



Judiciary of England and Wales

IN THE CENTRAL CRIMINAL COURT

REX

-V-

DYLAN JAMES EARL

JAKE SAMUEL REEVES

NII KOJO MENSAH

JAKEEM BARRINGTON ROSE

UGNIUS ASMENA

ASHTON EVANS

SENTENCING REMARKS

Introduction

1. This case is about the efforts of the Russian Federation to gain pernicious global influence using social media to enlist saboteurs, vast distances from Moscow. Physically no borders were crossed and no Russian national was exposed to discovery or capture. Technology means that the national interest of the United Kingdom is under threat from innovative and rapidly proliferating strategies employed by those who have the resources and wish to undermine our peace and security. The hidden hand of the internet delivered results because anonymous recruiter proxies operating through internet chatrooms, usually on encrypted platforms, found within the United Kingdom young men who were prepared to undergo a form of radicalisation and betray their country for what seemed easy money.
2. Dylan Earl and Jake Reeves were able to muster a group who carried out a serious act of criminal damage intended by their paymasters to impair the delivery of aid to Ukraine. They planned further grave crimes to intimidate, undermine and frighten those speaking up for Ukraine, which were prevented through police disruption.

3. The overall picture giving rise to this investigation is a very serious one indeed. It is of interference in the lives of people in Britain, by a foreign power leveraging the greed and base instincts of unsophisticated individuals. Relations between Ukraine and the United Kingdom have existed since Ukrainian independence from the Soviet Union in 1991. The two countries enjoy close political, military, and economic co-operation. Ukraine is an ally that Britain is supporting, at very significant cost, in a war that has now raged for three years. In past years our parents and grandparents would have had a simple term for what Dylan Earl and Jake Reeves did: treason.
4. Together with Nii Kojo Mensah they arranged for a night time arson attack on a warehouse in East London where Earl knew that property and aid destined for Ukraine, including satellites, was held. Mensah, Jakeem Rose and Ugnius Asmena carried it out. Then the attention of Earl and Reeves was directed towards a prominent Russian dissident businessman who was targeted for kidnap and his business premises in Mayfair, for arson attacks. Earl prepared and Reeves lent himself to the plot albeit in the end he did little more than re-recruit his friend Mensah for it.
5. Thus, it was that five of these six offenders played a part in an enterprise which was intended to promote the interests of a foreign power in its war of aggression against Ukraine. The sixth, Ashton Evans became aware of the entire enterprise as a result of his drug dealing contact with Earl but rather than do his duty to report and prevent Earl's activities, he encouraged him and hoped to profit himself. One of the important matters for the court to determine is the extent to which the sentences imposed on these six offenders for the various offences they have committed should reflect the context I have described in relation to Earl, even if they were unaware of it at the time of their offending.
6. I have been greatly assisted by detailed sentencing Notes and accompanying materials from the parties, and their oral submissions.
7. Sentencing any offender has to be tailored to each individual. I want to make it clear that I have read all the material provided to me, much of it more than once. I do not intend to mention every document I have seen, or every submission that has been made to me. I will now call the defendants by their last names. I mean no discourtesy by that.

The facts

8. After 11.30pm on 20 March 2024 a fire was set using an accelerant, petrol at a warehouse on the Cromwell Industrial Estate in East London. The result was extensive damage to two of the warehouses together with the accompanying risk to human life in the surrounding urban area and to those who were close by and whose public duty required them to attend the scene. Eight fire engines were required with sixty fire-fighters. Nearly £200,000 of loss was sustained by the occupants of the warehouses. Together with the costs of the insurance claim in respect of the damage to the property and the remedial works associated the overall damage is approximately £1.3m. For the companies using the warehouses the arson meant disruption, relocation and fear on the part of staff.

9. The attack on the warehouse was commissioned by the terrorist organisation the Wagner Group which was proscribed on 15 September 2023. It had been a private military contractor funded by and closely connected to the Russian state, and that connection became closer when in June 2023, following an attempted coup against the Russian government it was taken under the direct control of the Russian leadership apparatus. The knowledge it had gained was put to good use. Intelligence activities, including the garnering of potential individual non-state actors in European countries was one of its new roles.
10. Earl was one of those. On 23 June 2023 he made contact with the Wagner group by joining a broadcast channel called 'AP WAGNER CHAT' on the social messaging application Telegram. It had 47 other members. The content of the messaging was in Russian and the channel promoted pro-Russian propaganda. Telegram offers regular and highly private chat modes called 'secret chats'. Secret chats are end to end encrypted so that only the sender and receiver can see the content, if messages are deleted by one side of the correspondence they are deleted on both sides. Group chats for up to 200,000 participants are offered as are channels for broadcasting to unlimited audiences. On Telegram Earl was a member of numerous pro-Russian propaganda channels. He quickly became connected to two profiles or handles called Privet Bot and Lucky Strike. Earl knew those he was communicating with were supportive of Russia in the war against Ukraine and he was tempted by the offer of money to carry out 'missions' of which the attack in East London was the first one achieved.
11. Prior to 20 March Earl was telling on-line contacts he was working for a PMC, a private military company and would pay well for intelligence. On 12 March one of the contacts said he was a member of the United Kingdom armed forces and could get whatever information Earl's superiors wanted as long as it was nothing too crazy. On 16 March Privet Bot asked Earl if he could get access to bank accounts containing money destined for Ukraine, or (demonstrating awareness of some of the UK's actions against Russia) asking if he could get hold of Russia's money that has been frozen and is to be transferred to Ukraine. Privet Bot asked him for 'those who are our kindred spirit.'
12. The target industrial estate was selected because of its connection to Ukraine. The businesses based in the warehouses attacked, Oddisey Ltd and Meest UK Ltd, in Units 1 and 2 respectively were concerned in logistics, frequently delivering goods to Ukraine, including Starlink satellite equipment. This had been part of its operation since mid-2022. Large lorries would leave the warehouses once or twice a week, each containing at least 1500 parcels. The warehouses were also used to organise humanitarian aid efforts to support Ukraine. This attack in East London was not isolated. The day afterwards Earl was telling another of his online contacts, '*They have a warehouse in Czech Republic to burn for 35 thousand*' though he expressed doubt that his contact had anyone able to do that. On 24 March he was in contact with someone who claimed to be in Europe and able to get to the Czech warehouse. Ten days after the London warehouse was set alight, another warehouse owned by Meest in Spain, was the subject of arson with the use of accelerant.

