention Order

I am also satisfied the criteria for making a Serious Crime Prevention Order are met. That order is designed to control your use of the internet and manage your use of electronic equipment. The order is necessary and proportionate. You are unrepentant and the counter-terrorism authorities need to monitor you with great care. This will greatly assist in that regard. The order will operate for 5 years and will become operational at a time when you become eligible for release from prison. That will not be before 1st January 2029. The order will operate until 1st January 2034.

Sentence

You must now stand.

The sentence I pass upon you is an Extended Sentence of 13 years which is comprised of a custodial term of 8 years and an extension period of 5 years.

I impose the necessary statutory surcharge in the appropriate amount.

I make a Serious Crime Prevention Order in the terms sought.

Furthermore it is imperative that the various exhibits are destroyed. I make all other consequential orders.

Take him down.

