



IN THE CROWN COURT AT BIRMINGHAM

R

v

SARAH NGABA

SENTENCING REMARKS OF MRS JUSTICE BRUNNER

12 June 2026

1. You may stay seated during my sentencing remarks.
2. The appropriate statutory victim surcharge will be applied.
3. Sarah Ngaba, on 21 May 2026, you were convicted at this court, after a trial, of the murder of your daughter, Eliza Ngaba. You brutally assaulted her on 13 November 2019 when she was just seven weeks old. You were convicted in 2021 after a trial of causing Eliza grievous bodily harm with intent to do so and sentenced in May 2021 to 14 years imprisonment. Sadly, Eliza died on 15 August 2022 from complications linked to the severe brain injuries which you had inflicted on her.

Eliza's life after the attack

4. After you assaulted Eliza, she was cared for with dedication by remarkable foster parents, Laura and Gary Haynes who were a dignified presence in court throughout the trial and are here today. Laura Haynes has told me in a moving statement, written on behalf of her and her husband, of their time with Eliza. She was placed with them on a short-term basis, because they had experience in providing care to those with complex medical needs, but they formed such a strong bond with her that they applied to be long-term carers, and were approved. Laura and Gary Haynes would have applied for Special Guardianship in time, and Eliza was very much a member of their family, adored by them and their daughter. They cared for Eliza from December 2019 until her death on 15 August 2022, when she was nearly three years old.
5. Eliza suffered profound disabilities as a result of the brain injury which you inflicted. She was diagnosed with cerebral palsy, and her limitations were at the most severe end of the scale. She had significant visual impairment and severe epilepsy that was difficult to control; at times she experienced three or four seizures each day. She had problems with swallowing, leading to aspiration which means breathing in food or saliva, and she had repeated chest infections. As a result she was fed through a tube. In her short life she endured repeated hospital admissions. In 2022 she was in intensive care for 9 days with respiratory tract infection and sepsis.
6. Despite Eliza's serious injuries she was a content baby. She would coo for attention and loved cuddles with her foster family, who describe her bright and sunny nature. She would call out for attention and squeal with delight when they picked her up. They write that they felt privileged to be Eliza's family, but it is also clear that Eliza was so fortunate that after her terrible start to life the Haynes family embraced her. It was not easy for them because Eliza's needs were so significant but theirs was a stable and caring household and they clearly brought much love and happiness into her life.
7. On 11 August 2022 Eliza was once again taken to hospital, this time with acute pneumonia. She sadly deteriorated despite the care given to her, and on 15 August she

died. The cause of death was pneumonia and acute lung injury, with the head and brain injury caused by you identified as a significant contributing cause. As was accepted in the trial, the injuries which you inflicted more than minimally contributed to her death.

8. Eliza's foster family are devastated by Eliza's death and miss her every day. Eliza should have had a long and happy life, and her death is a profound tragedy. The sentences that I am about to impose should not be seen as a measure of the value of Eliza's life. Nothing that I can do will compensate in any way for that loss.

The defendant's actions

9. Ms Ngaba, I turn to your actions during Eliza's life. Eliza was born on 19 September 2019 and left hospital as a healthy baby. By that time you and Eliza's father were not together although you were in touch, and you resented him for leaving you when you were pregnant. You were living with your aunt in London around the time that Eliza was born. In the early days you seemed to be coping, and behaving appropriately towards your baby.
10. At that time you were 25. You have learning difficulties but not a learning disability. You had been supported in a mainstream school, and you were able to read, write and manage your own finances. You had held down a number of jobs in the service sector.
11. Two people who you had a relationship with before Eliza was born describe how quick to anger you were. One said you would lash out at him.
12. You moved to Telford in Shropshire on 8 October when Eliza was nearly 3 weeks old. Someone else lived with you in the flat in Telford for a while and you then lived with Eliza alone.
13. You took Eliza to the GP in Telford as she had a virus and allergic reaction. That was on 7 November, about a week before you assaulted her. Although you later said that you had raised mental health problems with your GP that was untrue.
14. You struggled to care for Eliza on your own. You told a friend that you needed money and had no food. A friend who visited saw that the flat was in poor condition. You were having problems feeding Eliza. You were in some pain from the C-section, but in CCTV played during the trial you did not seem to have significant difficulties in walking around.
15. You neglected and mistreated Eliza. You sometimes left her at home when you went to the supermarket. A few days before you fatally assaulted her two friends separately saw you screaming or shouting at her. She seemed unwell and those two friends both said that you should take her to the GP. You did not seem bothered about her being unwell. Although you made an appointment to see the GP on 12 November, the day before the assault, you did not go. Instead you went shopping.
16. You viciously assaulted Eliza in the morning of 13 November 2019. You have never given a truthful and full account of what happened. The distribution of injuries show that this was not a momentary attack, as it involved injuries caused by rapid acceleration and deceleration of the brain as well as impact injury. I am satisfied that you attacked Eliza in a fit of rage, and you shook her forcefully and hit her head onto a hard surface, probably a wall. The trigger for you losing your temper is not clear, but it would have been the sort of difficulty that new parents deal with all the time, such as Eliza crying.
17. The result of that assault was immediately catastrophic. Eliza's skull was broken, with a complex branching fracture. There was bruising and swelling to her eyes, head and body. Her brain was bleeding and there was bruising within the brain tissue in both temporal lobes. There was bleeding at the back of her eyes and around the spinal cord. Her brain became swollen and there was serious and extensive brain injury caused by