13. Returning to 20 March, Earl who lived in Leicester offered a contact, Reeves, the 'mission'. At that time Reeves who lived in Croydon, was not himself aware of the background, but without knowing what the warehouse was used for, what might be stored there and what the potential consequences of a fire might be, he recruited his real-life friend Mensah. Mensah was himself in put in contact with Earl. He was sent images of the location. He put together a simple plan: 3 men and a car. He invited Rose (who lived near him in Thornton Heath, south London) and Asmena (who was then in south west London). These three, together with a driver Asmena knew through his mother, drove to the warehouse, picking up petrol on the way. Mensah and Rose were captured on CCTV carrying out the arson, Rose splashing petrol around the outside of the warehouse and lighting it, while Mensah filmed him on his mobile phone and live streamed it to Earl. Asmena stayed in the car with the driver and all four drove away. Rose had dropped a Zombie-type knife during the attack.
14. One of the lorries was parked very close to the warehouse and the driver Mr Harasym was in it. He tried, bravely and persistently to put the fire out and he is also seen on the CCTV as the fire flares up and takes hold. The court commends his courage and persistence. The Cromwell Industrial estate is surrounded on two sides by residential properties including, just 5m from the wall of the warehouse, a block of offices with residential flats on top. People in the flats soon realised what was happening. The emergency services were called, and the flats were initially evacuated before being allowed back home. No one was hurt but it is unsurprising that the jury convicted Mensah, Rose and Asmena of the aggravated offence.
15. Twenty minutes after the fire was started Mensah message Earl to tell him both Warehouses 1& 2 were lit, Mensah watched the news breaking online and quickly began to chase Earl for payment. He and Reeves did so over the subsequent weeks. But it seems that the clumsy way the arson had been carried out did not satisfy Earl's principals who criticised it and apparently refused to pay the full fee promised. Subsequently Earl's contact with the Wagner profiles continued. His attention was drawn to two businesses belonging to a prominent Russian dissident and refugee living in London, Hedonism a wine shop and a restaurant Hide. The owner Yevgeny Chichvarkin has been vocal in his criticism of President Putin and the war against Ukraine. Earl commissioned reconnaissance on the two premises in Mayfair. The jury was shown the footage at the trial and the individual doing it was clearly trying to capture the location, layout and surroundings with some care. He approached Reeves who was now fully aware of who was behind Earl's requests. Reeves boasted about it to a close friend and also sent him photographs of Earl's stash of drugs, subsequently found by the police on Earl's arrest.
16. The plans they hatched included kidnapping the Russian business man. Earl telling Reeves that the target should be captured so he could be '*exiled to Russia to face prison.*' In turn Reeves re-recruited Mensah, sending him a video of an improvised explosive device and asking if he knew anyone who would carry out an explosion in Mayfair for twenty to thirty thousand pounds. Reeves remained in communication with Earl and messages between them made it clear that he wanted to be paid for his part in the arson

and also that he was prepared to consider further tasking. When he was in communication with the friend he boasted to, he made it clear he was in contact with someone who had jobs for him for Wagner and the kind of jobs were those that could lead to being prosecuted for terrorism. Privet Bot had told Earl that the next fire had to be properly approved by him and he had to be told the place and time in advance.

17. Reeves was arrested on 18 April 2024. Mensah was arrested on 19 April and made no comment in interview. Rose was arrested on 1 August. A bladed article in a sheath was found in his bedroom, also described as a zombie-type knife with a 66cm blade. Asmena was arrested on the same day.
18. Throughout this time Earl had also been in communication with another online contact Ashton Evans who was living in South Wales. Initially, Evans wanted to buy cocaine from Earl who was a drug dealer. They exchanged messages on iMessage between 19 February 2024 and 20 March, then on Snapchat and Signal until Earl's arrest on 10 April. Much of this communication has not been recovered. Earl was forensically aware and told Evans too to delete messages. After Earl's arrest Evans disposed of his phone. From the limited records recovered it appears that in February their contact was in connection with drugs supply but by March they were discussing Earl's other activities, particularly those for the Wagner group. On 12 March Earl sent Evans 'Grey Zone', the name of a pro-Russia telegram channel which has been the mouthpiece of the Wagner group since at least 2022. It has over 500,000 subscribers and has been used to publish recruitment messages for the Wagner group. In 2023 and 2024 at least eight advertisements were published on the Grey Zone channel inviting people in European countries to join the battle against Ukraine's western supporters, and, to that end, to communicate with a Telegram user called 'Privet Bot'. The following day there were unrecovered messages between Earl and Evans. Evans was sent part of the post code for the Cromwell industrial estate three days before the arson so Evans was aware of the attack on the warehouse in East London, in advance. On the afternoon of 20 March, the day of the arson Evans took on a social media profile in the name of Alexander Solonik, an internet search during the investigation revealed that the first result describes this person as *'a Russian gangster, known for his reputation as a notorious hitman in the Russian criminal underworld.'*
19. On 23 March Evans asked Earl whether 'it' had been lit up. He then offered to arrange reconnaissance for Earl who responded that he should get it done with full video recording. There is no evidence that Evans did it but he continued to discuss the second task with Earl at one point marvelling that *'they only paying 40k for a man worth a billion'*.
20. On 30 March Earl tried to recruit Evans for the Mayfair task telling him that it was *'mazza level insane'* When Evans asked him to define insane, Earl sent him a video of a contraption which he said would take less than £150 to make and Evans responded that he would get it done for £25,000 his side. Earl agreed the price. He told Evans it was a wine shop with £20m of stock adding, in a series of message *'the thing is ...there's houses above..120ft above...so maybe find a way so no one harmed,...there's no need to hurt anyone...just send a message..but it's always a risk'*. He observed that there

would be a great deal of publicity and ‘heat’ after this attack. Evans said he could sort it if there was a way to do so without people getting hurt’ because otherwise it would be ‘terror’ level serious. Earl agreed that every single spy agency would be trying to find out who did the attack in Mayfair. Both of them expressed a desire to avoid anyone being hurt and Evans asked if it had to be an explosion, of whether a fire was possible. Earl told him that the target billionaire had been on the news saying that Russian agents were following him and using a fire was possible rather than an explosion but if the building didn’t fully burn, he would not be paid more than 25%. It needed to be reduced to ashes, to have to be fully knocked down so that it needed re-building.

