



**R. v. MAHDI MUMIN, KHALFANI SINCLAIR,
CHRISTIAN BRAIMAH and PHILIP JONES**

Sentencing remarks

Mahdi Mumin, Khalfani Sinclair and Philip Jones – on 22 October 2024 an Old Bailey jury convicted you of the murder of Naython Muir (aged 43) on Parkside Road, Hounslow at about 10.45 pm on the evening of 13 October 2023. **Christian Braimah** – you were found guilty of Naython Muir’s manslaughter. The evidence of Mumin and Jones was rejected by the jury. Sinclair and Braimah elected not to testify. It follows from these verdicts that the jury was sure that all four Defendants were complicit in this targeted street night attack, which took Naython Muir by surprise. He was set upon at speed by Sinclair, who stabbed him through the right thigh, just above the knee with the 45-cm bladed ‘Zombie’ knife later recovered from Sinclair’s home (*Ex FER/1*). This fearsome weapon transected the right femoral artery, causing profuse bleeding from which Mr Muir died. Local residents who heard him in distress and the attending paramedics together did what they could to help at the scene, but the leg wound was mortal.

Mumin organised the attack and directed it by telephone. Braimah drove Sinclair and Jones to the area. Jones lured the victim to the nearby alleyway under the pretext of a drug deal.

The recent personal statement from Naython's parents Sue and Colin Muir speaks of his family's profound sense of loss. Mrs Muir courageously read it to us this morning. It is a moving and powerful tribute to Naython. Their son was much loved. Marli Muir (now aged 11) spoke in a recorded statement of his sadness and anger at how his father's life was taken by "four cruel men". Members of the family sat with quiet dignity to watch the trial over the 32 days we sat with the jury.

The sentence for murder is fixed by law. It is **imprisonment for life**. I am required by section 322 of the Sentencing Act 2020 to set the minimum term that must be served before each of the three Defendants concerned can be considered by the Parole Board for release on life licence. The approach to that statutory task is governed by Schedule 21 of the same Act. I have been assisted by the Sentencing Notes from all counsel, amplified by their focused oral submissions today. These Notes and other relevant materials are lodged in section T of the joint digital file. In relation to Jones, I have also reminded myself of his medical reports in section M of the file, from consultant psychiatrists Dr Kumar (dated 2 September 2024) and Dr Utterson (dated 9 October 2024).

I have decided that the appropriate starting point, in beginning to determine the resulting minimum term for murder, is **25** years. It is set by Paragraph 4 of Schedule 21.

In relation to Braimah, the Sentencing Council's Definitive Guideline for Unlawful Act Manslaughter is engaged. In his introductory covering letter of 31 July 2018, the then Chairman of the Council (Colman Treacy LJ) said that the Guideline recognised and reflected the fact that manslaughter is always a very serious offence and yet the circumstances of the offending can vary very greatly from case to case.

The Manslaughter Guideline places within four bands (A to D) factors that are indications of the level of culpability that may attach to the offender's conduct. It is analysed in the Notes for Sentence from the prosecution and for Braimah. The Court should balance these characteristics to reach a fair assessment of the offender's overall culpability in the context of the circumstances of the offence. The Guideline warns sentencers to avoid an overly mechanistic application of these factors.

I have reviewed the evidence given during the trial and considered the written or oral submissions from counsel. I am sure of the facts below for the purpose of fixing the lifer tariff for three of the Defendants and for the placement of Braimah within the Manslaughter Guideline.

I agree with the prosecution that there was a significant degree of planning and premeditation in this attack. Its prime mover was Mahdi Mumin. The other Defendants followed his instructions. In relation to those Defendants convicted of murder, it is common ground that the pathology and other evidence is consistent with a shared intention to cause serious harm to Naython Muir rather than to kill him. That said, both Sinclair and Jones fled in different directions from the scene and

were indifferent to the fate of Mr Muir. They made no attempt to render or summon help.

In more detail, the roles of these four men in this unlawful killing were:

Mumin was a trusted and senior member of the “Gucci line” gang, which dealt in class A drugs and had a reputation for ruthless violence in the Hounslow area. Runners for rivals ventured onto “Gucci turf” at their peril. Mumin played a key role from a distance in organising and coordinating the events that culminated in Naython Muir’s murder. Mumin did so via two mobile phones: (i) *5807, with which he was in contact with Sinclair and Braimah; (ii) *1969, with which he was in contact with Jones.

