

Old Bailey

His Honour Judge PHILIP KATZ KC.

20 June 2025.

R v D: (Defendant) sentencing remarks

Reporting restrictions apply.

1. Pharell Garcia was a child of 15 when he was stabbed to the heart, in broad daylight, in a residential area in Hackney. He managed to run a short distance before collapsing and dying on the pavement.
2. Pharell's family, friends and all those who knew and cared for him, are utterly devastated not only by Pharell's sudden and brutal killing but the process that has followed it. That Pharell died in public, in such shocking circumstances, is a terrible tragedy, not only for his loved ones but also for the wider community. The family members who attended court today have not felt able to endure sitting through the further agony of today's hearing.
3. That Pharell was killed by another child of 15, is another tragedy.
4. Nothing a judge can do will lessen the impact felt by those who are grieving Pharell's loss.
5. You, D, stabbed Pharell to death.
6. Although at an earlier point in time you and Pharell had been friends, the evidence was that you had fallen out for some reason. That reason remains unclear to me. When you gave evidence, your explanation, such as it was,

made no sense. Even now that I have more, very disturbing information about you, I cannot be sure exactly why you fell out.

7. Both the Crown and Defence did their best to avoid introducing evidence which had any “gang” flavour. Whilst any judge would normally applaud that effort, the issue was complicated by your first prepared statement to the police: see Agreed Fact 27. In that account, you claimed that Pharell was “obsessed with gangs and knives”.
8. Based on the evidence found on your phone, your previous offending, and the reports I have now seen, I am sure that you were the one fascinated with gangs and knives. I was assured that the Crown had disclosed everything known about Pharell and I am sure that you deliberately and deceitfully tried to portray him in a bad light. So much for remorse.
9. The evidence presented to the jury demonstrated that, in the weeks and days before the stabbing, you and Pharell, spent many hours – at all hours of the day and night – messaging on social media. The obvious inference is that your use of social media was totally out of control.
10. Some of the messages were exchanged between the two of you. But the overwhelming majority of yours were with a 13 year-old girl. The continuous, unrestrained and uncontrolled use of social media messaging by all 3 of you is deeply disturbing.
11. Although she never met either of you face to face, the 13 year-old girl told the jury that over a period of weeks, she had gone from being Pharell’s friend on social media to regarding you as her “best friend”. I did not find her to be an entirely truthful witness, either when she spoke to the police or when she gave evidence to the jury. But, in my view, she was clearly immature. She said she

became concerned about things Pharell had said to others about her. In the lead up to the killing she was aware that you and Pharell were no longer friends and, before it happened, she knew that you planned to fight each other. She warned you not to take a knife to the fight.

12. It was put to her, and she agreed, that in the very early hours of the day of the stabbing (call event 1474) there was a call between her and Pharell. She enabled you to listen in via an iPad or other device. She agreed that you could hear Pharell saying he was going to “smoke D” who was just a “nerd” (ie: a nobody). Pharell didn’t know you were listening.

13. I am sure your reaction to that was negative. That is not least because there was an image on your phone (call event 1771), created less than an hour before the killing, of a smoked spliff with the caption: Gonna be Pablo.

14. I am sure that you had planned to fight each other, and intended to cause harm to each other.

15. The jury heard no positive evidence that you took a knife to the fight. However, on all the material now available to me, I am sure you did, even if you did not use it. I reject as utterly ridiculous the idea that you, fascinated by knives as you were, would have gone to such a fight, unarmed. The verdict of the jury does not compel me to believe your subsequent version of events.

16. After you met Pharell, you walked with him to a corner which was out of view of any CCTV camera. That walk was suspicious but I am unable to draw adverse inferences to the criminal standard.

17. Thus there was CCTV evidence showing events before and after the stabbing, but none of the stabbing itself and there were no eye-witnesses.

18. The item used to kill Pharell appears to have been a multi-tool. On the basis of DNA found on it, the Crown conceded that it was brought to the scene by Pharell. Assuming he did bring it to the scene, you somehow managed to get hold of it and then you used it to kill Pharell.
19. This is not the first stabbing case in which such multi-tools have featured. Such items are not made to be offensive weapons and the short length of the main blade may make them attractive to those who seek to get around the law.
20. You stabbed Pharell in the heart, although not necessarily with the main blade. I am sure that at that moment, you intended to cause him harm which fell only just short of really serious harm. In any event, it ought to have been obvious to you that stabbing him carried a very high risk of death.
21. Your Defence Statement outlined a case of self-defence, albeit in a strikingly different context to the version of events in your prepared statement. In reality, this was never a case of self-defence at all. When two individuals go out, deliberately to fight each other, neither can realistically claim to have acted in necessary and reasonable self-defence. Nonetheless, I permitted the jury to consider the defence and, unsurprisingly, they rejected it.
22. The jury's verdict does not compel me to make any reduction in your sentence on the basis that there was an element of self-defence in your actions. Even on your account, you had an obvious opportunity to back off.
23. Nor am I persuaded that you are entitled to any mitigation of your culpability from the fact that the weapon which you used was attributed to Pharell. I decline to make any such reduction.
24. On the other hand, I will not sentence you on the basis that the knife that killed Pharell was yours.

