

R v Ghani and others

Sentencing Remarks

Preliminary Ancillary orders

In each of your cases, you will be barred from working with and from carrying out certain activities with vulnerable adults and children under the Safeguarding and Vulnerable Groups Act.

Each of you will be subject to the notification requirements and must notify the police of your name, address and changes to your personal details for the rest of your lives.

I am not satisfied in any of your cases that it is necessary to impose a SHPO in order to protect the public from sexual harm from you, or to protect children or vulnerable adults from sexual harm, in light of the time that has passed between you committing sexual offences and the sentences I am about to pass.

I am satisfied that in the light of the evidence in the Victim personal statements that it is necessary to impose Restraining Orders upon you, in order to protect the victims TP and LR from acts of harassment. The draft orders will take effect until further order.

Sentencing remarks

You have each been found guilty following a trial of serious sexual abuse.

Martin Rhodes, you pleaded guilty to the offences for which you are to be sentenced immediately before the trial of began.

Your cases together and individually reflect appalling abuse of two young women, who were children when you offended against them.

It is clear from the evidence, and from their appearance and behaviour that you were each well aware of their young ages, and of their vulnerabilities.

I was able to watch closely and listen carefully to the evidence of the witnesses and assess them, as well as you, as you sat in the dock through this long trial. Jahn Shahid Ghani was the only defendant to give evidence.

LR and TP were both immature, naïve children who were loved by their families. They both wanted to be grown up, and they wanted to be loved. As children, they believed they had street credibility, but in reality, that was fake. Each girl was a child, ripe for exploitation by unscrupulous older men.

Your behaviour towards them during the commission of these offences was highly predatory, controlling and manipulative.

They were ripe for exploitation because of their immaturity and their situations. You each hooked them and used them for your own sexual pleasure.

The impact on both women has been lasting and is severe. Their lives changed forever because of the sexual abuse. Their personal statements bear witness to some of the harm they have endured and continue to endure. It is likely to affect them for the rest of their lives.

They showed real courage in cooperating with these long legal proceedings and attending court to give evidence. As did 2 other witnesses, Ms D and Ms L.

Mohamed Ghani,

You were at least 5 years older than LR.

Having met her by chance, you ruthlessly exploited her innocent affection as a way to get sex for yourself and you pressured her to have sex with your friends including with Insar Hussain.

It is clear from the evidence that you told your much older brother, Jahn Shahid Ghani about her, which led directly to his exploitation of her.

Your behaviour corrupted her, and corrupted her attitude to the sexual abuse she was suffering.

You did indeed treat her as a piece of meat. This was no relationship. You had no interest in her for anything other than sex.

You regularly engaged in oral and vaginal sex with her and on one occasion, anal intercourse. You made her feel like she had to have sex with your friends, to please you.

The episode in the Butchers flat when you and IH and 2 other men took turns in pushing your penises into her mouth in the filthy bedroom demonstrate how you regarded her, just a body, to be used for your sexual pleasure.

LR believed the sex was necessary to please you.

You did everything you could to avoid responsibility for your offences. Despite knowing that she would be able to identify you, you denied knowing her, which resulted in her having to attend an identification procedure to pick her out. Perhaps you thought she wouldn't go through with it.

When she did, you told lies in your interview about her.

SG apply.

It is accepted that these are Category 1A offences.

Having heard the evidence, I am satisfied that you used grooming behaviour towards her. And that you provided her with alcohol throughout the time you sexually offended against her. Not every time, but often.

It is clear that everything you did and said was for the sole purpose of manipulating her into sexual activity. There was no chit chat, no affection. You groomed her into thinking she had to perform sexual acts and if she didn't you would be horrible to her. The only thing you wanted from her was sex. The only thing she wanted from you was affection.

The supply of alcohol was a daily part of the routine that you participated in.

SP for a single offence is 5 years. (4-10)

I find there are

Aggravating features:

Ejaculation.

