

MEDWAY MAGISTRATES' COURT
46XY1078424

THE KING

v

FARIS WILSON

SENTENCING REMARKS

Introduction

1. Faris Wilson, you were convicted after trial of one offence of using threatening words or behaviour with intent to cause harassment, alarm or distress. That is a summary-only offence contrary to section 4A of the Public Order Act 1986. The maximum penalty provided by Parliament for this offence is 26 weeks' imprisonment.
2. The victim of your offence is Rehman Chishti, who was the Member of Parliament for Gillingham and Rainham from 2010 until 2024. The offence was committed on 29 December 2023.
3. You are 42 years' old and you have no previous convictions, although you received police cautions in 2007 for offences of harassment and theft. You are also someone who serves your local community in Tovil as a parish councillor.
4. The changes made to the Sentencing Code by the Sentencing Act 2026 apply to this case.

The Facts

5. The background to the offence is the phase of the Israel–Palestine conflict that began on 7 October 2023, when Hamas (which is proscribed in this country as a terrorist organisation) launched an attack into Israel, during which large numbers of people were killed and others were taken hostage. Israel subsequently commenced military operations in Gaza directed against Hamas. Those military operations have resulted in large numbers of people in Gaza being killed or injured.
6. On 15 November 2023, the Scottish National Party tabled a motion in Parliament for an amendment to be made to the King's Speech which called for an immediate ceasefire. The majority of MPs, including Mr Chishti, voted against that motion.
7. When your phone was later examined by the police, it was discovered that you were part of a WhatsApp group in which this issue was being discussed and plans were being made

to attend the constituency offices of MPs in Kent to protest against their positions on the ceasefire. There was nothing in those messages to suggest that any form of violent protest was being planned.

8. We come then to 29 December 2023. In the afternoon of that day, Mr Chishti was attending the funeral of a well-liked member of the local Muslim community, which was being held at Chatham Cemetery on Maidstone Road. You were also at the funeral. Members of the congregation were at the graveside placing clay on the coffin. Mr Chishti did so and then moved away to allow other people to do so.
9. You then approached him and gestured to the grave and said, “What does this remind you of?” Mr Chishti replied, “That we all have to go some day and to be good whilst we are here.” You then said, “It reminds me of the innocent killings in Palestine/Gaza.” Mr Chishti responded, saying, “Brother, this is a funeral, let’s not discuss politics,” but you ignored him and continued to make comments about the situation in Gaza. Mr Chishti tried to dissuade you from continuing by reminding you that the funeral was not the time or the place for such discussions, but you ignored him. In his evidence at trial, Mr Chishti said that you were firm in your tone. You were standing right next to him, and your manner and demeanour were firm and quite aggressive.
10. You then said this: “Get me a ceasefire. If you don’t get me one, I’ll put you in that grave. I know where your office is. I have been there before and if there is no ceasefire I’ll be coming again.” Whilst you were doing this, you were pointing to the grave.
11. You walked away but returned a short while later and repeated your demand for a ceasefire before leaving.
12. In his evidence at your trial, Mr Chishti said that he was shocked and scared by what you had said to him. He described how the background circumstances at the time were volatile and difficult. There had been a great deal of hostility towards MPs on social media resulting from the positions they had taken in response to calls for a ceasefire. He said that when he encountered you on 29 December 2023, he believed that you meant your words seriously. Shortly after the incident, he contacted a liaison police officer for Parliamentary security to report what had happened. This was, he said, because he took your threats seriously. He also explained that, during the time that he had been an MP, two of his colleagues had been murdered while in their constituencies engaging with members of the public. He added that Members of Parliament must be able to do their jobs without fear or favour.
13. Having heard the evidence in your trial, I am not sure that you attended the funeral only for the purpose of targeting Mr Chishti. Rather, it was a community event that you would have attended whether or not he had been there. However, I am sure of the following:
 - (a) Once you became aware that Mr Chishti was at the funeral, you deliberately approached him only for the purposes of advancing the political point you wished to make.
 - (b) You made a death threat to him which was intended to endure beyond the moment. You did this by referring to your future attendance at his constituency office.
 - (c) This was intended to intimidate him into adopting the political position you wanted him to take.
 - (d) It caused substantial alarm and distress to Mr Chishti.

14. In summary, I am sure that this case can properly be said to amount to violent intimidation of a Member of Parliament by the making of a death threat in order to advance a political cause.
15. Importantly, however, it is to be stressed that I must sentence you for the offence of which you were charged and convicted, which is a summary-only public order offence. You have not been convicted of, and I am not sentencing you for, the much more serious offence of making threats to kill.

