



Courts and Tribunals Judiciary

R v Mohammed Sharwarq

Sentencing Remarks

30 September 2025

1. You are being sentenced today for the following charges:
 - i. On 25 July 2025 you assaulted V1
 - ii. Between 27 July 2025 and 11 August 2025 you assaulted V1 by beating
 - iii. On 12 August 2025 you assaulted V1 by beating
 - iv. On 12 August 2025 you assaulted V2 by beating
 - v. On 12 August 2025 you assaulted V3 by beating
 - vi. On 12 August 2025 you assaulted V4
2. The court must take into account the sentencing objectives determined by s57 of the Sentencing Act 2020. Those objectives are:
 - a. To punish the offender
 - b. To reduce crime
 - c. To reform and rehabilitate offenders
 - d. To protect the public
 - e. To make the offender give something back by way of reparation

Circumstances of the Offences

3. You were at the time of these offences a resident at the Bell Hotel. All of these offences happened within the Bell Hotel.
4. Also staying at the Bell Hotel was V1. He describes you as a stranger to him and says that you have never had a conversation or interacted. On 25 July 2025, V1 describes how he was leaving the canteen to go back to his room when you started running at him for no reason. A security guard had to intervene. V1 says that he feared violence from you and that he was scared you would try to assault him.
5. At some stage after that incident, but before 12 August 2025, V1 was watching television downstairs with other residents. V1 says that you slapped him to the face from behind and you kicked him to the back of his neck. He did not receive any physical injuries on either occasion but he felt unsafe.

6. On 12 August 2025, you approached V1 for the third time. He was in the canteen. You punched him to the left side of his face with such force that he fell to the floor. You caused a small cut below his ear and he was bleeding. V1 said that if there weren't security guards he felt that you would have caused "a lot more injuries".
7. Just after this, you assaulted two members of staff who were working at the Bell Hotel. V2 who was working as a cleaner and V4 who was working as a chef.
8. V2 was hoovering. As he was carrying the hoover upstairs you walked past him, started shouting at him and punched him to his left arm for no reason. He carried on walking to get away from you and you threw a banana at the back of his head. You continued to follow him and you tried to punch his arms again until he walked away.
9. Shortly afterwards you went to the lobby and assaulted another resident, V3, by slapping him to the face.
10. V4 then describes seeing you walk past him in the lobby. He could see that you were angry. You turned around and walked back towards him, shouting in his face. You swung your left arm towards him in a way that he describes as completely unprovoked. He moved back and pushed you away to avoid the punch. You continued swinging your arms towards him until you were pushed away by security guards. You then picked up a chair and held it above your head as if to hit someone with it. A number of people restrained you until the police arrived.
11. You were arrested and interviewed by the police. You denied the offences at interview but when you were shown the CCTV and you were asked why you did it you said "I was bored" and "mood and morale not well".

Decision to sentence today

12. I take account of the imposition guidelines and apply them. Given the length of time you have already been held in custody, and the maximum penalties for these offences, I do not consider it necessary to order a pre-sentence report in your case.

Offence specific guidelines

13. I will consider first the offence specific guidelines for assault by beating and common assault.
14. The assault upon V1 on 12 August is, in my view, the most serious. It was the culmination of a series of assaults that you committed upon him that took place over a period of two weeks and three days. You singled him out to be the focus of your anger and abuse. Neither the prosecutor nor your lawyer say that there are any high culpability factors present. Having considered this carefully, I agree. I find the harm caused to be at the highest level, that is category 1, which is more than minor physical or psychological harm or distress. He describes himself as constantly living in

fear and being scared. He says that his face is in a lot of pain as it “aches and the cut is very sore”. The force of your punch to the head caused him to fall to the floor.

