



Courts and Tribunals Judiciary

IN THE CROWN COURT SITTING AT KINGSTON

Mrs Justice McGowan

REGINA

-v-

ABC

SENTENCING REMARKS

1. These remarks are split into two sections. The first is aimed directly at you, ABC. I want to try to make sure that you understand what is happening and why. The second part is for the lawyers and will be more detailed.
2. You are still young and you have a number of conditions which make it harder for you to think through the consequences of what you do and to keep control over your emotions. You are intelligent and have the potential to make something good of your life. You have the support of your mother and the guidance of your faith. You had never been in trouble before but you have carried out a number of attacks on staff since in being in detention and you will be sentenced for those in the Youth Court.

3. You accept that the images you sent were horrific and dangerous and you know that you should not carry knives. You were warned about your views and you knew that a referral was being considered. You had also been warned about carrying knives.
4. You thought about killing two people who had offended you and your religion but both those two people had tried to help you. They had been your friends but the insults make you feel that you were entitled to punish them. With increasing maturity and the help of your family and others, you may learn to balance your feelings.
5. I am only sentencing you for the offences in the trial.
6. You know the difference between right and wrong but you are not always able to control the way you feel when somebody disagrees with you. That means that the only option is detention. I am going to pass one sentence which will take all the matters in the trial into account.
7. Please listen and I will tell you what the sentence is at the end of what I'm going to say to the lawyers.

Sentencing Remarks

8. The history of these five offences demonstrated the life of an isolated and troubled young man who looked for the fellowship and comfort of a religious faith. Having chosen the Islamic faith, his interest developed very quickly but became warped into a corrupted form of that religion. He began to believe that it was acceptable to contemplate killing those who offended him by insulting his faith. He posted information about what had been said to him which he viewed as an insult to his religion and he posted explanations of what he was going to do, in which he sought to

justify killing. He spoke of an attack on a music festival but that never went beyond research on the internet.

9. He circulated and celebrated video clips of beheadings.
10. As an anxious person he found a degree of comfort in carrying a knife but that too developed into the contemplation of killing specific individuals.
11. I have read the reports prepared in the case and heard the thoughtful evidence given by Dr White during the trial. I bear all those matters in mind. Of the greatest importance in this case is the need to protect the public, but that must be balanced by the need to achieve rehabilitation.
12. The need for public protection remains uppermost at the moment, the combination of his youth and impulsivity means there can be no confidence that there will not be further offending. He is not to be sentenced today for the impulsive attacks on staff since his detention and importantly there were no similar incidents of this level of physical violence before his arrest. I do not aggravate this sentence because of the subsequent offending. However those incidents do set the picture of the young man who is to be sentenced and are reflected in the views of the author of the pre-sentence report. There is no alternative to a term of detention.
13. The terrorist offences guideline is the starting point for the assessment of the offending before looking at age and other factors. The first four counts are specified offences.
14. The Defendant is 16 years of age, these offences were committed when he was around 14 or 15 years old, he has been in detention since 11 July 2022.
15. The prosecution submit that this is culpability B. This was a leading role, the knife was in the backpack on the day of the arrest and notes had been left for his family.

16. It is difficult to assess how likely it was that an attack would be carried out. On balance it seems to me that this offending is better identified as falling into category C culpability. The notes set out sufficient detail to identify an appreciable risk of commission.
17. The harm intended was death but that is properly identified as “not very likely to be caused”. Therefore harm falls into category 3. That means a starting point of 8 years in a range of 6 to 10 years.
18. Warnings about his views and behaviour had been given. A knife was being carried and the notes for his family had been written. The duration of the conduct and the persistence despite warnings means the figure must be increased to above the starting point in the range.
19. That notional sentence also has to be increased to reflect all the other offending on the indictment. The dissemination of material is of a different character to the conduct in preparation of terrorist acts. I accept the categorisation of those offences as being as 2B.
20. I adjust what would have been a higher total by simply combining sentences to reflect the principle of totality.
21. That takes that notional figure significantly above the top of this range.
22. I accept that he does present a significant risk of serious harm, however I am not persuaded that the necessary protection for the public cannot be met by a significant period of detention and an extended licence period.
23. I do find that the facts of these offences and all other matters mean that he is an offender of particular concern.
24. Given his age at the time of offending and his significant mental difficulties it is appropriate to reduce the sentence to half the term to be served by an adult. Had the

defendant been a mature adult the sentence would have been at least 14 years imprisonment.

25. Given the factors outlined I reduce that to detention for 7 years with a one year period of extended licence by virtue of S 252A Sentencing Act on counts 1 to 4.
26. That will be calculated by reference to the time served on remand but not in local authority care and I bear that in mind in passing the sentence.
27. Notification for 10 years.
28. Surcharge £41
29. Forfeiture and destruction are sought and unopposed.
30. A copy of these remarks and the relevant reports will be provided to the Youth Court that will sentence of all other matters on 29 April.