25. You chased Pharell away from the scene with the multi-tool in your hand. After seeing him collapse, you walked away and tried to get rid of the weapon.
26. Pharell's grandmother and uncle arrived on the scene to see him, fatally injured. That must have been a soul destroying event.
27. Quite apart from the fact that you walked off, there were 2 video clips on your phone in which you recorded yourself in a taxi shortly after the stabbing. You were masked and making gestures to music. You looked like a gangster having fun and gloating. That behaviour was callous. It rebuts any suggestion that you were remorseful at that stage. I reject the idea that your conduct after the stabbing had anything to do with shock.
28. Later that evening you went to a police station with a friend of your mother's. Why you went, remains a mystery to me. On the face of it, you went to hand yourself in but you refused to tell the police why you were there. It may well be that you were influenced by adults. Since I am unsure about it, I will give you the benefit of the doubt. If there was remorse at that stage, it did not last long.
29. When you were arrested and questioned you gave an untruthful account and attacked Pharell's character.
30. The jury convicted you of manslaughter, in other words, of killing Pharell intending to cause him bodily harm that was short of really serious.
31. I will sentence on the basis that you did not aim for Pharell's heart. That is consistent with the jury's verdict.
32. The harm you did cause was death.
33. I also have to assess your culpability.
34. Under the Sentencing Council's guideline for the offence of manslaughter committed by an adult, both the first two high culpability factors apply. It is

agreed that this was a category B offence. The categorisation reflects the circumstances in which the multi-tool came to be used.

35. Had you been an adult, the starting point for the inevitable custodial sentence would have been 12 years with a range of 8-16 years.
36. Your previous offending, including the fact that you were subject to a recent referral order for possessing a zombie knife, is a serious statutory aggravating factor.
37. Your culpability is further aggravated by the elements of planning and pre-meditation.
38. These factors push culpability to the top of the range.
39. The most obvious mitigating factor is your age. You are only 16 now. I have given careful consideration to the Sentencing Council Guideline for sentencing children and young people. Having heard you give evidence, I am satisfied that you were an immature 15 year old, albeit one with a well-developed street sense. Your communication difficulties were obvious, even with the help of an intermediary.
40. Other mitigating factors arise from what I have read about you in the reports I have been provided with. Your clear psychological, educational and social limitations, difficulties and related diagnoses, require me to take into account the Sentencing Guideline for offenders with mental disorders, developmental disorders or neurological impairments. I also take account of your deeply troubled childhood and the trauma associated with that.
41. I have not lost sight of your welfare and the fact that you now face a long time in custody. However, the custodial sentence in this case has to be one far in excess of 24 months. Only long term detention can be justified.

42. Looking at your individual case in the round, I am able to reduce the appropriate custodial term to 7 years.
43. The next question for me is whether I must treat you as a dangerous offender.
44. In addition to the disturbing evidence on your phone, the reports about you confirm that although you have some insight into the dangerous fascination you had with knives, it is limited. The court that imposed the referral order on you a few months before the stabbing of Pharell, must have warned you of the consequences of any further offending. You ignored that warning. The stabbing of Pharell was a serious escalation, not only of your criminality in general terms, but of your dangerous conduct with knives. Under cross-examination you were simply unable to give sensible answers to very basic questions about your interest in knives. In my judgment, that is not due to any lack of intelligence on your part or any communication difficulties. You had no sensible answers because there were none. The fact that you happily associated with gangsters indicates that you were blind to the obvious risks that gang activity present to the public.
45. I do take into account your conduct in custody and what appear to be some hope that you now realise that you need to change your behaviour. You are not a hopeless case. I agree that you need to change your environment and behaviour and you realise that people are offering you tools to help you in your rehabilitation.
46. It is relevant to this decision that you await sentence for other serious offending in 2023.
47. From what I have seen and heard you present a very high risk of very serious harm to the public from further knife offending.

48. I have no doubt you are a dangerous offender and that you will remain a danger for the foreseeable future. I sincerely hope that the help and support you receive in custody as you mature, will reduce that risk. The experts express some hope in that regard.

49. The case does not merit a sentence of detention for life. It does, however, require me to pass a sentence of extended detention.

50. Manslaughter: Extended sentence of detention for 12 years. The custodial term is 7 years with an extended licence period of 5 years. As and when you are released from the custodial term, you will remain on licence, and subject to recall, for the balance of the 13 years.

51. Ancillary orders, as agreed; victim surcharge.

His Honour Judge PHILIP KATZ KC.

20 June 2025.