Pre-sentence reports and character references

16. You were originally due to be sentenced for this offence on 28 May 2026. A pre-sentence report had been prepared for that hearing, but the Probation Service considered that further enquiries should be made about your mental health. I now have the benefit of an addendum report and an assessment of your suitability for a mental health treatment requirement.
17. The pre-sentence reports set out that you live alone in stable accommodation in Maidstone. You are currently unemployed, having been signed off work due to mental health difficulties, and you are in receipt of Universal Credit. Notwithstanding those difficulties, you have maintained a constructive and positive role within your community as a parish councillor in Tovil, where you are actively engaged in local initiatives and community work.
18. A significant feature of the reports is your mental health. You have been diagnosed with anxiety and obsessive-compulsive disorder, conditions which developed in the period following the death of your mother some six years ago. Your symptoms include heightened anxiety, withdrawal, and compulsive behaviours, particularly excessive washing, which at times can last for prolonged periods. You have, on occasions, experienced low mood and intrusive thoughts, including thoughts of self-harm, although you have never acted upon them and have sought help when needed.
19. In relation to the offence, the report assesses your actions as impulsive and poorly judged, demonstrating deficiencies in emotional regulation, judgment, and consequential thinking, rather than any entrenched pattern of offending. In terms of risk, you are assessed as presenting a low likelihood of reoffending and a low risk of serious violent reoffending. However, you are assessed as posing a medium risk of serious emotional or psychological harm to the complainant, arising from the nature of what was said. There is no identified risk to the wider public or to other groups.
20. You have been assessed by Sachcadena Walker as being suitable for emotional regulation treatment which could be delivered through a mental health treatment requirement. The point is made in the addendum pre-sentence report that an immediate custodial sentence would likely cause the loss of your accommodation and be detrimental to your mental health.
21. I have received a large bundle of character references, and medical records which confirm your mental health difficulties. The character references all speak of you in a highly positive way, describing the work you do in the community and the work you do for a number of positive causes.

Sentencing Guidelines

22. When sentencing an offender, section 59 of the Sentencing Act 2020 requires the court to follow any sentencing guidelines which are relevant to the offender's case unless the court is satisfied that it would be contrary to the interests of justice to do so. It is self-evident that offence-specific guidelines cannot cater for the precise facts of every single offence.
23. Relevant sentencing guidelines in your case are these:
 - (a) The offence specific guideline for disorderly behaviour with intent to cause harassment, alarm or distress.
 - (b) The overarching guideline on sentencing offenders with mental disorders, etc.
 - (c) The overarching guideline on imposition of community and custodial sentences.
24. Before considering those guidelines, I make the following general observations. In *R v Donaldson* [2025] EWCA Crim 892 the Court of Appeal made clear in relation to the offence of making a threat to kill that threatening to kill a serving Member of Parliament who is carrying out their public duty amounts to a significantly aggravating factor that demands a significant, indeed a deterrent, sentence.
25. As Mrs Justice Steyn said in her sentencing remarks in the Crown Court in the case of *R v Fayaz Khan*, being a Member of Parliament is a vitally important public duty. It is critical to a thriving and vibrant democracy that the general public have access to Members of Parliament, and that politicians are not deterred from standing for, or remaining in, Parliament by threats. Members of Parliament are particularly vulnerable to threats. Several MPs have been the subject of attacks and threats in recent years, and two sitting MPs have been murdered. When anyone makes a threat to a Member of Parliament, it is an exceptionally serious crime and will be treated as such for the purposes of sentencing.
26. You have not been convicted of an offence of making threats to kill, and I am not sentencing you for such an offence. But I am satisfied that those principles should apply equally in your case. It is also important, in my judgment, to reflect in the sentence I pass that the threats you made were face to face rather than through the medium of online communication. As I have explained, I am satisfied that your case is properly to be characterised as violent intimidation for a political purpose.
27. I turn to the relevant offence-specific sentencing guideline. It is important to recognise that at Step 1 of this guideline, the court is required to determine the offence category with reference only to the factors listed in the tables. This was not deliberate targeting of Mr Chishti by a group, and it did not involve the use of actual substantial force. But it was deliberate targeting of him by you for a political purpose, and it involved the making of a death threat which was intended to endure so that fear was caused when Mr Chishti was at his constituency office. I am satisfied that that type of threat falls within the meaning of the words "use of substantial force" as used in the guideline. But if I am wrong about that, I am equally satisfied that, since this guideline is not intended to deal with offences of violent political intimidation, it would be contrary to the interests of justice not to place this case in the highest level of culpability.