21. The two men discussed improvised explosives. Earl told Evans he would have four or five minutes to get away and he offered to provide a full plan and satellite images too. Earl asked Evans if he could put him in touch with the IRA or the Kinahan crime family, a transnational organised crime syndicate. Evans said he didn’t have any IRA contact but he could help with the Kinahans and he would speak to someone.
22. When Evans was arrested on 22 May £1500 in cash, 22 snap bags of cocaine amounting to 8.26g at 20% purity worth about £500 at street value were found together with drug dealing paraphernalia. He told police in interview that his conversations with Earl were all aimed at stringing him along to get a refund on some poor quality drugs Earl had supplied to him.

Discrete issues raised by these offences

23. The sentencing exercise raises a number of discrete topics relevant to one or more of the offenders and the court has considered a broad range of materials. Whether the arson was aggravated by reason of a terrorist connection as set out in s.69 Sentencing Act 2020. Whether the foreign power condition described in s.69A of the Act applies. Whether any offender is dangerous as defined by the Sentencing Act and the imposition of a life sentence is justified. Whether, alternatively, the requirements for a serious terrorism sentence or an extended sentence are met.
24. Offence specific Sentencing Council guidelines for arson, possession of a bladed article, failure to disclose information about acts of terrorism, possession of class A drugs with intent to supply and money laundering have been the subject of submissions, all of which I have considered. As there is no guideline for National Security Act offences I have had regard to the General guideline: Overarching Principles, as well as to the statutory description of the purposes of sentencing adults described in s.57 Sentencing Act. The prosecution has also referred to cases considered by the Court of Appeal for other offences with comparable ingredients such as preparing acts of terrorism contrary to s.5 Terrorism Act 2006 (as well as the Council’s guideline for that offence) and spying offences contrary to the 1911 and 1989 Official Secrets Acts. I have regard to the Reduction in Sentence for a Guilty Plea guideline and for those offenders facing sentence on more than one count I have close regard to the principle of totality which means that sentences for multiple offences whether ordered to be served consecutively or concurrently, must be just and proportionate, reflecting the offending overall. Each of these six men is under the age of 25 and three of them were under 21

at the time of the offences. I have pre-sentences reports for each of them except Aston Evans and in each case I have considered whether, and to what extent their age, maturity and personal features such as neurodevelopmental disorders, should impact on my assessment of their culpability, relying on the relevant guidelines as appropriate.

The sentencing framework

25. The aggravated arson at the warehouses in East London carries a maximum sentence of life imprisonment. The offence is aggravated in respect of Earl because he knew it was carried out for or on behalf of a foreign power and he intended it to benefit that foreign power, s. 69A Sentencing Act 2020. A parallel aggravating feature is relevant, pursuant to s.69 of the Act because the offence also meets the criteria for an act of terrorism. There is no doubt that the offence committed by Dylan Earl had such a connection and Mr Hynes KC has not submitted to the contrary.
26. However, the prosecution invites the court to conclude that this offence is aggravated by reason of having a terrorist connection in the case of all five offenders. The Crown's reasoning is that although none of protagonists, apart from Earl, knew at the time the arson was set that the warehouse had been targeted because of its role in supporting Ukraine during the war, or intended that their actions would be terrorist in nature, the acts they carried out were indeed acts of terrorism. The arson involved serious damage to property, it was designed by those who commissioned and procured it to intimidate a section of the public, those who provide support to Ukraine and it was arranged for the purpose of advancing a political cause.
27. Mr Blaxland KC for Reeves contested this submission, and his arguments were adopted by counsel for Mensah, Rose and Usmena. He does not argue that the arson did not have a terrorist connection but submits that before it can be treated as an aggravating feature in the case of the defendants other than Earl (who knew its true purpose) the prosecution would have to have proved a terrorist purpose on the part of each participant. As he put it; absent purpose there is no terrorism. As the prosecution does not suggest that aggravation applies by reference to s.69A which identifies aggravation by connection to the foreign power condition in the 2023 Act, and it is accepted by the prosecution that Reeves, and the other three arsonists did not know the purpose behind the arson until afterwards, it would be unfair and unjustified for a terrorist connection in the case of Earl to infect the culpability of his co-defendants.
28. I agree that there is terrorist connection and I reject the proposition that unless the offender knows the design of or purpose behind his action, such a connection cannot be found. Section 69 (3) applies where a court is considering the seriousness of an offence and provides.

69 Terrorist connection

...

(3) For the purposes of this section, an offence has a terrorist connection if the offence—

(a) is, or takes place in the course of, an act of terrorism, or

(b) is committed for the purposes of terrorism.

For this purpose, "terrorism" has the same meaning as in the Terrorism Act 2000 (see section 1 of that Act.)

29. In my judgment there is no requirement for the offender who is part of committing an offence which is in fact for the purposes of terrorism, to have personal knowledge of the purpose behind the offence before it can be treated as an aggravating feature. Motive is not an ingredient of aggravated arson. But the motive for which a crime is commissioned has the potential to increase its gravity. The individual who commits a criminal offence may not know the whole context in which the offence is taking place,

nevertheless, overall seriousness of the offence may go well beyond what the protagonist is aware of. In non-terrorist cases this will be catered for when determining the seriousness of the offence either in respect of culpability, eg if the individual was reckless as to the true nature of the offence he agreed to commit, or it may go to harm.

30. To take an example relating to harm. A burglar may be commissioned to steal a locked case from a private cloakroom. He doesn't know what the case holds or why he is being asked to steal it, and he doesn't much care. If it contains no more than the cloakroom attendant's lunch, that will cause a degree of harm to the well-being of the attendant. However, if known to those who commission the offence but not the person who carries it out, it holds vital medicine intended for a gravely ill person, it would be a much more serious offence, even though the burglar didn't have a clue that was what the case contained. In that sense the burglar takes a risk, he takes the briefcase as he finds it, because he has agreed to commit the offence for the price offered. The graver harm caused than he intended may well be aggravate the offence. Indeed s. 63 Sentencing Act provides.