Presence of others- on many occasions, but not all.

That she was threatened if she didn't have sex the bottle video would be shown to her mother.

I am sure that LR told the truth about the threat to use that video of her. She described being at the Butcher's flat with a group of men including you and IH. She was given so much alcohol she blacked out, and the next day she was shown a bottle by Jahn Shahid Ghani covered in faeces. A video of her being penetrated with the bottle had been made, it had been shown around Rochdale and threats were made to show it to her mother.

It was not possible to identify the person inserting the bottle into her, only the person's hands could be seen.

Having heard her evidence, I am sure she told the truth about this incident. This was a traumatic event, painfully recalled. Her evidence is not undermined by the fact that Ms D could not recall the video, or the bottle. Her lack of recollection does not mean it didn't happen. I find that in this situation, LR was most likely to accurately remember such an event. She was the victim. Ms D was not present when the bottle was inserted and there is no reason why she would have noticed a bottle in the bathroom and there was more than one video of LR that was sent round Rochdale.

I reject JSG's evidence that he did not show the bottle to LR or see the video. He was not a truthful witness.

To be clear, I accept SP and aggravating features as set out in the prosecution sentencing note.

You have shown no remorse at all.

Mitigation:

Aged 19-21 at the time of the offending.

You have not offended since and have led a useful life.

Personal mitigation:

I take account of what has been said on your behalf and what I have read in the PSR and the references which speak highly of you as a family man.

Totality

In order to achieve a just result, to reflect the totality of your offending, in which you penetrated her anus, vagina and mouth with your penis, over a period of about 2 years, there must be an adjustment in the individual sentences to reflect the harm you caused and your culpability.

I consider the totality of your offending can be achieved by imposing concurrent sentences rather than shorter individual consecutive sentences. This means that you will be sentenced outside of the sentencing range for the multiple incident counts, but that is to take account of totality.

The overall offending is reflected in the sentences for counts 17 and 20.

I am required to consider dangerousness.

Having considered the circumstances of these offences, your conduct since these offences, all of the information and the commensurate length of the sentence, I am satisfied that a determinate sentence will be sufficient to protect the public.

Count 5, 8 years

Count 11, 8 years

Count 14, 8 years

Count 17, 14 years

Count 20, 14 years

Total sentence is 14 years imprisonment. You will serve half of the sentence in custody when you will be released on licence. If you offend on licence you are liable to be recalled to serve the remainder in custody.

Insar Hussain.

You were also at least 5 years older than LR.

You jumped onto the coat tails of your friend Mohamed Ghani. LR's childish affection for him left her open to exploitation by you. The evidence demonstrates your clear disregard for her and your steadfast abuse of her. You also treated her like a piece of meat. The example of when you took her directly to the lorry stop for sex, after picking her up, then immediately taking her home again, without a word of conversation shows how transactionally you regarded this child.

You got what you could out of her. If she didn't have sex with you, you would whinge to MG about her.

There is clear evidence that you gave her copious amounts of alcohol, despite knowing she was a child.

You penetrated her mouth with your penis on multiple occasions. On one occasion you raped her vaginally.

There is no credit for plea.

SG apply.

Count 30 Rape:

It is agreed that this is Category 2 Harm.

There is a disagreement about whether this is Culpability A or B and I must resolve that issue.

Prosecution submit Culpability A because of use of alcohol and or drugs.

Your barrister invites me to find this is not a culpability A case. He submits that because the occasion of rape is not particularised and in the absence of direct evidence of use of alcohol on this particular occasion I cannot be satisfied so that I am sure alcohol was used on this occasion.

In resolving this issue, I have considered the whole of the evidence, as must the jury, in convicting you.

LR's evidence was that the only thing you were interested in, was to have sex with her. And that in order to achieve that, she was routinely given drink and sometimes cannabis, nothing came for free she said. She knew sex was expected in return for drink.