Sinclair was the “Zombie” knife carrier. He was in contact with *5807. He was driven by Braimah to his home address to collect his knife. They drove on to Hounslow to collect Jones. When the BMW parked up, Sinclair got out with his knife. He received updates from Jones by phone. He was on the phone with Jones while Jones was waiting to meet Muir in the alleyway. He ran towards the alleyway, approached the emergent Muir, and stabbed him. Afterwards, as Sinclair was being driven away, he called Mumin on *5807.

Braimah was the driver. He had been in telephone contact with Mumin on *5807 in the lead up to the attack. He drove Sinclair to his address in Hayes to collect the large knife. From there, the knife now inside the car, he drove Sinclair to Hounslow where they collected Jones. He drove Sinclair and Jones to the scene and parked up. After they left, Braimah waited in the car nearby. After the stabbing, he drove Sinclair and the knife away.

Jones was the decoy. His specific role was to lure Mr Muir into a meeting and thence into the ambush. It was a task essential to the identification by Sinclair of the victim, who were strangers to each other. Jones was in contact with Mumin on *1969 that night. Braimah and Sinclair collected him

in Hounslow. They drove to where the attack was soon to take place. Jones made several calls to Mr Muir, posing as a customer looking for drugs. He did so knowing that Sinclair was nearby, armed with a knife.

Antecedents

Mahdi Mumin is 24 years of age, and was 23 at the time of the murder, having been born in Somalia on 1 December 1999. He has been convicted of 4 offences, on 2 occasions, including:

On 9 September 2019 at this Court, offences of kidnapping and robbery, for which Mumin was sentenced to 3 years' detention in a Young Offender's Institution. Mumin and others had approached the victim, beat him up and dragged him inside a vehicle. He was then threatened with a knife and told to take the attackers to his stash. The knife was put to his throat and was told that if he did not comply he would be stabbed in the chest. The vehicle was stopped by police. Mumin escaped but was located nearby. A hunting knife was found on the pavement near Mumin.

The evidence obtained in the present enquiry proves that Mumin had for some years been involved in the supply of drugs in north and then west London, including on behalf of an established street gang.

Khalfani Sinclair is 23 years of age, and was 21 at the time of the offences, having been born on 16 October 2001. He is the youngest of the four Defendants, with a troubled upbringing, as evidenced from official records cited in paragraphs 7 to 14 of his Defence Sentencing Note. He was taken into care; he was exploited by others into criminal activity and himself attacked. Sinclair has been convicted of 28 offences on 16 previous occasions, including:

On 5 April 2016, before the South West London Juvenile Court, an offence of possession of a knife in public, for which he was sentenced to a Youth Rehabilitation Order;

On 8 August 2017, before the Wiltshire Juvenile Court, offences of possession of crack cocaine and heroin with intent to supply and possession of a knife in public, for which he was sentenced to a Youth Rehabilitation Order;

On 14 January 2021, before the West London Magistrates' Court, offences of assault by beating of an emergency worker and possession of cannabis, for which he was sentenced to 6 months' detention in a Young Offender's Institution.

Also, the agreed evidence at trial was that Sinclair had a background of committing knifepoint robberies of drug dealers (as per the agreed statement of Bianca Read), and that in the period shortly before and after the murder he was planning armed robberies of others.

Christian Braimah is 24 years of age, and was 23 at the time of the offences, having been born on 12 March 2000.

He is lightly convicted of two previous offences, on 22 August 2023 for driving without due care and attention in respect of which he was disqualified from driving for 6 months; and on 13 September 2023 before the West London Magistrates' Court, of criminal damage for which he was sentenced on 9 October 2023 to a Community Order with an Unpaid Work Requirement. It is a distinct aggravating factor that the index offence of manslaughter was committed only four days later.

Philip Jones is 48 years of age, and was 47 at the time of the offences, having been born on 17 August 1976. He is considerably older than the

three young men who are his co-accused. Jones has been convicted of 47 offences on 25 previous occasions between 1993 and 2016. These are primarily offences of theft and burglary but include, in November 2014, offences of assault occasioning actual bodily harm and common assault, for which he was sentenced to 12 months' imprisonment, suspended for 18 months; and an offence of battery in July 2016. His life has been blighted by an enduring addiction to class A controlled drugs.

Paragraphs 9 and 10 of Schedule 21 are not exhaustive lists of aggravating and mitigating factors. I have endeavoured to avoid double-counting.