63 Assessing seriousness

Where a court is considering the seriousness of any offence, it must consider—

- (a) the offender's culpability in committing the offence, and
- (b) any harm which the offence—
 - (i) caused,
 - (ii) was intended to cause, or
 - (iii) might foreseeably have caused.

31. Where terrorism offences are under consideration Parliament has decided that this should have particular and grave consequences for the perpetrator who does not necessarily know the full nature of his offence. Another example, a simple kidnapping may be carried out by a gang of criminals who are ignorant of the fate intended for the victim; they act in the enterprise for financial reward only discovering later that the man who commissioned them carried out his intention to force the victim to wear a suicide vest and walk into a crowded election rally as part of a political terrorist campaign. Their offence of kidnapping had a terrorist connection though they didn't know it at the time. It is a graver offence as a result.
32. Terrorism of all kinds has impact well beyond the discrete consequences of the harm done to persons or property in terms of damage or injury. In this case Mikhail and Jalena Boikov who owned and directed the companies targeted in the arson were victims solely because of their legitimate political beliefs and support for Ukraine. They are likely to feel threatened far beyond the immediate effect of the fire. The adverse impact on other sympathisers of the Ukrainian peoples and indeed those ethnically Ukrainian in the United Kingdom is also a real consequence. Frequently terrorist acts cause wide interference with ordinary life and in this case each of the elements of the definition of terrorism in section 1 Terrorism Act 2006 could be satisfied. Section 69 of the Act self-evidently does not require a terrorist offence to be charged, as here. There are sound reasons why those who agree to commit an offence which is, unknown to them, an act of terrorism should be treated as having committed a more serious offence than if the crime had not had that particular overlay of gravity. Parliament has captured this

overlay in s.69. As Mr Penny KC observed there is a clear distinction between s.69 and s.69A. The latter which was inserted by the National Security Act 2023 states that for any offence, which is not an offence under that Act or an offence covered by section 16 of that Act, if the foreign power condition is met in relation to the conduct that constitutes the offence the court must treat that as an aggravating factor and state that it has been so treated in open court. The foreign power condition is found in s.31 National Security Act which provides in ss(1)

31 The foreign power condition

(1) For the purposes of this Part the foreign power condition is met in relation to a person's conduct if—

(a) the conduct in question, or a course of conduct of which it forms part, is carried out for or on behalf of a foreign power, and

(b) the person knows, or having regard to other matters known to them ought reasonably to know, that to be the case.

33. This wording expressly requires that the person know or ought to have known that the conduct was being carried out for or on behalf of a foreign power. That is not a requirement in s.69. Mr Blaxland's response to this point is that actual or constructive knowledge is spelt out in s.69A because purpose is not an ingredient of National Security Act offences. I do not accept that submission. S.69A specifically excludes offences under the National Security Act at ss2(a). Indeed, the foreign power condition, as defined in s.31 of that Act is an additional ingredient in many of the offences under it, such as '*Obtaining or disclosing protected information*' contrary to s. 1, '*Sabotage*' under s.12 and the offence to which Reeves pleaded guilty '*Obtaining etc material benefits from a foreign intelligence service*' contrary to s.17(2). Parliament has specified that offences which are not offences under any Terrorism legislation, if they satisfy the requirements of s.69 are aggravated by being connected to Terrorism and there is no requirement for the offender who commits the connected offence, to have any terrorist purpose.
34. Plainly, declaring that an offence has a terrorist connection does not necessarily mean that the offender will be treated as if he intended to commit such an offence. On the facts of this case the relevance of the terrorist connection is to the level of harm that was caused but the degree to which that feature aggravates any individual's position will be mitigated by his lack of knowledge or intent to commit such an offence.
35. Furthermore, there is an overlap with one of the offence guideline aggravating features namely the presence of 'serious consequential economic or social impact' of the offence. It would be unfair for those consequences to be double-counted, and I bear that in mind. However, I state that the offence of aggravated arson is to be treated as connected to terrorism.
36. This is a category B1 offence. The offenders were reckless as to whether life was endangered and a very high level of damage arose from the value of the loss. Otherwise it was an unsophisticated offence. The starting point is 6 years imprisonment. I will return to other aggravating and mitigating features when I come to sentence each defendant.

37. The Sentencing Act requires the court to consider whether the imposition of a life sentence is justified. Having considered the position with care the only offenders for whom detailed assessment is required are Dylan Earl and Jake Reeves.
38. The National Security Act 2023 offences have not yet been the subject of a Sentencing Council guideline. Had the preparations Earl and Reeves made come to fruition they would have involved serious violence against the Russian dissident and likely endangered the lives of those at or in proximity to his businesses. Earl arranged reconnaissance of the targets, and sought to recruit individuals to carry out the planned attacks. The messages he exchanged with Privet Bot demonstrate he was prepared to corrupt an individual who stated he was a serving UK soldier to obtain intelligence for the Wagner group, he was prepared to try to obtain banking information about European residents, he sought to arrange the burning down of a warehouse in the Czech Republic and discussed kidnapping a billionaire for the purpose of extortion. This sequence of actions and agreements are rightly described by the Crown as a planned campaign of terrorism and sabotage on UK soil and elsewhere, in support of a foreign power and its goals, regardless of the impact on the people targeted and wider British life. Reeves was prepared to accept money from the Wagner group, indeed both of them acted for financial gain as well as Earl's sometimes expressed ideological alignment with Russia's interests.
39. I recognise that each offender is below the age of 25 and their brains are still developing. Each will have gained a greater level of maturity than they had at the time of the offending. When I deal with them individually I will highlight any particular aspect in this respect.

Ancillary Orders

40. I will now deal with ancillary orders. I make the surcharge order against each offender.
41. I initiate confiscations proceedings against Earl and Evans and set the timetable proposed by the prosecution
- a. S.18 and 18A notices by 23 October
 - b. Defence disclosure statement under s.18 by 20 November
 - c. Any interested person disclosure statement under s.18A by the same date. I direct Julie Earl, Dylan Earl's mother to provide such a statement because it will be necessary to determine in due course the extent to which she holds money for her son in her bank account.
 - d. Prosecutor's s.16 statement by 8 January 2026
 - e. Defence s.17 response by 19 February
 - f. Prosecutor's supplementary response by 19 March
 - g. Mention to arrange listing 2-May. [corrected to 1 May at the hearing]
42. I have regard to the power to make a compensation order in favour of those who suffered loss in the arson at the warehouses in Leyton. I adjourn considering that order until the confiscation proceedings are completed simply because funds may well be confiscated which can be applied to compensation as a priority.