It would be wholly artificial to interpret the jury verdict on count 30 as meaning the single incident count was intended to reflect an occasion when alcohol was not given to facilitate sex.

I agree with prosecution that this offence is within category

2A. This provides a SP of 10 years (9-13)

Aggravating features:

Ejaculation. LR's evidence was that condoms were not used.

I have already found that the aggravating feature of the threat to show LR's mother the bottle video is made out on the evidence.

I am sure that this incident took place and in your presence, whilst you laughed at what you could see was being done to LR. I also find that you were a party to the threat to use it.

In making this finding, I am not finding you guilty of an offence. I am accepting that you were a party to the use of distressing evidence to humiliate and control her.

SG for counts 29 and 35

I conclude that these are Category 1A offences.

I am sure there was grooming behaviour by you towards LR. You had no interest in her for anything other than sexual offending. It is clear from the evidence that everything you said and did towards her was for the purpose of manipulating her into sexual activity. There is direct evidence of the provision of alcohol. I reject any submission that this is category B offending as being unsustainable on the evidence.

Aggravating features:

It is clear from LR evidence that the majority of your offending towards her was in the presence of others, and that it ended with ejaculation.

I have already found the use of threats apply.

You have shown no remorse at all.

Mitigation:

You were aged 19-21 at the time.

There has been no sexual offending since and you have no relevant convictions.

Personal mitigation:

I have read the references from people you value which refer to you as a hard working family man, who is respected by your friends and associates.

Time on remand:

I am asked by your barrister to deduct or credit time you served on remand for an entirely unrelated sexual offence of which you were acquitted in December 2022. It had no connection to this case or to this victim.

I have read the case of Williams, referred to in the defence sentencing note. That was a case where the defendant was sentenced for breaching a Restraining Order. He was acquitted of

some counts relating to the restraining order and convicted of other counts relating to the same Restraining Order.

The Court said the time spent in custody on the breaches of the Restraining Order not proved should be taken into account.

That case does not seem to me to be authority for the suggestion that a defendant can 'bank' time spent on remand for completely separate offences.

Totality

In order to achieve a just result, to reflect the totality of your offending, which involved multiple offences in which you penetrated her mouth with your penis, over a period of about 2 years, and raped her on one occasion, there must be an adjustment in the individual sentences to reflect the harm you caused and your culpability. All sentences will run concurrently.

The lead offence is the rape offence. The sentence for that offence has been upwardly adjusted to reflect the totality of your offending which takes it outside of the range.

Dangerousness

I am required to consider dangerousness.

Having considered the circumstances of these offences, your conduct since these offences, all of the information and the commensurate length of the sentence, I am satisfied that a determinate sentence will be sufficient to protect the public.

Count 29, 8 years

Count 30, 17 years

Count 35, 12 years

Total sentence is 17 years imprisonment. You will serve 2/3 of the sentence in custody when you will be released on licence. If you offend on licence you are liable to be recalled to serve the remainder in custody.

JAHN SHAHID GHANI

The suggestion at your trial that you coincidentally bumped into LR without knowing your brother was exploiting her was a lie. I am sure that you met her as LR said, having been given her number by your brother. You knew before you even set eyes on her that she was a particularly vulnerable girl who was ripe for sexual exploitation. What you did, was take that exploitation to another level.

You must have known the impact it would have on her. At the time, you were working with vulnerable adults.

You were more than twice the age of LR and TP. You were addicted to sex and saw LR and TP as children you could exploit for your sexual fantasies.

You were responsible for the corruption of both girls. You exposed LR to lesbian sex when she did not want it, and persuaded and encouraged her to engage in it. You introduced her to large amounts of Class A drugs in order to disinhibit her and to achieve your fantasy of group sex.

You facilitated TP's use of class A drugs to encourage her to have sex with you and LR on the same occasions, and to have sex with her when you saw her individually.

