



**IN THE CROWN COURT AT BIRMINGHAM**

**THE KING V. JOHN ASHBY**

**24 APRIL 2026**

**SENTENCING REMARKS OF  
THE HON. MR JUSTICE PEPPERALL**

1. The victim in this case is a British Indian Sikh woman in her mid-twenties. I will not refer to her by name in these public sentencing remarks. That is because the provisions of the Sexual Offences (Amendment) Act 1992 apply to this case and no matter relating to her shall, during her lifetime, be included in any publication if it is likely to lead members of the public to identify her as the victim of a sexual offence.
2. John Ashby, upon your admissions part way through your trial, you have been convicted of rape, intentional strangulation, robbery and religiously aggravated assault.
3. On 25 October 2025, you spotted a woman on a bus. When she alighted at her stop, you also got off the bus and followed her at a distance as she walked home. When she went into her house, you scouted around for ways into her property. You armed yourself with a big stick, pulled up your hood and entered through an insecure door at the back of the house. Once inside, you climbed the stairs and attacked the woman in her own bathroom.
4. Ignoring her terrified screams, you struck her with the stick and ordered her to undress. You whipped her and hit her many times. And you put your hands around her neck to strangle her. You demanded that she climb into the bathtub. You turned on the hot water and insisted that she should say Hallelujah. You repeated on many occasions that you were the master, and that she was a fucking bitch and a fucking Muslim bitch. You said that she was dirty. You ordered her to repeat these words back to you. You insisted that you wanted some fun with her.
5. You then exposed yourself and slapped your erect penis against her head. You masturbated yourself and you made her bend over so that you could rape her from behind. You penetrated her vagina with your penis, and you ejaculated inside her.
6. You then said that you want to fuck her arse. You repeatedly called her a dirty and a filthy bitch. You insisted that she should shower. At that point, you took some drugs and you were later to test positive for cocaine.
7. You took her through to her bedroom. You demanded money. When she screamed again, you said that you were the master and that she was a bitch. You made her repeat that you were the master and that she was a bitch. You repeatedly said that you were giving her some big British white cock.

8. You asked her for oil in order that you could rape her anally. Realising that moving downstairs might give her the chance to escape, the woman said that there was oil in the kitchen. As she got downstairs, the woman opened the front door and screamed for help. You pulled her back and shut the door. You slapped and punched her head, and you demanded property from her. You took some jewellery and a mobile phone.
9. Fortunately, you were eventually spooked by noises outside and, fearing that you were about to be disturbed, you ran off.
10. On your arrest, you said to police that you never see any Englishmen in Perry Barr anymore. On being shown a photograph of the woman during your police interview, you asked why she wasn't wearing a hijab.
11. These offences have had a devastating impact upon this woman. The immediate impact was captured by CCTV cameras in the street and the body-worn cameras worn by the attending police officers. That footage was particularly harrowing. She and her partner could not bring themselves to spend another night in their home.
12. Six months on, the woman and her partner have described in their victim personal statements the profound effect of these crimes on every aspect of her life. It is clear that the fact that she was raped by an intruder in her own home has been particularly difficult. It has meant that she is always on edge and that she constantly thinks that an intruder is in the house. She lives in a state of fear. When home alone, she locks herself in her room and avoids going to the bathroom as much as possible. She does not feel able to go out without her partner. She experiences flashbacks and continually replays what happened in her mind. She suffers panic attacks that have on occasion been so serious that she has had to be taken to hospital by ambulance. She has been unable to hold down employment and has felt unable to talk about her experience to friends and family. As a result, she has become isolated at home while her partner works to pay their bills.
13. Every aspect of the couple's lives has been affected by your crimes and they have had to put their marriage plans on hold.
14. John Ashby, you are now 32 years old. You have previous convictions for carrying weapons, criminal damage, assault and battery, theft, possession of drugs, harassment, and breach of a restraining order. You have served a number of relatively short prison sentences.
15. Between 5 September and 22 October 2025, you were detained in a mental hospital under s.2 and then s.3 of the Mental Health Act 1983. On admission to the psychiatric intensive care unit, you were psychotic. You were hearing voices, you believed others could control and read your thoughts, and you suffered paranoid and persecutory delusions. You made good progress and by 13 September you had been transferred to an acute ward. By 24 September, your thought process was no longer disordered.
16. Although you made a good recovery, there are a number of disturbing entries in the medical records:

- a) First, and most worryingly, an entry dated 1 October 2025 describes an incident when, high on drugs, you grabbed a female while you were out on the street. She was a stranger to you. She screamed for help and fortunately others intervened. Asked what your intentions had been, you replied that you were sexually frustrated at the time.
  - b) Secondly, there are repeated reports that you were still abusing drugs when allowed out on leave.
  - c) Thirdly, you were violent, threatening, abusive and racist on a number of occasions during your detention. Matters came to a head on 22 October. Although you were discharged that day, you bought drugs while on escorted leave, you punched the member of staff who reported the drug deal multiple times to his head and face, you later said that you would do the same again and would kill that member of staff if you saw him outside the unit, and when police officers attended to arrest you, you again assaulted the member of staff.
17. Only you are responsible for your subsequent actions. Nevertheless, I am, concerned that the medical records indicate that you were discharged without any proper after-care arrangements in place as required by s.117 of the Mental Health Act 1983. Structured after-care after a period of detention under the Act and, at the very least, accommodation upon discharge is important not just in the best interests of the patient but in order to manage the risk that the patient may pose to public safety.
  18. I have considered a report from Dr Vivek Furtado, a consultant forensic psychiatrist. He concluded that you meet the diagnostic criteria for an autism spectrum disorder and that there are maladaptive personality traits of a dissocial nature evident from your issues with regulating your own anger, emotions and behaviour. There was, however, insufficient evidence for a formal diagnosis of a personality disorder.
  19. Dr Furtado reported that the most significant factor in understanding your mental health is your longstanding drug use. He identified a harmful pattern of the use of crack cocaine and synthetic cannabinoids associated with psychotic symptoms. He recorded that you knew that your drug use had a negative impact on your mental health.
  20. Dr Furtado concluded that your mental health was negatively affected at the time of these offences not by any underlying disorder or mental illness but by your voluntary use of illicit drugs.
  21. In passing sentence, I have considered the offence-specific guidelines issued by the Sentencing Council for each of these offences. Further, I have considered the guidelines for totality, sentencing offenders with mental and developmental disorders, and for reduction in sentence for guilty pleas. I propose to pass a sentence for the offence of rape which reflects the totality of your offending on this indictment, and then pass shorter concurrent terms of imprisonment in respect of the other offences.
  22. I turn then to the guidelines issued by the Sentencing Council for offences of rape. I agree with counsel that this was a category 1 harm case because of the extreme nature and impact of the following factors:

- a) First, you raped this woman after you forced your way uninvited into her home.
  - b) Secondly, you used violence against her that went far beyond that inherent in the offence of rape. You strangled her, you whipped her, you hit her around the head, and you pulled her back from the door and struck her when she tried to escape.
  - c) Thirdly, you subjected her to additional degradation and humiliation by slapping your penis on her head and threatening to rape her anally after having first raped her vaginally.
  - d) Fourthly, you held her against her will as you sexually and physically assaulted her for at least 24 minutes.
  - e) Fifthly, your offending has caused her severe psychological harm.
23. I also agree with counsel that this was a high culpability case. I reach that conclusion because I find that throughout this offending you demonstrated your hostility to this woman because she is Asian and because you assumed that she was a Muslim. Your repeated insistence that she call you the master, that she was a filthy Muslim bitch, that she should repeat the word Hallelujah as you poured water over her, that she was going to have what you referred to as your big British white cock, and your subsequent remarks following your arrest, reveal you as a deeply unpleasant racist and Islamophobe. In addition, I find that this offending was planned for at least some minutes before you entered this woman's home. You picked her out on the bus and followed her to her home intent on sexual violence against her.
24. The starting point for a category 1A offence is 15 years' imprisonment with a category range of 13-19 years. I must then consider the further aggravating and mitigating features of your case. Here there are five further aggravating features:
- a) First, this offence is aggravated by your previous convictions, and particularly your previous convictions for violence.
  - b) Secondly, you used a weapon both to strike and frighten her.
  - c) Thirdly, in committing this rape, you ejaculated in the course of unprotected sex despite knowing that you have been diagnosed with hepatitis C.
  - d) Fourthly, you committed this offence under the influence of cocaine.
  - e) Fifthly, the victim was compelled to leave her home.
25. In mitigation, your barristers argue that the medical evidence is highly relevant to culpability. They argue that you had significant neurodevelopmental and mental health difficulties, marked impulsivity and reduced emotional regulation all of which materially contributed to the commission of these offences.
26. I do not agree, and - in fairness - in her oral submissions, Ms Heeley KC accepted that the medical evidence provided context for your offending rather than any real mitigation. In my judgment, your autism was characterised by deficits in social communication and there is no formal evidence of ADHD. In any event, any such neurodevelopmental disorders do not even start to explain these offences. Your personality traits might explain why you lost your temper when challenged in the unit, but provide no real mitigation for your deliberate and considered actions in breaking into a house in order to commit rape. That said, I accept that your personality may explain your lack of empathy.