43. In light of the submissions I have heard I do not adjourn consideration of the Serious Organised Crime Protection Orders as requested on behalf of some offenders. The prosecution has responded to the queries about the terms included and that clarification assists me to deal with the orders on a bespoke basis.
44. I find the test satisfied in the cases of Earl and Reeves only as I shall explain when I come to their cases. I impose the orders in the terms drafted.
45. In Dylan Earl's case I order that the offence of assisting an foreign intelligence service contrary to s.3(1) National Security Act 2023 shall lie on the file subject to the usual terms. This because the conduct underlying that charge is being taken into account when I sentence Earl for other offences today. Similarly, I order that the offence of preparatory conduct contrary to s.18 of the National Security Act 2023 shall lie on the file subject to the usual terms because I will consider the totality of his conduct too when I sentence him.
46. Notification will apply to each offender.
47. I make the orders for deprivation and forfeiture as requested by the Crown. These are set out in schedules provided by the prosecution and so certainty is achieved. The items include knives, mobile devices, drugs and drug paraphernalia. Insofar as cash and certain property in Earl's possession I postpone the making of a deprivation order until resolution of the confiscation proceedings.

The offenders

48. I turn now to the sentences to be imposed alongside the ancillary orders I have already made or dealt with by making directions for.
49. The defendants were aged between 19 and 22 years at the relevant time. Four of them are of previous good character. For most being remanded in custody has been their first experience of being deprived of their liberty. They are to be sentenced for serious offences. Each of these six young men should understand that the court appreciates the impact on them, their families and their loved ones of being before the court today. For each of them I take into account that people who know them well see finer qualities in them than were on display in the events I have been describing.

Mensah, Rose and Asmena

1. I must sentence **Nii Kojo Mensah** for the aggravated arson which in his case was after a trial. The culpability in your case is higher than for the two other men who were in the car because you recruited them. The maximum sentence is life imprisonment.
2. Arson is aggravated by the use of an accelerant and this being a group offence committed at night and in your case by your significant role in the recruitment of two others. You recorded the offence and livestreamed it to Earl on Telegram. You celebrated its newsworthiness. I find some but not a significant degree of planning or premeditation in your case and nor do I find that multiple people were endangered, the risk to some life is reflected in the aggravated nature of the offence itself. It is an offence with a terrorism connection and this provides some moderate further aggravation

beyond the serious consequential economic and social impact of the offence for the reasons I have explained.

3. I have read the pre-sentence report. In terms of mitigation, you were 21 years old at the time and are 23 now. You are of previous good character. I bear in mind that you pleaded guilty to simple arson on 17 January this year, and the stage in the proceedings that you did. But you were convicted of the more serious offence. You didn't give evidence at the trial. You told the probation officer that you were offered £20,000 by Reeves who you knew from college. As you were off work with a leg injury you agreed to take part in the arson. There is no evidence that you ever received that money but you were quite prepared once you did know what the background had been to contemplate engaging with Reeves and Earl again in similar organised crime, for money.
4. I have read the letter you wrote to me. In it you tell me that you were in a construction apprenticeship and attending college when you made the poor decisions that find you before the court today. You are sorry for your reckless, inconsiderate crime. You have used your time in custody effectively engaging wholeheartedly in the programmes and workshops available. I commend your efforts.
5. As I have already said I do not find that you satisfy the statutory test for a dangerous offender. I have also not found that the prosecution has satisfied the requirements for the imposition of a Serious Crime Prevention Order in your case; the sentence I have to impose on you will provide protection for the public for some years and I do not consider the single offence of aggravated arson in your particular circumstances, one that should be treated as if it were specified under the Serious Crime Act 2007.
6. **Jakeem Barrington Rose** I must sentence you for an offence of aggravated arson contrary to s.1(2) Criminal Damage Act 1971 and for possession of a bladed article in a public place contrary to s.139(1) Criminal Justice Act 1988. The maximum sentence for the latter offence is four years' imprisonment.
7. I have seen a pre-sentence report dated 15 October 2025 and I take heed of your neurodivergence in that you have ADHD and are more likely to act impulsively than the average person without that condition. Agreement to commit this offence may have been impulsive but the carrying out was not. You had to be collected in a car with Mensah, then travel to the warehouse, stopping on the way to get petrol for the fire. I do not find that your culpability is diminished to any significant extent. I bear in mind your age and Dr Brown's conclusion that you are less mature than others of your age and your adverse life experiences including a serious trauma by stabbing. It is a great shame that your response to this was to carry a dangerous weapon when you went to commit this offence in which you were accompanied. That afterwards you acquired another such weapon found on your arrest, is also not a positive sign.
8. You have positive aspects to your character as those who have written to the court have explained. Not least you cared for your sister who is autistic and your home following your mother's cancer diagnosis
9. I am unsurprised that the author of the pre-sentence report recognises that you still pose a risk of causing further harm to others but, like her I do not conclude that you are a

dangerous offender, because, despite the matters discussed above, as I am not satisfied that the stringent statutory test is satisfied.