You were well aware that each girl was a child, but you did not care what impact your offending had on them. You exploited their naivety and immaturity. The evidence of your grooming behaviour towards them can be seen particularly clearly in LR's distress when she reported your behaviour to police. You deceived her and made her feel as though you were her friend, at a time when you knew she was in desperate need of a friend. The reality is, you only wanted her for sex. It is right to say that you were jovial and pleasant towards the children, but that does not indicate within the context of the whole of the evidence that you were interested in any genuine relationship or friendship with either child. Indeed, when LR was no longer engaging in sexual activity with you, you rebuffed her attempts to contact you socially.

You offended against each child on multiple occasions over a period of months.

The offences against LR are particularly grave, because you were instrumental in inciting her to engage in lesbian sex and you introduced her to class A drugs in order to achieve sexual disinhibition. Whilst TP had already been exposed to Class A drugs, you exploited that by providing her with class A drugs to achieve sexual activity with her.

SG

It is agreed these are Category 1 A offences

I find that you engaged in a substantial degree of planning- you took the children to different addresses, and you liaised with other people to set the scene, and with LR, to have group sex.

You provided drugs

You groomed them,

There was a significant age difference-

LR- Acted with others

LR- recorded images.

Aggravating features:

Ejaculation

You were under the influence of drink and drugs

Some of these offences were committed in the presence of others.

Mitigation:

You have committed no further sexual offending, and there are no relevant other offences recorded against you.

Personal mitigation:

You are well thought of by those who know you and you have a history of hard work.

I take into account what has been said on your behalf and what is reported in the PSR and in your references.

You provided genuine assistance to the brother of a young man who relied on you as a carer.

Totality

You offended against 2 children. Sometimes together, and sometimes individually over a period of months. It involved the oral and vaginal penetration of LR with your penis and vaginal penetration of TP.

In your case, because there are 2 victims, it is appropriate to impose consecutive sentences.

An adjustment must be made to reflect the totality of your offending to achieve a just result. To achieve that, I will reduce individual sentences and impose consecutive sentences to achieve the appropriate overall sentence for the overall offending.

Dangerousness

I am required to consider dangerousness.

Having considered the circumstances of these offences, your conduct since these offences, all of the information and the commensurate length of the sentence, I am satisfied that a determinate sentence will be sufficient to protect the public.

Count 46, 6 years

Count 48, 6 years concurrent.

Count 52, 8 years concurrent.

Count 56, 10 years concurrent.

Count 58, 10 years to run consecutively to count 56.

Total sentence is 20 years imprisonment. You will serve 1/2 of the sentence in custody when you will be released on licence. If you offend on licence you are liable to be recalled to serve the remainder in custody.

MARTIN RHODES

You offended against both LR and TP.

You knew they were children and despite being warned against having sex with TP by the authorities and her family, you continued to do so. Both TP and LR were too young to comprehend the damage being done to them from being in sexual relationships at 14 years of age.

Each child believed they were in a relationship with you, and you treated them as girlfriends. You were seen to show affection towards them. But I have no doubt that these were not genuine relationships.

You did groom LR. Within a week you were having sex with her, falsely flattering her with compliments to sweet talk her into sex.

I accept that your sexual relationships with TP and LR were not simultaneous.

Your case is distinct from your co defendants, whom you did not know. Some parts of your contact with LR and TP was not intended abuse.

The relationship with LR lasted for about a month. Your relationship with TP lasted longer, for 6 months or slightly more.

At the time, your life was in a desperate mess. You were addicted to Class A drugs. You provided L and T with a place to go to, when they should have been at home, and in doing so, you

exposed both children to your class A drug use, TP to self harm and also to violence.

I am sure that TP told the truth about the extent of the violence that she was exposed to and the self harm she witnessed. The jury's verdicts can readily be understood within the context of TP's evidence that when she was having sex with you, she demonstrated enthusiasm. That candidness supports her credibility and supports her evidence that she told the truth about the violence she experienced from you.

SG

LR

I find this was Category 1 A for the reasons I have outlined. I accept you groomed her

No aggravating features.