27. There is no evidence of a serious underlying mental illness. Your earlier psychotic episodes were caused by your own voluntary actions in abusing illicit drugs knowing full well that drugs exacerbated your mental health issues. In any event, there is no evidence that you were psychotic at the time of these offences.
28. In my judgment, the appropriate sentence after trial for this offence of rape is right at the top of the category range.
29. The offence of religiously aggravated assault occasioning actual bodily harm is a category 1A offence within the assault guidelines with a starting point of 2½ years. The assault was aggravated by your previous convictions, the commission of this offence in this woman's home, and the fact that the offence was committed while you were under the influence of drugs. The appropriate sentence after trial was 3½ years' imprisonment. This offence was further aggravated by reason of your hostility towards this woman based on your mistaken assumption as to her religion. The sentence for that offence must therefore be increased to reflect that additional factor. In my judgment, the appropriate sentence after trial would be 4½ years.
30. The offence of intentional strangulation is a category 2B offence within those guidelines with a starting point of 18 months' imprisonment. The offence was aggravated by your previous convictions, the commission of this offence in this woman's home, your religiously aggravated hostility towards her, and the taking of drugs. In my judgment, the appropriate sentence after trial would be 2½ years.
31. The offence of robbery is a category 1A offence within the guidelines for robberies committed within a dwelling. Again it is aggravated by your previous convictions and the taking of drugs. Had this case just been about a violent robbery in the home, the starting point would have been 13 years' imprisonment and the appropriate sentence after trial would have been 14 years.
32. I must then consider the principle of totality. I have already treated your violence beyond that inherent in the offence and your religious hostility as serious aggravating features of the rape that - with other factors - justified the conclusion that that was a category 1A offence and a notional sentence after trial of 19 years' imprisonment. Such sentence does not, however, reflect the further aggravating feature that you also committed robbery.
33. In my judgment, the appropriate sentence after trial for the totality of your offending across this indictment is 22 years' imprisonment.
34. Your victim has had to endure months waiting for trial, and had to prepare herself mentally to give evidence to the jury. Your late guilty plea did not spare her having to rewatch her video interviews or her inevitable anxiety in preparing to give evidence. While you took matters to the wire, your pleas did, however, spare her at the last minute from having to face cross examination. For that, I make a modest allowance and reduce the sentence to one of 21 years.
35. Having determined the proper determinate sentence, I return to the careful stepped approach in the rape guideline. I am next required to consider the issue of dangerousness. Defence counsel concede that there is no need to order a pre-

sentence report in this case to address that issue. I agree. Taking into account the extreme facts of this case, I have no doubt whatever that you are a very dangerous man and that you pose a significant risk to women of serious harm occasioned by the commission of further serious sexual offences. While I do not treat the unproven allegation that you grabbed a female in the street out of your apparent sexual frustration as an aggravating feature of your case, it is nevertheless information that I can properly take into account in considering the issue of dangerousness and the assessment of risk, and it confirms me in my clear conclusion.

36. I must then consider whether I should pass a life sentence in this case. In assessing this issue, I conclude that you pose an extreme level of danger to the public – and particularly to women – and that there is no reliable way of estimating the length of time that you will remain a danger. In my judgment, the seriousness of this offence of rape taken together with the other offences on this indictment is such as to justify the imposition of a sentence of life imprisonment. The risk to the public cannot be adequately met by an extended determinate sentence. I am therefore required by s.285 of the Sentencing Act 2020 to pass a sentence of life imprisonment.
37. I am next required by law to fix the minimum term, being the period that must be served in custody before you can apply to the Parole Board to be considered for release. I start from the notional determinate sentence of 21 years. That sentence must, however, be adjusted for two reasons:
  - a) First, I must reduce the notional determinate sentence by one-third to reflect the fact that there will be no early release under the life sentence that I impose.
  - b) Secondly, I must adjust the sentence to reflect the time that you have already spent in custody. I therefore reduce the minimum term that you will serve by 180 days.
38. John Ashby, I sentence you to life imprisonment for the offence of rape and order that you will serve a minimum term of 13 years 185 days. I impose concurrent sentences of imprisonment in respect of the remaining counts on this indictment: 2½ years for intentional strangulation, 14 years for robbery and 4½ years for religiously aggravated assault occasioning actual bodily harm.
39. While it is well known that offenders sentenced to a determinate sentence of imprisonment are released early and serve the balance of their sentence in the community, it is important that both you and the public understand that when a judge imposes a sentence of life imprisonment, the offender must serve every single day of the minimum term. Furthermore, even after serving the minimum term, the offender will only be released from prison when the Parole Board decides that further imprisonment is no longer necessary for public protection. Upon eventual release, the offender will remain under supervision on licence for the rest of his life, and may be recalled to prison at any time.
40. Further, I order that you should pay the appropriate statutory surcharge. Take him down.