10. Arson is aggravated by the use of an accelerant and this being a group offence committed at night. It is an offence with a terrorism connection and this provides some moderate further aggravation beyond the serious consequential economic and social impact of the offence for the reasons I have explained. I do not find a significant degree of planning or premeditation in your case and nor do I find that multiple people were endangered, the risk to some life is reflected in the aggravated nature of the offence itself. Your previous convictions, particularly those for robbery are an aggravating feature.
11. The bladed article offence is category A2 as it was a knife and you took it with you when you went with others to set the fire. This was, in my judgment because you anticipated there may be trouble or you may need it to help you get away. Because you have a previous conviction for the same offence I must impose a minimum penalty of six months imprisonment but the appropriate sentence would be beyond that term in any event because of the context in which you armed yourself, namely while committing an offence of aggravated arson. It is appropriate for the sentence to be served consecutively.
12. By way of mitigation, you admitted simple arson on 25 October 2024 but denied the aggravated offence. You admitted possession of the Zombie-type knife at the first opportunity in the Crown Court, on 4 October 2024 and you are entitled to a reduction of no more than 20%.
13. Aged 21 at the time. I do not find you to be a dangerous offender or impose a Serious Crime Prevention order for the reasons I have already set out in Mensah's case.
14. I must sentence **Ugnius Asmena** for aggravated arson.
15. Arson is aggravated by the use of an accelerant and this being a group offence committed at night and the fact that you recruited a driver, who was acquitted of knowing involvement at trial. I do not find a significant degree of planning or premeditation in your case and nor do I find that multiple people were endangered, the risk to some life is reflected in the aggravated nature of the offence itself. It is an offence with a terrorism connection and this provides some moderate further aggravation beyond the serious consequential economic and social impact of the offence for the reasons I have explained.
16. I have seen a pre-sentence report dated 22 October 2025. I bear in mind your previous good character. You were aged 19 at time of the arson. The report explains your particularly difficult background and family situation which I will not embarrass you by repeating in court. It was apparent during the trial that you were effectively homeless when you were recruited to the arson plan. I accept that you are less mature than peers of the same age and I have considered whether, in light of the fact that if, when you are released, you find yourself impecunious circumstances again, I can be satisfied that the test for dangerousness has been met. I bear in mind that I will be passing a terrorism sentence and in the end I have concluded that the test is not met.

17. I do not find you to be a dangerous offender or impose a Serious Crime Prevention Order.
18. **Stand up the three of you.**
19. The sentences I must impose demonstrate the true price of what might sound like easy money. The principle aims of sentencing in your cases are punishment, deterrence and public protection. I must impose a special sentence for offenders of particular concern.
20. **NII Kojo Mensah** – for the offence of aggravated arson the sentence is **10 years imprisonment comprising 9 years custody and 1 year on licence.**
21. **Jakeem Barrington Rose** – For the offence of aggravated arson the sentence is **9 years detention comprising 8 years custody and 1 year on licence.** For the bladed article the sentence is **10 months detention consecutive.**
22. **Ugnius Asmena** – For the offence of aggravated arson the sentence is **8 years detention comprising 7 years custody and 1 year on licence.**
23. You will each serve the whole of the custodial term for the offence of arson and you will each be subject to Notification requirements for 15 years.

Earl, Reeves and Evans

24. I have to sentence **Dylan Earl** for aggravated arson in relation to the warehouse in East London aggravated by both a terrorist connection in accordance with s.69 Sentencing Act 2020 and the foreign power condition, in s.69A(3). He is also to be sentenced for preparatory conduct contrary to s.18 National Security Act 2023 concerning the planned violence against a Russian dissident businessman and his premises in central London. The maximum sentence for that offence is life imprisonment. In addition, for possession of cocaine with intent to supply (which also carries a maximum of life imprisonment) and possession of criminal property, namely £20,070 which has a maximum of 14 years' imprisonment.
25. I have seen a pre-sentence report dated 8 July 2025. I note what is said about difficulties in your later childhood and the habit you had got into of living on line and abusing drugs and alcohol while living at home with your parents. You presented yourself as someone who was groomed into committing these offences. In light of all the evidence I have seen during the trial and since I am not able to accept that characterisation of your lifestyle or your mode of engagement with the Wagner group.
26. Spending a lot of time connected to the internet rather than to other human beings in the real world is of benefit to some people for whom it can be source of companionship when circumstances or personality mean their lives are very restricted. But the fact that someone deliberately chooses to immerse themselves online in place of real world friendships that bring home to them how, in a healthy democracy where civil liberties are enjoyed, we are each responsible for living lawful lives that benefit the whole community, or at least do no harm, is not mitigation. Furthermore, the facts indicate that the encapsulation of your life as sad and hermit-like, and incapable of real life interaction, is not entirely accurate. You had a job working for your father, you were running a successful class A drug dealing operation.

27. Turning to the important statutory test for dangerous offenders. I bear in mind this is first time you are before the courts. The provisions I apply are those in ss.227 and 266 Sentencing Act as you were 20 at time of the arson. As I have said, from the facts of these offences and everything I know about you including from your pre-sentence report I reject the mitigation that you were tempted by Privet Bot and Lucky Strike because you were easy prey, a friendless, nihilistic youth susceptible to being targeted. You had an active drug dealing enterprise underway at the time you became involved with the Wagner Group and some of the jottings found by the police indicate this was highly profitable. Psychiatric and psychological assessments on you show you have average intellectual functioning and no psychiatric symptoms. You have periods of depression, have some traits of autism related to poor social functioning and some degree of ADHD but not a severe form.
28. I am also not persuaded that you were an easy puppet, groomed by Privet Bot. There is certainly evidence that as many people do online you exaggerated your prowess, your contacts and your experience. The kind of boasting that was obviously false and some of the responses from the Russian profiles indicated that they realised that. But you really believed you were having traction with something significant and you threw yourself into it. I am sure that the truth lies somewhere in between the exaggerated importance you ascribed to yourself at the time, and the wholly pathetic character presented to me in mitigation. What does that lead to? It means that I am sure you were prepared to use your contacts to make money, and you didn't mind who you were doing it for. You expressed some ideological approval of Russia's aggression but that may have been role play. I find that your primary motivation was not due to being groomed or manipulated by the Wagner proxies but simple and ugly greed.
29. I have considered the dangerousness provisions with care and although you are young I do find the test satisfied. I have attempted a holistic assessment of your current state, reading all the background material about you carefully, particularly the pre-sentence and other reports. I have to reject to account you gave to the probation officer that your family was unaware of your offending and substance abuse. The police found a handwritten ledger in which you referred to over £200,000 in the possession of your mother. Her account is frozen. I do not pre-determine the outcome of the confiscation proceedings but this evidence together with the wide ranging evidence of your contact with others, sending drugs to others and your ability to engage Reeves and pursue others including Evans for the Hide and Hedonism attacks indicate someone with much more agency than you have portrayed. In reaching that conclusion, I have refreshed my memory of the messages you sent.
30. I do not reject entirely your account and that of your sister and others of you being bullied and removed from school and a degree of social isolation at times. These aspects of your history, personality and psychological make-up may explain why you were attracted to the malign influence of Privet Bot and Lucky Strike but that does not diminish the responsibility you have for what you chose to do and the significant risk of causing serious harm to others which I find you pose should you commit further specified offences of the type you were planning to, once you are released from custody.