- the reduction in blood flow and oxygen. It would have been obvious to you straight away that Eliza had serious injuries but you continued to act in a callous way.
18. After you assaulted Eliza you spoke to a friend on a video call around 8am. He saw that Eliza was shaking, which must have been the result of her terrible injuries, and he told you to take her to hospital by ambulance. You did not act with any urgency. You delayed for an hour, going to a shop and arranging a taxi. You deliberately covered Eliza with a raincover in her pushchair so that others could not see how unwell she was.
 19. When you arrived at hospital you were still not acting with any sense of urgency. It was only when a member of staff asked you to take Eliza out of her pram that it became clear that she needed immediate medical attention. You lied. You first told hospital staff that Eliza had just collapsed that morning for no reason. When later presented with information that she had a head injury, you said that a stick had fallen off a bunkbed onto Eliza and you had previously taken her to hospital. Neither of those stories were true.
 20. You were arrested the same day. Assessment that day at the police station showed no mental health problems. When asked about mental health issues a few days later in prison you said 'anger management'. That was, in my judgment, one of the few honest answers you gave to professionals.
 21. You were interviewed by police. You said no comment at first. On 15 November, two days after the assault you said that you had been anxious and depressed at the time of the assault and that when Eliza screamed you lost your self control and struck her.
 22. You later changed your account again. Before the first trial for causing grievous bodily harm you set out your case in a defence statement, which is a formal court document. You said first that your ex-partner, Eliza's father, had attacked you and Eliza, hitting Eliza on the head. The prosecution said that could not be true and explained why. In a second defence statement you added a further monstrous lie that your ex-partner had raped you, and had shaken the baby. Again the prosecution said that could not be true and explained why, showing that your ex-partner was in another part of the country at the time.
 23. You then accepted in a third defence statement that you had injured Eliza, but said you did not intend to cause really serious injury. The jury at the first trial rejected that and convicted you of the offence of causing grievous bodily harm with intent.
 24. Since then you have continued to change your story and have never given a full and truthful account.

Determining the sentence.

25. There is only one sentence that the law allows me to pass for the offence of murder. It is a sentence of imprisonment for life. I am also required by the Sentencing Act 2020 to specify a minimum term which must elapse before you can be considered for release on licence.
26. It is important that you– and everyone concerned with this case – should understand what your sentence of imprisonment for life means. The minimum term is not a fixed term after which you will automatically be released. It is the minimum time that you must spend in custody before your case can be considered by the Parole Board. It is for the Parole Board to say, after expiry of the minimum term, whether or not you are fit to be released. There is no guarantee that any offender will be released once the minimum term has expired, or at any particular time thereafter. If and when you are released, you will be subject to licence for the rest of your life. If for any reason your licence were to

