

## **IN THE CROWN COURT AT BIRMINGHAM**

**REX**

**-v-**

**ISHMAEL FARQUHARSON**

### **SENTENCING COMMENTS**

1. Ishmael Farquharson, following your trial a jury found you not guilty of murder but convicted you in the alternative, of manslaughter. You were also convicted of possessing an offensive weapon. I must interpret those verdicts, and I will therefore set out in some detail, the facts that I am sure of.
2. Your victim was Sekou Doucoure who at the time of his death was just 16 years of age. The jury heard that he was a prominent young member of a street gang based in the Perry Bar/Handsworth area of Birmingham. That gang referred to itself as GRD. There was, however, another side to his character. In this respect, his mother (Marietou Doucoure) has made two victim personal statements dated 2 March 2023 and 16 September 2025. She describes Sekou as a talented footballer who had been signed by an academy and hoped to play professionally. She speaks of his support for her and says that after the incident she and her other children had to leave their home and are now in temporary accommodation. She says this; “I am not able to sleep, eat or even complete the simplest of tasks. I am not able to relax and feel extremely anxious when I’m away from my surviving children. Loud noises

now cause me great anxiety and there are days that I am not able to leave my home. I feel very lost and with the feeling of missing something all the time. I have had to return to work as it was financially required but this I do with a lot of courage. There are days I am not able to carry out my regular routines. My children are very sombre and they are missing their brother very much. Sekou was the strongest and most confident member of the family and held the family together like a glue.” She concludes by saying that the family are broken and every day is now a struggle. These are the consequences of your actions. How then did this state of affairs come about?

3. The evidence heard by the jury demonstrates that between 10<sup>th</sup> July and about 5 PM on 12 July 2022, Mr Doucure was involved in an exchange of messages with other members of the GRD gang about a plan to travel into the B19 area of Birmingham which encompasses the Newtown and Lozells areas. B19 was controlled by a rival gang called the 9 boys, and Mr Doucure’s intention was to locate and injure rival gang members and thereby enhance his reputation.
4. There is no direct evidence that you were a member of a B19 gang, but you lived in that area and your actions on 12<sup>th</sup> July demonstrate that you were affiliated to such a gang and in consequence, when you saw Mr Doucure in your area you played the leading role in seeking him out for the purposes of retribution. The prosecution case on the charge of murder, was that you intended that retribution to involve at least the infliction of serious injury. I interpret the jury’s verdict as meaning that you intended Mr Doucure significant harm, but short of amounting to really serious injury.

5. Turning to the detail of this, at 18:06 hours on 12 July, Mr Doucoure rode his scooter passed a bus stop at which you were standing. He was with a man on a bike and having passed you, they made their way into a local park called Burbury Park. As Mr Doucoure did this, you saw him and within a matter of seconds you phoned an individual named Pierre Thomas who was a member of the 9 Boys gang based in B19. At that time Pierre Thomas was just 16 years of age.
6. Thomas lived within a matter of yards of the park, and he immediately left his house on a bike, in pursuit of the 2 individuals that he viewed as invading his territory. He left the park by an exit which took him into a road called Villa Street. Behind him on Villa Street and moving to join him, was a youth called Fardi Jafal and an individual referred to in your trial, as profile 3. Jafal was a member of the 9 boys' gang and was just 17 years of age. Although profile 3 has remained unidentified he was plainly another gang member.
7. Having made your phone call to Pierre Thomas, you ran from the bus stop and crossed Burbury Park exiting onto Villa Street. At this stage you were approximately 30 seconds behind Thomas.
8. Meanwhile, Sekou Doucoure and his companion had crossed Burbury Park and exited onto a road called Farm Street. Farm Street and Villa Street run along 2 sides of the park and come together on its south-west corner. In that way, Mr Doucoure and his companion were riding along Farm Street and were heading towards Thomas who was coming down Villa Street. They met at the junction and Thomas raised his arm, gesturing for the other 2 men to stop. The youth with Mr Doucoure rode straight across the junction and effectively left the scene. Mr Doucoure however stopped, and he and Thomas

confronted one another in the middle of the junction. Thomas then pulled a gun from his man bag and pointed it towards Mr Doucure who responded by dropping his scooter and running to the far side of the junction. He then turned to face Thomas and took out a large knife. As this was happening, Thomas was joined by Jafal and profile 3. Profile 3 also raised his arm and pointed at Mr Doucure as if he was holding a gun. Later events demonstrate that he almost certainly was.

9. The prosecution has not sought to prove that these were real firearms, and I proceed on the basis that they were imitations. Thomas twice discharged his gun in the direction of Mr Doucure causing him to turn and run down the road. As this was taking place, you were running towards the junction, and you accept hearing the sound of the shots and I have no doubt that you were aware of what was taking place.