31. On the other hand the lack of a strong ideological adherence may reduce the likelihood of your being engaged in the same way again and this is an assessment of future risk which it is often difficult in the case of someone who is young. The author of the pre-sentence report suggests there has been a substantial change of mind-set and attitude on your part, and time may show that this will last. You have used your time in custody well and there are promising signs of a change of attitude to the future.
32. I am not bound by the opinion in the pre-sentence report, although I give it due respect. I note also that the opinion is nuanced and suggests you are now less willing to go back to your pro-criminal lifestyle or engage in crime with the degree of harm to satisfy the dangerousness test. However, this is within a custodial setting and while you await the outcome of this case. I am driven back to the nature of the offences you have committed and I cannot make a safe conclusion that you are a transformed individual and the very significant risk you posed at the time of your arrest has dissipated sufficiently to remove the significant risk you pose.
33. You pleaded guilty on 24 October 2024 to arranging the damaging by fire of a warehouse in what you knew from images provided to you, was in an urban area with houses close by. You were reckless on that occasion as to endangering life however, it was an offence committed for a foreign power, and it was a crime with a terrorism connection. There was significant planning, it was a group offence, at night. I do not find that multiple people were endangered, the risk to some life is reflected in the aggravated nature of the offence itself. You told Dr Farnham, a psychiatrist who prepared a report on you, that you received 5000 euros in cryptocurrency for the arson.
34. You have also admitted, at the hearing on 25 October, engaging in conduct in preparation for the commission of acts involving serious violence against a person/endangering the life of a person and/or creating a serious risk to the health or safety of the public in the United Kingdom, for or on behalf of a foreign power. The evidence from the London Fire Brigade is that there would have been a risk to life from an arson attack on the Russian dissident's business premises although because of the nature of the buildings and fire protection processes multiple fatalities were unlikely to result. It would have been still greater in the event of an attack using explosives.
35. While I do not ignore the fact that you expressed a hope not to cause harm to people and I have referred to some of those messages, the bottom line is that you recognised there was a risk of very serious harm, as in fact there would be. That did not put you off. You did not succeed because you were arrested. The Hide restaurant has a bakery which is operative at night, as well as 14 flats above and the Hedonism wine shop has 20 flats in the building above. Based on the nature of these two offences and all the other matters I have rehearsed you are a dangerous offender.
36. Having reached that conclusion I have also concluded that given the alternative disposals available detention for life is not justified and nor is a special terrorism sentence.
37. In the absence of an offence specific guideline, I have considered the overarching principles guideline and the guideline for a parallel offence contrary to s.5 Terrorism Act 2006. Some of the reasoning behind the s.5 offence guideline is encapsulated in *R*

v Kahar [2016] EWCA Crim 568 which predates it. I consider that your culpability is high. You were playing a leading role in terrorist activities and preparing to take further action against individuals whether by kidnapping or causing serious damage to property and the harm to life that putting your preparation into effect was likely to cause overall was less than high because you were primarily intending to cause serious harm to property albeit you appreciated a risk to life. The risk was, at its highest of multiple deaths risked but not very likely to occur. Your plans were moderately close to completion; you had a target, you had arranged effective reconnaissance, but they were not sophisticated. As you knew from the experience of East London, such plans could come together at very short notice and so I find that were it not for apprehension the activity was very likely to have been carried out. You were a ready amplifier of the Wagner Group's propaganda and shared it with others you knew online. There is some evidence in your messages of ideological commitment but, as I have noted already, this may well have been role playing so I discount it and that makes the offence less grave.

38. Mitigation is limited to your previous good character and aspects of your unhappy childhood and upbringing. I have given this feature weight and I recognise the impact it can have on the life chances and outlook of a young person.
39. In my judgment the sentence should not be discounted substantially because of your age of 20 at the time of most of the offending I must deal with you for. The offence is serious and I do not find that you were the victim of exploitation.
40. You have no previous convictions and that is mitigation, as are your guilty pleas.
41. On 14 March 2025 you pleaded guilty to possession of 885g of cocaine with intent to supply it to others on or about 10 April 2024, the date of your arrest. You also admitted possession of the criminal property at the same hearing. When you were arrested your phone contained a screen shot of a cryptocurrency holding of £58,425 and images of cash bundled in approximately £60,000, £40,000 and £75,000. An expert in drug dealing has formed the opinion that you were engaged in wholesale drug trafficking.
42. The starting point in the drugs guideline is achieved at leading role and harm category 2 although I must allow for the lesser quantity of drugs found than that category suggests, on the other hand there is evidence of a course of drug supply as background, engaging larger quantities. The starting point of 11 years when reduced by a quarter to allow for your guilty plea and moderately for your age gives a notional determinate term of 7 years 6 months but I must also have regard to totality and the personal mitigation including previous good character, that I have already discussed.
43. The money laundering sentencing guideline applies to the offence of possession of criminal property. I agree that the offence is one at category A5, which has to be somewhat tempered given the indicative figure for that category is more than double the amount you held. The starting point would be 3 years' custody, you pleaded guilty and I have regard to totality and the other features I have mentioned.
44. In your case I do impose a Serious Crime Prevention Order because in the particular circumstances of your case the offence of aggravated arson is sufficiently serious to be treated as if it were specified in Part 1 of Schedule 1 to the Serious Crime Act 2007. I am also satisfied that the order will protect the public by preventing, restricting or

disrupting your involvement in serious crime in England and Wales. I make the order in the terms requested for the period of five years albeit you will be in custody for some considerable time.