- be revoked, such as if you reoffend, you will be recalled to continue to serve your sentence in custody. You will, therefore, face the consequences for the rest of your life.
27. In deciding upon the minimum term that you must serve, I must take account of the starting point which is prescribed for this offending by Schedule 21 to the Sentencing Act 2020. In your case, the appropriate starting point is 15 years. However, the starting point is not necessarily the end point, and it will not be in your case. I must also take into account the aggravating and mitigating factors.
 28. I will deal first with aggravating factors. They are:
 - a. The extreme youth and vulnerability of Eliza
 - b. Gross abuse of trust
 - c. Your behaviour after the fatal assault.
 - d. Your previous mistreatment of Eliza
 29. I will say a little more about these aggravating features. The vulnerability and abuse of trust are very substantial aggravating factors which are not reflected in the 15 year starting point. Young babies are entirely reliant on others, and at 7 weeks old Eliza was extremely vulnerable. You were a person to whom Eliza was entitled to look for love and protection. I bear in mind that these are closely related factors and avoid I double-counting.
 30. Your behaviour after the assault was appalling in a number of ways. It would have been immediately obvious to you that Eliza was severely injured, as it was to your friend who saw her on the videocall at 8am. You deliberately delayed and you deliberately concealed Eliza's terrible state. When you arrived at hospital you lied and adjusted your lies in a calculated way to match new information. It cannot be said with any certainty whether Eliza's disabilities would have been less severe if you had acted immediately, and it cannot be said that her death would have been prevented, but it is clear that you did not maximise her chances by seeking help and telling doctors what you had done to her. Instead, you put your interests above hers.
 31. A further aspect of your behaviour after the assault which aggravates this offence is that you pointed blame at Eliza's father and made terrible false accusations in formal court documents, which were maintained for a considerable time. Again, you adjusted your accounts to fit the case against you. That was a calculated move to shift the blame onto an entirely innocent man, to protect yourself.
 32. Your previous treatment of Eliza is an aggravating feature. There is no doubt that at times you neglected her, leaving her alone despite her being so tiny and vulnerable, and you acted with hostility and unkindness towards her. This attack was the culmination of increasingly hostile behaviour towards Eliza. Although this raises your culpability to a small degree I note there is no evidence of any previous injury or harm to Eliza.
 33. I now move on to the mitigating factors, and potential mitigating factors.
 34. I am satisfied that Eliza's killing was not premeditated. You did not intend to seriously harm her until the very moment when you did so, and the assault was carried out in a fit of rage.
 35. I am satisfied that you intended to cause serious bodily harm rather than to kill. However, you attacked Eliza with extreme force and in a sustained attack. This was not a brief loss of control by an exasperated carer which was immediately desisted from. You not only shook her with such violence that you caused bleeding in her brain and eyes but you also struck her head on a hard surface with sufficient force to fracture her skull. No-one could have done that to such a tiny and fragile baby without appreciating that there was a real risk of death. In the moments that you assaulted her you did not care whether you killed her or not. The absence of an intent to kill carries little weight in mitigation here.

36. It is a mitigating factor that you were of previous good character and that you have behaved in an exemplary fashion in custody as shown in the reference from the prison chaplain. The force of those factors is reduced to an extent because of the nature of this offence, and the way in which you had mistreated Eliza before her death.
37. Your age is also, to a small extent, a mitigating factor. At the time of the offence, you were 25 years old. It is now well recognised that the brain continues to develop to around the age of 25, and that those up to the age of 25 can act with more impulsivity than older people. However, I do not consider you to have been particularly immature, having heard descriptions of your behaviour during the trial, and regardless of your age you were perfectly able to look after Eliza safely.
38. It has been suggested that your acceptance of the elements of murder show some acceptance of responsibility and I take that into account. However, there is no mitigating factor of remorse in your case. You may have regretted what you did but you have never shown remorse.
39. I do not accept that there is mitigation in mental disorder or mental disability which lowered your culpability. The jury rejected your defence of infanticide. I find that you did not have any significant mental health issues at the time of the attack on Eliza. The detailed evidence heard in the trial shows clearly that you struggled to control your anger, that you were not mentally ill at the time of the assault or when you showed significant control in seeking to cover up what you had done or when arrested or when remanded into custody. You developed symptoms of depression later on in prison as a result of your situation.
40. I accept that you are of low intelligence and were under considerable stress, as a first-time mother, isolated, in some pain, with Eliza being unwell and with financial difficulties. Those factors made you less able to cope than others. That provides some mitigation but it is very limited for the following reasons. The challenges which you faced are challenges which many new parents face. There is no indication that Eliza was a particularly difficult baby. You do not have a learning disability and you knew perfectly well how to seek help, as you did at times. You chose not to seek further help, despite friends urging you to do so. You chose not to attend a doctor's appointment on the day before Eliza died: instead you went shopping. You attacked Eliza, I have found, largely because you are a person who loses your temper and lashes out. Your intellectual limitations and stressful situation therefore do not reduce your culpability in any significant way.
41. It is also necessary to recognise that the offence occurred many years ago, but in the circumstances of this case that has no impact upon the appropriate minimum term.
42. There is an unusual feature in this case in that you have spent over 6 years in prison in relation to the offence of causing grievous bodily harm. You have not spent any time on remand for murder because you have been a serving prisoner. Given that this conviction for murder arises from the same facts as that previous conviction, the court's approach is that the minimum term for the murder should be reduced to reflect the time that you have spent in custody to date.
43. The substantial aggravating factors in this case far outweigh the limited mitigating factors, and require a significant increase to the minimum term. There is no credit for any guilty plea.

The Sentence

44. Sarah Ngaba, for the murder of Eliza Ngaba, I sentence you to imprisonment for life.

45. I will first deal with what the minimum term would be without any adjustment for the time you have served. Taking account of all the relevant circumstances, and the aggravating and mitigating factors that I have set out, the minimum term would be 19 years.
46. The time you have spent in custody is 6 years 211 days, which I subtract from the term of 19 years. This results in a minimum term of 12 years and 154 days.
47. You will be taken down now.

Comments

48. I thank all counsel and their solicitors for their hard work throughout this trial, as well as to the court staff who ensured that the case ran smoothly. I repeat my thanks the jury who approached their role with such concentration and close attention to the evidence and the distressing details. They have all performed a valuable public service.