



# Courts and Tribunals Judiciary

Thursday 29 August 2024

## Sentencing Remarks

REX  
-v-  
SAMWEN MUIRURI

From what has emerged during the course of this trial I have heard how Kidane Gebrehiwot was a kind hearted man – in Amarinya: ‘Gebrehiwot’ means ‘Servant of Life’. I am sure that is what he was to his family. The witness I heard from last week who knew him, the statements which were read out to the jury from others who knew him in Gloucester, and the impact statement from his sister Hellen (who has gathered together the comments of his family, including those of his two children and other siblings), all paint a picture of a man who is going to be deeply missed. Especially by those children who were only just beginning to get to know him again better. No-one could help but be moved by their grief and the great loss which they have suffered. He should still be alive and playing a part in their lives. There is nothing which I can now do which would even begin to bring comfort and relief to their sadness.

Kidane was 55 years of age when his life came to an abrupt and untimely end at about 1 a.m. in the street where he lived. A kitchen knife was plunged into his chest and struck his heart. There was no chance of saving him.

Samwen Muiruri has been convicted on overwhelming evidence of his murder and of carrying a knife in public. The evidence was clear – the two men had had two interactions that evening in a busy street. The first one appears to have been no more than talking for a few minutes. The second one involved Kidane laying hands on Samwen Muiruri and holding him up against a shopfront for a few seconds before setting off home. We don't have evidence of what was said that night, but it is clear that Kidane had no time for Samwen Muiruri. A few days before the murder Samwen Muiruri turned up at Kidane's flat at some time after 03:00 in the morning wanting to have sex with a woman which he was going to pay for with drugs. Kidane had been something of a father figure to that woman. He refused entry to Samwen Muiruri and told him to leave her alone, he should not be doing this. The evidence was that this was taken by Samwen Muiruri as an insult to him and he started uttering curses and death threats.

Samwen Muiruri's previous convictions from 2016, on top of yesterday's convictions, now establishes the clear conclusion that he is a man who can become terrifyingly violent if crossed by others. He was sentenced then to 6 years imprisonment for wounding with intent to do GBH and possession of a knife.

I have read a psychiatric report from that period of his life which gives me a little more understanding of him. He is obviously a potentially very dangerous man and will be for many many years.

The evidence in the trial showed that after the second interaction between him and Kidane, he returned home to collect a knife. He then went to the road where Kidane

lived. There he stabbed Kidane in the street and marched off shouting "I'm done with you now".

You are now 32 or 33 years old. I cannot be entirely sure that you had an intention to kill.

I have taken into account the submissions of your barrister and the contents of Dr Broderick's psychiatric report from earlier this year.

Parliament says that someone who brings a knife to scene and murders someone should have a minimum period to serve in prison of 25 years as a starting point.

Your case is aggravated by your previous conviction.

You have the mitigation that there was an intention only to do really serious bodily harm.

Those balance each other out.

If you had not been a coward and you had pleaded guilty, rather than pretending that it wasn't you who killed Kidane, you may well have been eligible for release from prison 4 years sooner than you will now be.

Count 1 - Life Imprisonment. The minimum period you will have to serve before you may be considered for release on parole will be 25 years, less the 385 days you have already been on remand in custody.

Count 2 - 2 years imprisonment concurrent.

Victim Surcharge

You will no doubt receive an order from the Disclosure & Barring Service.

His Honour Judge Blair KC

The Honorary Recorder of Bristol