TP

It is agreed this is category 1A offending.

Aggravating feature

You were under the influence drugs

You ignored warnings to stay away from her.

Mitigation

Aged 20-21 at the time.

I accept you did show some kindness, to TP especially and provided both children with some support.

Personal Mitigation:

I take into account everything that has been said on your behalf and the contents of the PSR.

You have stopped using heroin.

Totality

Each count reflects multiple offending. There must be consecutive sentences to reflect the fact that there are 2 separate victims, whilst the total length of individual sentences will be reduced to achieve a just result which is proportionate.

10% credit for pleas of guilty.

Dangerousness

I am required to consider dangerousness.

Having considered the circumstances of these offences, your conduct since these offences, all of the information and the commensurate length of the sentence, I am satisfied that a determinate sentence will be sufficient to protect the public.

Count 63, 3 years

Count 64, 4 years concurrent.

Count 66, 5 years concurrent.

Count 68, 8 years 6 months to run consecutively to count 66.

Total sentence is 12 years 6 months imprisonment. You will serve 1/2 of the sentence in custody when you will be released on licence. If you offend on licence you are liable to be recalled to serve the remainder in custody.

ALI RAZA HUSSAIN KAZMI

You knew TP when she was aged 13 and 14. I am satisfied having heard the evidence that from the beginning you were intimidating and aggressive towards her. You showed your contempt for her by slapping her and calling her a slag. Over a period of about a year, when she naively believed she was in a relationship with you, you had oral sex with her many times, in public in the presence of others. When you were 16 or 17, whilst out in the town centre of Rochdale in a group of your friends, you raped her near a subway, despite her desperate attempts to stop you. It is clear that you were angry when she rejected your sexual attention and that you raped her in order to punish her. There was a clear degree of aggression shown towards her during that offence when you forced her to the ground and removed her clothing despite her begging you to stop.

You have shown no remorse.

SG

Youth guidelines are relevant because at the time of the rape offence you were aged 16 or 17 and 15-16 for the sexual activity offences in addition to the SG for sexual offences.

Rape

For adult offenders, this is a 2A offence in my judgment. TP was particularly vulnerable, and having listened to the evidence during the trial with care, I am sure that you had previously used violence against her.

I reject any suggestion that the jury must have rejected LR's evidence that you were violent to TP. There is no basis to do so. She wasn't challenged about that part of her evidence. The issue in your case was identification.

Aggravating feature

Presence of others.

Indecency with a child

SP for a single offence for an adult is one year.

Aggravating feature is presence of others

Mitigation

There are no previous convictions recorded against you.

You were aged 15 or 16 for IWC, and 16-17 for rape offence.

I agree with Miss Thompson that it is fairer to err on the side of caution as to your age, and sentence you as if you were aged 16 when you raped TP.

I reject the suggestion that there was any meeting of minds between you and TP. There is no evidence of that. TP was an extremely vulnerable victim of child exploitation. You added to that exploitation. There is no evidence that you treated her in a loving way. I accept there is no evidence of a link between your offending and your co defendants.

Personal Mitigation:

I note the contents of the PSR and the submissions by Miss Thompson about the support you offer for your family. You are well thought of by those who know you, and you have carried out charity work.

Dangerousness

I am required to consider dangerousness.

Having considered the circumstances of these offences, your conduct since these offences, all of the information and the commensurate length of the sentence, I am satisfied that a determinate sentence will be sufficient to protect the public.

If you had been an adult when you raped TP, the sentence for that offence would be 12 years. Rather than impose consecutive sentences, I will reflect the totality of your offending in the rape offence.

Count 70, 8 years imprisonment

Count 71, 9 months concurrent.

Count 72, 2 years concurrent.

Total sentence is 8 years imprisonment. You will serve 2/3 of the sentence in custody when you will be released on licence. If you offend on licence you are liable to be recalled to serve the remainder in custody.