10. You immediately approached Thomas and took his bike and gun from him. You then cycled down the road, following Mr Doucure, plainly intent upon catching him. The jury found you not guilty of possessing the imitation firearm with intent to cause fear. This may be because you immediately put the gun into your pocket, you never sought to deploy it, and you later returned to Thomas. The jury may have concluded that you took the firearm because it was an imitation and you didn't want further discharges to attract the attention of the police. Whatever their reasoning was, I approach your sentence on the basis that you did not intend to use that firearm for any criminal purpose.

11. You didn't need to do so because I have no doubt that even at this stage, you were in possession of a kitchen knife with a blade of at least 15 cm. Despite

following Mr Doucoure on Thomas' bike, you failed to locate him at this stage, probably because he hid as opposed to continuing to run. In those circumstances, you met up with Thomas, Jafal and profile 3 and the 4 of you commenced a search of the area. No doubt to maximise your chances of finding Mr Doucoure, you split into two groups and walked, cycled and scooted around the area over the following 20 minutes.

12. Having avoided you and your accomplices, Mr Doucoure found himself on foot and in rival gang territory. He didn't leave the area and instead returned to the Farm Street/Villa Street junction, perhaps hoping to recover his scooter. If that was his objective, he was unsuccessful, because it had already been taken by Fardi Jafal. Mr Doucoure remained in this vicinity for the next 10 minutes and then set off on foot moving northwards and therefore heading back in the direction of his family home. He probably cut across the top of Burbury Park and then continued out onto a road called Nursery Road. He then stopped to speak to a man he knew named Kyell Davies.

13. At some stage during this journey Mr Doucoure was either seen by a member of your group or someone alerted your group to his location. That caused you and Thomas to rejoin Jafal and profile 3 and you began to move through alleyways, in the direction that you knew Mr Doucoure was travelling.

14. You didn't know precisely where he was, and you therefore broke away from the other 3 and moved northward on a parallel route to them. In this way, you came out onto Nursery Road on your own and directly opposite Mr Doucoure, who was still speaking to Kyell Davies. Moments earlier, Thomas, Jafal and profile 3 had come out onto the same road and were about

a hundred metres away from your position. As you emerged, they were already running down to join you.

15.Mr Doucure saw you and immediately crossed the road towards you. You both took out knives and were both intent upon attacking each other. You swung your knife at him, but he turned to his left causing you to miss him. You then fled across the road and onto the forecourt of an Esso service station where you lost your balance and fell to the ground. Mr Doucure chased you and he either fell over you or lost his footing when trying to slow down. Having both gone to the floor, you both stood up, still holding your respective knives.

16.You then grabbed Mr Doucure, lifted him off his feet and threw him down onto his back. He kept hold of his knife and being faithful to the jury's verdict, I accept that he may still have been intent upon attacking you and may have stabbed you in the arm. These events were occurring extremely quickly and at this stage you stabbed down at him although I accept that you didn't intentionally direct your knife to any particular part of his body. That blow in fact struck and penetrated the left side of Mr Doucure's chest to a depth of 15 cm. It was delivered with at least moderate force which equates to the force behind a heavy punch. The track of the wound went between ribs and severed cartilage. It then went into his lung and into the sac surrounding his heart where it damaged major blood vessels, including his aorta. The consequence was catastrophic bleeding, leading to cardiac arrest and death.

17.At trial, you claimed that you were on Nursery Road by chance and defended yourself when Mr Doucure attacked you. This is simply untrue. The evidence overwhelmingly demonstrates that you organised and lead the

pursuit of Sekou Doucoure. You were always intent upon causing him harm and your actions were never defensive. Upon the charge of murder, the jury were directed to focus upon your intention at the time you delivered the fatal blow. I interpret their verdict as meaning that in a fast-moving incident and in circumstances where Mr Doucoure was actively attacking you, you did not form an intent to cause him really serious injury.

18. Having stabbed Mr Doucoure, you got up and began to back away. Your 3 accomplices now arrived and at least 2 of them pointed imitation firearms in the direction of the fatally injured Sekou Doucoure and Kyell Davies. All 4 of you then fled. You went back in the direction from which you come but within 30 seconds you returned and retrieved your kitchen knife which you had left on the forecourt. You also stole Kyell Davies' scooter which he had abandoned as he fled the scene. You then rode away and probably left the area in a car; you certainly weren't captured on any further CCTV footage.
19. You then disposed of your knife and mobile phone, neither of which have ever been recovered. Subsequently, you left the jurisdiction and evaded capture for over two years, before being detained in Spain in January 2025. You were then extradited to this country to stand trial.
20. In short, you led the pursuit of a rival gang member and did so intent upon causing injury. You were armed with a significant knife and having located your victim you engaged in a knife fight with him which led to him being fatally stabbed. You did not intend to cause him really serious injury but as you accepted before the jury, this was a deliberate stabbing with a significant knife, and you must have intended to cause him injury falling just short of this.

21. I turn now to consider the sentencing guideline relating to offences of unlawful act manslaughter. This guideline requires me to consider your culpability, meaning your blame worthiness. All offences of manslaughter involve a death, and I do not need to assess the harm that you caused because that is necessarily at the highest level.