45. I have to sentence **Jake Reeves** for aggravated arson. He is also to be sentenced for agreeing to accept a material benefit, namely money, that was to be provided by or on behalf of a foreign intelligence service, when he knew or ought reasonably to have known that this was the origin of the money, contrary to s.17(2) National Security Act 2023. The maximum sentence is 10 year's imprisonment.
46. Arson is aggravated by the use of an accelerant and this being a group offence committed at night in which you took a leading role albeit you didn't go to the scene yourself. There was a greater degree of premeditation in your case than in those who carried it out. It was a crime with a terrorism connection. You took a leading role. I do not find that multiple people were endangered, the risk to some life is reflected in the aggravated nature of the offence itself. You are to be sentenced on the basis that you did not know the arson at the warehouse was on behalf of a foreign power but learnt that subsequently and, with that knowledge, continued to plot with Earl to arrange the attacks in central London and accept money for them from the Wagner group.
47. I have seen a pre-sentence report dated 15 October. You told the probation officer you were to be paid £8,000 for arranging the arson which you were told by someone online was being committed against a 'bad person'. You were a heavy user of ketamine at the time although this did not inhibit your employment at Gatwick airport. Afterwards you were told by Earl that the job had not be up to Wagner standards and you would not be paid. You then strung Earl along and that was why you engaged in the messaging with Mensah and Earl about the proposed attacks in Mayfair. To the author of the report you presented as an easily influenced and naive young man. You were aged 22 at the time so not a callow youth. But since being remanded in custody you have been diagnosed with Autism Spectrum Disorder. Despite having a job and a secure home you needed money for ketamine and this was the motivation for the offences I must sentence you for.
48. I have read Dr Baron Cohen's assessment and I conclude that in your case the guideline for sentencing offenders with developmental disorders or neurological impairments is particularly relevant. I find there is some reduction in your culpability due to your neurodiversity, age and lack of maturity compared to your peers. I have also to take account of your previous good character which is supplemented by the many eloquent letters written to the court by those who know you well. I repeat I have read them all. You have written an articulate letter to the court which I have also read and take account of.
49. I bear in mind your lack of previous convictions. You pleaded guilty to both offences on November 2024. There was no basis of plea but I sentence you on the basis that you may have hoped to persuade or trick Earl into paying you what you felt you were owed for the arson when you engaged in discussions with him about the Hide and Hedonism attacks and that on their owner but I also have to bear in mind that you recruited Mensah

for that second ‘mission’ as well as the first and you sent him a video of an explosive. The sentences will be consecutive.

50. I do impose a Serious Crime Prevention Order because in the particular circumstances of your case the offences of aggravated arson and agreeing to accept a material benefit from a foreign intelligence service, are sufficiently serious to be treated as if they were specified in Part 1 of Schedule 1 to the Serious Crime Act 2007. I am also satisfied that the order will protect the public by preventing, restricting or disrupting your involvement in serious crime in England and Wales. I make the order in the terms requested for the period of five years albeit you will be in custody for some considerable time.
51. I have to sentence **Ashton Evans** for an offences of possession of a controlled drug of Class A, cocaine, with intent to supply contrary to s.5(3) Misuse of Drugs Act 1971 and for failing to disclose information about terrorist acts between 19 March and 23 May 2024, contrary to s.38B Terrorism Act 2000. The maximum sentence for that last offence is 10 years’ custody.
52. You admitted during cross-examination at the trial that once Earl had been arrested and you had seen an online article about it, you realised that what you knew, might be of assistance to the police, that your phone contained material that would be of assistance in the investigation of an act of terrorism. Nonetheless you persisted in your denial of the offence you have been convicted of. I find the terrorism offence to attract category 1A in the guideline. This because the information you held was very significant, you knew the media handles used by Earl, you knew his telephone number, at least part of the location of the warehouse attack and the identity of the Mayfair targets as well as the nature of the planned attack. Although much of the communications between you and Earl has been deliberately destroyed I am able to be sure that well before Earl’s arrest you were aware that you had significant information to do with a terrorist acts perpetrated and planned on behalf of Russian interests, to disclose and then, even after Earl was arrested you failed to do so until you were yourself arrested. The harm was of the highest level, as it risked endangering life and was intended to cause very serious damage.
53. The guideline starting point is 7 years custody.
54. You pleaded guilty to the drugs offence. I regard you as playing a significant role as a street level dealer who purchased from Earl. The harm category is 3. The starting point is 4 years 6 months custody.
55. You have previous convictions but in the circumstances I have been shown I do not treat them as aggravating features, particularly given your age. The offences are of unlawful wounding and possession bladed article in 2022. Subsequently, in 2023 you were convicted of another possession of a bladed article and assault, resulting in detention and you were on licence from that sentence when committed the drug dealing offence. That aspect does aggravate the drugs offence but I do not increase the term in order to allow for the totality principle.
56. I have read the letters written to the court which speak of your positive qualities. It is plain that until you got involved in this period of offending you had the potential for a

bright future, you may yet achieve that. I do not find the statutory test for dangerousness met in your case. I reduce the sentence moderately for both offences I have to deal with due to your age of 19 at time of offences.

57. The sentences for the failure to disclose and the drugs offence have to be consecutive.
58. Stand up the three of you. In your cases the sentence must send a clear and unequivocal signal to you and all other potential candidates that engaging with online entities offering money for crime aimed at undermining the safety and interests of this country is not worthwhile. The principle aims of sentencing in your cases are punishment, deterrence and public protection.
59. **Dylan Earl.** For the offence of arson which is aggravated by the foreign power condition and the terrorist connection as well as a significant degree of planning and premeditation and the use of an accelerant. For this offence I impose an extended sentence of 9 years custody and 6 years extended licence. For the preparatory conduct contrary to the National Security Act the sentence is 6 years custody consecutive.
60. For the possession of cocaine with intent to supply the sentence is 2 years consecutive.
61. For possession of criminal property the sentence is 1 year concurrent.
62. The total sentence is **23 years comprising 17 years custody and 6 years licence**. The sentence for the preparatory conduct and the drugs will be served first before the extended sentence for arson. You will serve the whole of the custodial period for the aggravated arson. You will be subject to Notification requirements for 30 years.
63. **Jake Reeves** - For the aggravated arson the sentence is **10 years comprising 9 years custody and 1 year licence** as an offender of particular concern. You will serve the whole of that custodial term. For the offence of agreeing accept a material benefit from a foreign intelligence service the sentence is **3 years consecutive**. You are subject to notification requirements for 15 years.
64. **Ashton Evans** - I must impose a special sentence for offenders of particular concern. For the failing to disclose the sentence is **seven years detention comprising a custodial term of 6 years and 1 year licence**. You will serve the whole of that sentence. For the possession with intent to supply the sentence is **3 years detention consecutive**. You are subject to the notification requirements for 15 years.

Mr Payter clarified the start date of the SCPO will run from date of release from custody, as in the body of the order – in my view the orders will be necessary and proportionate at that point.

Mrs Justice Cheema-Grubb DBE

24 October 2025