15. The starting point for a category B1 offence is a medium level community order with a range of a low level community order to 16 weeks’ custody.
16. This offence was committed whilst you were on police bail for an alleged affray at another asylum hotel. It has been pointed out by your lawyer that this was police bail rather than court bail and there have been no charges arising from it. The fact that you were on bail at the time is a statutory aggravating feature under section 64 of the Sentencing Act 2020 requiring an upward adjustment from the starting point.
17. The two assaults upon V1 prior to this assault fall into category B2. The first of the assaults was impulsive and did not involve you making any physical contact with him. Whilst I find that they are both offences within category 2 level of harm I take the view that V1 would have a heightened sense of alarm by the time of the second assault. Whilst both of these earlier assaults are within the category of B2, with a starting point of a low level community order, the second is more serious than the first and is positioned higher on the range.
18. The assault upon V2 does not have any of the higher culpability factors present. I have assessed this assault as category 2 harm: that being minor physical or psychological harm or distress. V2 says that he did not have any injuries but he says that he feared violence from you and he felt assaulted. He said that he had done nothing wrong and said nothing to you – he doesn’t know why you did this. The starting point for a category B2 offence is a low level community order with a range between a band C fine and a high level community order.
19. This offence is also aggravated by statute by the fact that you were on police bail at the time. I take the view that this offence is further aggravated by the fact that V2 was employed as a cleaner at the Bell Hotel. He is a private employee in a public facing role and therefore more exposed to the possibility of harm and consequently more vulnerable. These aggravating features merit an upward adjustment from the starting point.
20. The offence against V3 is one that I assess as Category B3. None of the higher culpability factors are present and he did not provide a statement so I have not heard from him in his own words the effect that this assault had on him. A B3 offence has a starting point of a band C fine. This offence too is aggravated by the fact you were on bail at the time.
21. The offence against V4 is Category A2. Whilst you did not physically make contact him, you threatened the use of the chair as a weapon which you held above your head. That makes your offence one of high culpability. I have assessed the level of harm as category 2 because there was minor psychological harm and distress. The starting point is one of a medium level community order which has a range of a low level community order to 16 weeks’ custody. The offence is aggravated by the fact that you were on bail at the time.

22. V4 was in his work place when you assaulted him. He was serving the public through his work as a chef in the hotel. This further aggravates the offence.

Mitigation

23. In terms of your personal mitigation, at the time of this offence you were a person with no previous convictions. I have heard about your difficult background where you and your family fled Syria in 2011 when war broke out. You had refugee documentation in Turkey but in 2020 you left for Germany, seeking work and being concerned for the wellbeing of your family, particularly your father who required medication.
24. I heard that you were granted asylum in Germany and worked there for three years. You are trained as an engineer. Following an incident with another person your asylum status was revoked and you decided to come to the UK where you have sought asylum.
25. I have heard that due to the trauma and stress of many years, and the recent death of your mother, your mental health suffered. You became concerned that others were causing you harm and it is said on your behalf that you suffered some kind of breakdown leading to this behaviour.
26. I have also been told that you have since been in touch with the authorities and signed documentation to facilitate your voluntary re-settlement to Syria.

Credit for guilty plea

27. I must apply the Reduction in Sentence for a Guilty Plea guidelines and Section 73 of the Sentencing Act 2020. You pleaded guilty to these offences at your first appearance before this court. The guidelines set out that where a guilty plea is indicated at the first stage of proceedings a reduction of one-third should be made.

Totality

28. I must also apply the Sentencing Guidelines on Totality. I bear in mind that when sentencing for more than one offence, the overriding principle of totality is that the overall sentence should reflect all of the offending behaviour with reference to overall harm and culpability, together with the aggravating and mitigating factors relating to the offences and those personal to you. The overall sentence must be just and proportionate.
29. The maximum sentence for these offences, both individually and together, is six months' custody, before any credit is given to you for your guilty pleas.
30. The offences themselves amount to a series of escalating assaults against the same person: V1. And, on 12th August, a number of assaults on different people where your conduct was only brought to an end by the intervention of others physically restraining you and the police being called.

31. In my assessment, these offences can only be properly and justly sentenced collectively. I intend to impose concurrent sentences, making an upward adjustment on the lead offence for totality. That is the appropriate way to reach a just and proportionate sentence in your case.
32. Whilst each offence alone may have merited a community order in accordance with the offence specific guidelines, the fact that I am considering these offences in totality, and all having been committed whilst on police bail, I conclude that they are so serious that neither a fine nor a community sentence can be justified. A sentence of custody is unavoidable.