I bear in mind as appropriate the relative youth and immaturity of individual Defendants and the chronic ill-health of Jones, together with the matters of individual personal mitigation set out within the defence Sentencing Notes.

Guideline categorisation (Braithwaite)

Christian **Braithwaite** - I find that the culpability of your conduct is within Manslaughter Guideline Category **B** (High), as the prosecution contends and for the reasons it advances at paragraph 6.5 of its Sentencing Note. The contextual features of the offending highlighted at paragraphs 6.7 (i), (ii) and (iii) are reflected within this categorisation.

The Definitive Guideline suggests a starting point of 12 years' imprisonment for this Category, with a range of 8 – 16 years, before other additional aggravating and mitigating factors are balanced to arrive at a just finishing point appropriate to the individual case and offender. I note in your favour that you are lightly convicted and a series of testimonials

speak warmly of your positive personal qualities. I also bear in mind the other aspects of mitigation highlighted in paragraph 10 onwards of the Defence Sentencing Note for you, served on 27 November.

Manslaughter is a specified violent offence. However, in the light of all the information I have about this grave index offence, its context and your limited antecedent history, I find that you do not meet the statutory test to be classed as a dangerous offender.

Ancillary orders and directions

The surcharges prescribed by regulations apply. The Defendants will be served with Notice of Inclusion on the Adults' Barred List.

The Indictment, Prosecution Opening Note, Notes from counsel for Sentence, Victim Personal Statements, medical reports on Philip Jones and these Sentencing Remarks will accompany the warrants of committal to prison and become core elements of the Probation lifer files.

Sentences

Mahdi Mumin - weighing and balancing together all the above matters applicable to you to assess the gravity of the index murder and your own personal culpability¹, I have decided that the minimum term of your **mandatory life** sentence for murder should be **24 years**. All the time you have spent remanded in custody (agreed to be 246 days) will count towards it to arrive at the net specified period of 23 years and 120 days that you must serve before being considered for parole.

¹ See paragraph 9 of *R v Jones* [2006] 2 Cr App R (S) 19

Khalfani Sinclair - weighing and balancing all these matters in the same way, I have decided that the minimum term of your **mandatory life** sentence for murder should be 22 years. All the time you have spent remanded in custody (agreed to be 408 days) will count towards it to arrive at the net specified period of 20 years and 323 days that you must serve before being considered for parole.

There will be a concurrent sentence of 16 months' imprisonment for possession of a bladed article², being the knife used in the attack on Mr Muir. That weapon is forfeit to the Metropolitan Police Commissioner.

Philip Jones - weighing and balancing all these matters together in the same way, I have decided that the minimum term of your **mandatory life** sentence for murder should be 20 years. All the time you have spent remanded in custody (agreed to be 408 days) will count towards it to arrive at the net specified period of 18 years and 323 days that you must serve before being considered for parole.

Christian Braimah - your sentence for manslaughter is **10 years'** imprisonment. There will be a concurrent sentence of 4 months' imprisonment for driving whilst disqualified³ on the evening of the attack. Given the length of the main sentence for manslaughter, I exercise my discretion not to make a driving disqualification order. Instead, I impose six penalty points on your DVLA driver record. I revoke the existing community order at the request of the Probation

² This was a "second strike" conviction which engaged the minimum sentencing provisions of section 315 of the Sentencing Act 2020. Sinclair pleaded guilty to this charge at PTPH (Count 2) – see the original stamped joint Indictment at page B2.

³ Braimah pleaded guilty to this charge when it was put again to him today. It is Count 3 on the original Indictment at page B3.

Service and substitute one month's imprisonment for the original offence of criminal damage, again concurrent.

Commendation

I thank all counsel, instructing solicitors and the attending police officers for their careful and sensitive marshalling, presentation and testing of the evidence and unstinting assistance during the trial. I also commend to the Metropolitan Police Commissioner all the detectives in the investigating team. I single out for special mention Detective Sergeant William Clough for his diligent work in researching, collating and presenting the wealth of evidence of attribution from different sources, going back several years that tied Mahdi Mumin to the two directing telephone numbers in this case. It was forensic analysis of exemplary quality.

I end by acknowledging with gratitude the valuable contribution of the jury to the administration of justice in London. In view of the length and nature of the trial, I excused the jurors from further jury service within the next 7 years. They have each received letters of thanks from the Court.

HH Judge Anthony Bate

28th November 2024