

IN THE CROWN COURT AT BIRMINGHAM

THE KING -v- ABDIRAHMAN IBRAHIM and ABDULLAHI IBRAHIM

SENTENCING REMARKS

1. Abdirahman Ibrahim I sentence you for the offence of murder and Abdullahi Ibrahim I sentence you for the offence of assisting an offender.
2. You Abdullahi Ibrahim entered your plea of guilty on an amended basis of plea that was reduced into writing. The prosecution have accepted the basis of plea. I considered, at the time you submitted the amended basis, that the contents of paragraph 10 was a matter for the court to determine. Having had the advantage of conducting the trial of your brother and recognising that very experienced prosecution counsel have accepted the basis of plea, I will sentence you in accordance with the basis of plea.
3. The sentences I will impose are ones to which the statutory surcharge provisions apply and the appropriate order will be drawn up.

The facts

4. Late on the night of 1<sup>st</sup> August 2023 you Abdirahman Ibrahim were driving your Seat car on the Coventry Road in Birmingham. You Abdullahi Ibrahim were one of three passengers in your brother's car. I am satisfied that you Abdirahman Ibrahim became aware of Liam Jones and Tayzhon Johnson as you entered the Coventry Road and that you changed direction to follow them. I reject your evidence that the change of direction was caused by a phone call from another friend on the basis it is inconsistent with the wider evidence and, in particular, your actions in the minutes that followed.
5. Once behind the electric bikes being driven by Mr Jones and Mr Johnson it must have been clear to you that neither of them were wearing a helmet. The evidence does not disclose why you chose to follow them as you did but that was a determined pattern by the time both bikes exited the Swan roundabout away from the Coventry Road. I am satisfied that there is no evidence that Mr Jones

or Mr Johnson ever participated in racing you in your car or did anything to encourage you to interact with them. I accept Tayzhon's Johson's agreed evidence that he realised they needed to get away from you and that is what prompted both Mr Johnson and Mr Jones driving down a one way street.

6. As was to become all too apparent on Moat Lane, they were unable to get away from you. That is because you had driven with purpose and at speed to catch the bikes again. Once in Moat Lane you drove to catch up with the bike of Liam Jones. You positioned yourself behind him and made, I am sure, deliberate contact with the rear tyre of his bike. Mr Jones managed to remain upright on his bike and did not at that stage fall. Instead, he understandably tried to ride away including by moving to the opposing carriageway. But you followed him and ensured that you caught him. Very quickly you, as the jury must have been satisfied, deliberately struck Mr Jones's bike for a second time. This second collision brought with it fatal consequences. Mr Jones was brought to the ground and sustained severe injuries which caused his death. He was only 22 years old.
7. Your actions in the immediate aftermath of this second deliberate collision were governed by a selfish desire to escape from the scene and involved no concern for Mr Jones. You drove past where he lay with barely a pause before driving to a familiar area where you, ultimately, sought to hide your car. By the time that both of you left the Seat car in the Golden Hillock Sports Ground you were aware that Liam Jones had been very seriously injured. You Abdullahi Ibrahim accept as much in your basis of plea.
8. Nevertheless you Abdullahi Ibrahim gave unquestioning and consistent support to your brother in the hiding of the Seat car. Whilst you Abdirahman Ibrahim made your way home, you Abdullahi Ibrahim set about making arrangements to move the Seat car a further time and park it in a private residential car park some distance from your home address. You Abdirahman Ibrahim were arrested in the early hours of 2<sup>nd</sup> August 2023 and were less than frank with the police officers about why your car was not with you.

9. The profound consequences of the death of Liam Jones for his family have been made clear by the victim personal statement you have heard read and to which I have had close regard. Mr Jones absence from family life is understandably keenly felt. No sentence available to the court can measure the enduring loss that will continue to be felt by the family and friends of Liam Jones.

Abdirahman Ibrahim

10. As you will already know, the sentence in your case must be one of life imprisonment. I have had to consider the appropriate starting point for the minimum term in your case in respect of schedule 21 of the Sentencing Act 2020.
11. The prosecution contend that the appropriate starting point is 25 years, paragraph 4 of schedule 21, on the basis that you took your car to the scene intending to have it available to use as a weapon and then used the car to commit the offence of murder. In deciding this issue I have had regard to the decision in R v Deepröse and Papworth [2024] EWCA Crim 1431. In Deepröse at [23] there are three fact sensitive questions identified, namely:
- i) Did the offender take the car to the scene;
  - ii) Was the car taken to the scene with the intention of committing an offence or having it available to use as a weapon; and
  - iii) Was the car used as a weapon to commit the murder.
12. There is no dispute that you drove your car to Moat Lane or that your deliberately colliding with Mr Jones's bike for a second time was the way in which you committed murder. The key question is whether I can be sure that you drove the car to Moat Lane with the intention of committing an offence or having it available to use as a weapon. The prosecution do not suggest that you were driving the car to commit another offence. Instead, as I have already referred to, the submission is that you had the car available to use as a weapon. In contrast it is asserted by Mr Karu KC on your behalf that you acted on the

spur of the moment and therefore the starting point should be 15 years' imprisonment.