Sentences

33. The offence of assault by beating on V1 on 12 August 2025 is a category B1 offence with a starting point of a medium level community order. It is aggravated by the statutory aggravating feature that you were on bail at the time. I have made a downward adjustment for your lack of previous convictions and your personal mitigation.
34. I have made an upward adjustment for reasons of totality, to take into account the two assaults on V1 previously, and the assaults upon V2, V3 and V4 to ensure the overall sentence you receive is just and proportionate.
35. For the offence on V1 on 12 August 2025 I am imposing a period of 16 weeks' custody. If you had not pleaded guilty I would have imposed a period of 24 weeks' custody. I have reduced your sentence by one third in accordance with the guidelines.
36. As I have already taken account of the other offences when setting that sentence, the remaining sentences will run concurrently to that sentence.
37. For the assault upon V1 on 25 July 2025 I am imposing a sentence of 4 weeks' custody. It would have been 6 weeks had you not pleaded guilty. For the assault on V1 between 27 July 25 and 11 August 2025 I am imposing a period of 8 weeks' custody. It would have been 12 weeks' custody had you not pleaded guilty. These two sentences are to be served consecutively to each other which is a total of 12 weeks, to be served concurrently to the sentence of 16 weeks I have already imposed.
38. For the assault upon V2 I impose a period of 12 weeks' custody to be served concurrently. It would have been a period of 18 weeks' custody had you not pleaded guilty.
39. For the offence upon V3 I impose a period of 8 weeks' custody to be served concurrently. It would have been 12 weeks' custody had you not pleaded guilty.
40. For the offence upon V4 I impose a period of 14 weeks' custody to be served concurrently. This would have been 21 weeks' custody had you not pleaded guilty.

41. I have considered whether I can suspend the sentence of imprisonment. I do not find there is a realistic prospect of rehabilitation; strong personal mitigation or a significant harmful impact upon others that would cause me to suspend your sentence of imprisonment. In your case, I am satisfied that appropriate punishment can only be met by immediate custody.

Compensation

42. The court must consider making a compensation order in any case where personal injury, loss or damage has resulted from the offence. I must give reasons if I decide not to order compensation. Compensation may be ordered for such amount as I consider appropriate having regard to any evidence and any representations made.
43. In setting the amounts for compensation, I have borne in mind the pain and suffering caused (both physical and psychological). I have scaled down the amount of the award, as I must, to take account of your means. I have also factored in that I have imposed a custodial sentence, which is relevant to your means to satisfy the order, and the length of that sentence and your likely release date.
44. In respect of V1, I order that you pay £300 compensation. This is to be attached to the offence of 12 August as I have taken account of the other two offences when setting that value.
45. In respect of V2 and V4, I order that you pay each of them £200 compensation.
46. In respect of V3 I know that he did not make a statement and I therefore infer that he did not wish to be a part of criminal proceedings. I do not consider it appropriate, given his position, to make any award for compensation in respect of him.
47. Compensation orders are paid directly to the court who will ensure that monies are directed towards the recipients.

Financial Orders

48. You are ordered to pay prosecution costs in the sum of £85. You will be liable for a mandatory surcharge in the sum of £154.
49. The total amount owing, including the compensation orders, is £939. This sum is to be paid within 28 days of your release from custody. At that stage you may set up a payment plan with the fines officer in line with your means and the court will ensure that priority is given to the payment of compensation.
50. I make a Collection Order to ensure the money is paid. If it is not, you could be returned to custody.

Effect of Sentence

51. The total sentence is one of 16 weeks' custody. You have been on remand since 13 August 2025 and the time that you have spent in custody will be credited towards this sentence.
52. You will be subject to an early release regime. The earliest date of your release will be calculated and you will be notified of this.

DJ(MC) Woodrow

Chelmsford Magistrates' Court

30 September 2025