22. The guideline lists four factors which indicate high culpability, referred to as culpability B. Culpability A applies where an offender's culpability is very high and that may be indicated either by the extreme character of one or more culpability B factors and/or a combination of culpability B factors. In your case, 3 of the 4 listed culpability B factors are present. First, you killed Sekou Doucoure in the course of unlawful act which involved an intention to cause him harm falling just short of really serious injury. Second, you chose to engage in a knife fight which plainly carried with it a high risk of causing death or really serious injury and that risk should have been obvious to you. Third, the killing of Sekou Doucoure was the culmination of a pursuit which was conducted by four men with the intention of causing him injury. It follows that his death was caused in the course of what amounted to a conspiracy to assault, and you played the leading role in that endeavour. Your intention came as close to amounting to an intent to cause really serious injury as one could conceive of and I conclude that this is an extreme factor which in combination with other factors means that your culpability is at a very high level. I therefore place your case into culpability A with a starting point is 18 years custody and a range of between 11-24 years custody.

23. I must next consider whether aggravating features exist which require upward movement from that starting point. I identify 5 such features. First,



this was premeditated violence involving a significant element of planning. Second, this was a gang-related incident occurring in a public place. Third, you recruited Pierre Thomas who was a 16-year-old child. Fourth, following the offence, you disposed of your knife and phone and then left the jurisdiction. In consequence, you successfully avoided capture for 2 years. Fifth, you have relevant previous convictions for offences of violence, including assault occasioning actual bodily harm, attempted robbery and possessing an imitation firearm with intent to cause fear. The last of those offences was committed in 2008 when you were still 17 years of age. I bear the age of those convictions in mind.

24. The prosecution has invited me to treat your use of a knife as an additional aggravating feature. In normal circumstances, the use of any weapon and particularly a knife, would amount to significant aggravation. However, your deliberate use of a knife to stab your victim has already been factored in to my decision to elevate your culpability into the highest bracket. In these circumstances, I conclude that treating it as an additional aggravating feature would amount to double counting.

25. Count 2 is an offence of having an offensive weapon. It relates to the knife that you used to stab and kill Sekou Doucoure. I have already taken account of this offence when considering your culpability for manslaughter and I therefore do not regard it as amounting to a separate aggravating feature. It must nonetheless attract a separate sentence. Within the relevant guideline it would fall into culpability A and harm category 1 with a starting point of 18 months custody.

26. In combination, the aggravating features I have identified require me to move upwards and towards the top of the category range I have identified.

27. I must next consider whether there are any mitigating features which justify a reduction in that sentence. Mr Garcha submits that you are remorseful. You contested your guilt of any criminal offence and notwithstanding the letter you have written, I see no real evidence of remorse. I therefore reject that submission. Mr Garcha points out that this wasn't a premeditated offence in the sense that you didn't leave your house planning to attack Sekou Doucoure. Whilst that is true, you went out armed with a knife and prepared to engage in violent crime. You then then led the pursuit of Mr Doucoure intent upon violence. In these circumstances, your lack of premeditation relating to a particular victim does not assist you. I have seen a series of personal references which speak of your positive qualities. Those references are at odds with your behaviour on 12 July 2022. They are at odds with your record of previous offending and they are at odds with your decision to leave the jurisdiction and remain abroad for 2 years. Whilst the opinions expressed may be sincerely held, I cannot accept that they are an accurate reflection of your character.

28. I do accept that you are the father of 3 young children and that you will now be absent from their lives for many years. This is likely to have a negative impact upon them and I accept that you feel responsible for that situation. In this respect, Mr Garcha submits that your desire to set a positive example for your children has underpinned the positive progress you've made in custody. That progress includes achieving enhanced status, becoming a mentor and engaging with available courses. I bear these things in mind. Finally, you were in custody in Spain for 41 days prior to extradition and this period will

not count automatically towards sentence. You didn't contest your extradition and that served to minimise further delay. I treat this as being mitigatory.

29. Bearing in mind the aggravating and mitigating features to which I have specifically referred and having considered everything which has been said by Mr Garcha on your behalf, I conclude that the appropriate determinate sentence in your case is one of 22 years.

30. The length of that sentence means that I must consider whether you are a dangerous offender. You were affiliated to a gang and went out armed with a knife. You then sort out a rival gang member intending to cause harm and readily involved yourself in a knife fight in circumstances where there was a high risk of that leading to death or serious injury. Those things would suggest that you are dangerous, but I bear in mind that you will be in custody or on licence for more than 2 decades. In my judgement and in light of the progress that you are presently making, that period is sufficient to meet the risk that you present. I do not therefore consider it necessary to impose an extended sentence of imprisonment.

31. The sentence I impose for the offence of manslaughter is therefore one of 22 years custody. There will be a concurrent sentence of 2 ½ years for the offence of possessing of an offensive weapon.

32. You will serve up to two thirds of that 22-year sentence whereupon you will be released on licence. If you breach the terms of your licence, you will be returned to custody.

33.The surcharge will be applied as appropriate.

Paul Farrer KC.

17 September 2025.