13. After careful reflection, I have concluded to the necessary standard that you did drive the car into and on Moat Lane such that you had the car available as a weapon. I make this finding having had close regard to the evidence given at trial. As I have already said, both Mr Jones and Mr Johnson were trying to get away from you. You pursued them in a determined and deliberate way after leaving the Swan Island. There is, on my assessment, no sensible explanation for your driving in that way other than wanting to catch and make physical contact with one or both bikes. Such an intention would explain why your first act on catching up with Mr Jones's bike was to make deliberate contact with the rear of the bike. Such an intention would also explain why you then swiftly made the second, fatal contact. That the distance may have been relatively modest does not displace my findings. I do not consider that your case involved a spur of a moment decision to use your car as a weapon.
14. For those reasons, I am satisfied the starting point will be one of 25 years for the purposes of Schedule 21. Even if I were wrong in that conclusion, as Mr Karu KC properly concedes in writing, there would have been a significant upward adjustment from the starting point to reflect the facts of your offending. I am satisfied that the minimum term I will impose would be the same whichever starting point I adopted.
15. There are no statutory aggravating features present in your case. Your victim was plainly vulnerable given his being on a bike and without a helmet. Your case is obviously substantially aggravated by your hiding the car in the minutes that followed the fatal events in Moat Lane as part of your efforts to avoid detection. Before taking account of your age and other mitigation, I assess the appropriate starting point would have been 26 years' imprisonment.
16. You are now 21 years old. By way of mitigating factors, I have regard to your being 19 at the time of the offence and accept that you were somewhat immature based on all of the material available to the court. Yours is a case that involved

an intention to cause serious bodily harm rather than to kill. You are of previous good character. For the avoidance of doubt, I do not regard your plea of guilty to manslaughter as being a mitigating feature of note in the circumstances of this case. I do not regard you as having expressed any meaningful remorse having considered the evidence you gave with care.

17. You have spent 543 days on remand. I shall deduct those days spent on remand from the minimum term I impose.

#### Abdullahi Ibrahim

18. In your case Abdullahi Ibrahim there is no offence specific guideline for me to apply. I have therefore assessed both culpability and harm in accordance with the general guideline: overarching principles and section 63 of the Sentencing Act 2020 to establish an appropriate starting point for sentence.
19. It is agreed that the maximum available sentence for your offence is ten years' custody. In determining the appropriate sentence I have had regard to the decisions in Attorney General's Reference (No.16 of 2009) [2009] EWCA Crim 2439 and R v Toal [2017] EWCA Crim 1710. In particular, I answer the three issues identified in those cases as follows.
20. The nature and extent of the criminality of the offender for whom assistance was provided was, plainly, of the upmost seriousness. This was a case of murder, albeit that I recognise your basis of plea establishes you did not consider that you were assisting your brother in respect of a murder case.
21. The nature and extent of your assistance was substantial. You were involved in efforts to hide the car from the outset. You maintained those efforts in the hours that followed, not least by moving the car again to a different location. This was doubtless to further impede the police investigation into events in Moat Lane you must have known would be underway. Your actions were designed to impede the arrest and, in effect, prosecution of your brother.

22. Your efforts had the capacity to damage the interests of justice. It was only a detailed and prompt police investigation that prevented the interests of justice being thwarted. Your actions certainly delayed the investigation, albeit ultimately by only a matter of hours. Although the period of time was not in your control. In summary, I am satisfied that you have a high degree of culpability. In respect of harm, this too, in my judgment, is significant, particularly given the harm risked. After a trial, but before consideration of your age, mitigation and guilty plea, I would have imposed a sentence of five years' imprisonment.
23. I have read the pre-sentence report. You are of previous good character. I also take into account the fact that you were 20 years old at the time of the offence and are now 22 years of age. I accept that there was some lack of maturity on your part which I will recognise in the sentence that I pass. I also accept that you have expressed remorse.
24. You pleaded guilty to the offence I sentence you for at a hearing four weeks before trial. I accept that you had indicated you would plead guilty in advance of that hearing in April. In those circumstances, I will reduce the sentence I would otherwise have imposed by 20% to reflect the timing of your plea.
25. It is properly conceded on your part that only a sentence of imprisonment is appropriate.
26. Whilst awaiting sentence in this case you have been the subject of a qualifying electronic curfew for 399 days. The time you have spent on that curfew equates to 200 days in custody and this will be applied to the custodial sentence I will shortly impose. I do not consider that the days where you were on an electronically monitored curfew for fewer hours than qualified should count towards your sentence. You made the decision to reduce the hours of the curfew for your own benefit in the knowledge it was no longer a qualifying curfew. In those circumstances I am not persuaded that it would be proper to exercise the available discretion in your favour.

## Sentences

27. I sentence you as follows:

28. Abdirahman Ibrahim, for the offence of murder, I impose a sentence of life imprisonment. Before deducting the time you have spent on remand, the minimum term would have been 22 years. After the necessary deduction the minimum term is 20 years and 187 days. You must serve the entire minimum term before you can be considered for release on licence by the Parole Board. The Parole Board will decide if and when you are released and the terms of your licence. If and when you are released you will remain on licence for the rest of your life. If you were to breach the terms of your licence you can be recalled to custody.

29. Abdullahi Ibrahim, for the offence of assisting an offender, I impose a sentence of 2 years and 10 months' imprisonment. This is a sentence of which you will serve up to 40% in custody before being released on licence. If you were to breach any of the terms of your licence you could be returned to custody to serve the balance of the sentence. I confirm that the time spent on curfew, equivalent to 200 days, will count towards your sentence.

30. Separately to the sentence I have passed, may I express my condolences to the family and friends of Mr Jones.

His Honour Judge Andrew Smith KC

12<sup>th</sup> May 2025