28. I am satisfied that the case involves the highest category of harm. It is clear that serious alarm and distress was caused to Mr Chishti. For all of these reasons, I find that this case is in category A1, for which the starting point is a high-level community order and the category range is a low-level community order to 26 weeks' custody.
29. I have considered the overarching guideline on sentencing offenders with mental disorders. That guideline states that the fact that an offender has an impairment or disorder should always be considered by the court but will not necessarily have an impact on sentencing. In this case, there is no basis for concluding that there is a sufficient connection between your mental health difficulties and your offending behaviour. There is no evidence to suggest that, at the time of the offence, your mental health difficulties impaired your ability to exercise appropriate judgement, to make rational choices, or to understand the nature and consequences of your actions. That being so, I remain of the view that this is a high-culpability case.
30. Step 2 of the guideline requires the court to use the corresponding starting point to reach a sentence within the category range. It also provides that an adjustment from the starting point, upwards or downwards, may be necessary to reflect particular features of culpability and/or harm. The court should then consider whether any aggravating or mitigating factors should result in any further upward or downward adjustment.
31. In my judgment, the circumstances of this case are such that there should be a significant upward adjustment from the starting point to reflect the manifest seriousness of this type of offending. Even if I am wrong about that, this offence was directed at Mr Chishti in his capacity as a Member of Parliament at a time when he was attending a community event in his constituency. The offence was committed against a person performing a public duty. In my judgment, that is an aggravating factor which carries such weight as to require a very significant upward adjustment. Indeed, the circumstances of this case are so serious, in my judgment, as to require a sentence approaching the maximum statutory penalty for the offence before mitigating factors are considered.
32. I turn then to mitigating factors. You have no previous convictions, and your police cautions in 2007 are not recent or relevant. There is also clear evidence of positive character on your part in the voluntary work you do in your local community, including, but not limited to, being a parish councillor. Additionally, your mental health is a significant mitigating factor in this case. I say that not because it affects your culpability, but because necessarily any community order or custodial sentence will be more onerous and difficult for you in view of your difficulties.
33. I have also considered the overarching guideline on the imposition of community and custodial sentences. I remind myself that a custodial sentence must not be imposed unless the offence was so serious that neither a fine alone nor a community sentence can be justified. To that extent, offence-specific guidelines are indicative, and so I am also required to step back and consider whether a community order can be imposed if the custody threshold is crossed.
34. I have given this question anxious consideration in your case. But, in my judgment, the circumstances of this case are so serious, for all the reasons I have given, that only a custodial sentence is justified. Having considered all the factors to which I have referred,

the shortest sentence that is commensurate with the seriousness of the offence is one of 18 weeks' custody.

35. You were convicted after trial and are not entitled to any discount at Step 5 of the guideline.

Must the sentence be suspended?

36. You were convicted of the offence after 22 March 2026. Section 277A of the Sentencing Code applies (which was inserted by the Sentencing Act 2026). None of the exemptions in that provision apply and so there is a presumption that the court will suspend a custodial sentence of 12 months or less, unless it is of the opinion that there are exceptional circumstances relating to the offence or to you which justify not making the order.

37. Last week, the Court of Appeal gave judgment in the case of *R v Corey Morgan* [2026] EWCA Crim 886. The court did not purport to give detailed guidance on the meaning of the expression "exceptional circumstances", but the court expressed the view that it is unlikely that the seriousness of the offence, on its own, could amount to an exceptional circumstance such that an immediate custodial sentence could properly be imposed (see [48]). The court underlined the word "exceptional" as a strong word chosen by Parliament, and it said that, whatever such circumstances might be in any given case, they are obviously not circumstances (related to the offence) which are commonly encountered (see [52]).

38. I am satisfied that the circumstances of this case are truly to be described as exceptional, involving as they do violent intimidation of a serving Member of Parliament for a political purpose. Such conduct is not commonly encountered in the very wide spectrum of offences that criminal courts deal with day-to-day. Nor is this merely a question of seriousness. As was pointed out in the cases of *Donaldson* and *Fayaz Khan*, deterrent sentences are required for offences of this type. I do not consider in this case that your mental health difficulties justify any different conclusion.

39. For completeness, having reached that conclusion, logically I am then required to consider whether to suspend the sentence in the exercise of my discretion under section 278. In short, in my judgment, having considered all of the factors in the table in the imposition guideline, the need for punishment and deterrence in this case substantially outweighs the factors pointing the other way.

40. For all of these reasons, I am driven to the conclusion that the sentence in your case must be one of immediate custody.

Disqualification from elective office

41. Having been convicted of an offence contrary to section 4A of the 1986 Act, the provisions of Part 5 of the Elections Act 2022 apply. For the reasons I have explained, I am sure that your offence is aggravated by hostility related to a person holding elective office, and I do not consider there to be any particular circumstances which would make it unjust for you to be disqualified from being nominated for, or to hold, elective office. Accordingly, I am required by section 30(1) of the 2022 Act to disqualify you from holding elective office for a period of five years from today.

Conclusion and sentence

42. For the offence of using threatening words and behaviour to cause harassment, alarm or distress to Rehman Chishti, I sentence you to 18 weeks' imprisonment, which is to be served immediately.
43. You will pay the statutory surcharge of £154 and prosecution costs of £650. I make no order for compensation. That is simply because I do not expect that Mr Chishti would wish to receive it from you. Those financial orders are to be paid at the rate of £20 per month from 1 January 2027 and I make a collection order.
44. Finally, I am entirely satisfied that the criteria for making a restraining order are met in this case. You will be prohibited, until further order, from contacting Mr Chishti directly or indirectly, and from attending any place where you know or believe him to be living or working.

DJMC LEAKE

14 July 2026