

PJ01C Sentencing Remarks Pearce and Collins

17<sup>th</sup> July 2026

Sitting at the Central Criminal Court  
Old Bailey  
London

**R v Mark Pearce and Markie Collins**  
**Sentencing Remarks**

His Honour Judge Martyn Levett DL.

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## **Mark Pearce and Markie Collins**

### **1. Sentencing Remarks**

1.1 During the evening on 28/8/23 a violent incident occurred in Lower Road, Erith, leaving one man dead and another still in pain nearly 3 years after the incident.

1.2 The two victims Mr Alikhel and Mr Helmandi had been drinking at a friend's house and left just before 10pm and walked along West Street in Erith. When they turned into Lower Road they came across you Mark Pearce who was walking in the opposite direction. Neither group knew each other, but the captured CCTV footage shows that they and you had some dialogue or conversation.

1.3 At one point in the exchange, you were carrying some shopping bags at the time you were speaking to Mr Alikhel and you were also on the phone. I watched the cctv clip and there is nothing visibly to suggest there would be trouble and Mr Alikhel and Mr Helmandi walked off in the same direction as they had been intending to walk. There were buses and vehicles passing the group. Mr Pearce you also walked away in the opposite direction towards your house shown on the graphic bundle at page 16 and 17. The Phone data shows that the call you were making was to your daughter, Sherryann Collins, who then phoned your son's girlfriend. This was a call to arms as the prosecution inferred, and in my judgement this is correct.

1.4 Moments later, Mr Pearce, you can be seen on the CCTV footage running back in the direction of Mr Alikhel and Mr Helmandi. At the time you were carrying a long item in your left hand. This was a long piece of wood which had been picked up as a weapon and taken to the scene. You had left the shopping bags behind. As you approached Mr Alikhel and Mr Helmandi, your son, Markie Collins, ran out of Corinthian Manorway and towards the group, arriving within seconds of your father getting to the two men with the bit of wood.

1.5 In an attack lasting 30 seconds, both Mr Alikhel and Helmandi were taken to the floor. Mr Collins you dragged Mr Helmandi away by his feet pulling his trousers off. Whilst Mr Alikhel was on the floor, he was then struck by both of you, leaving him motionless in the off-side carriageway of Lower Road. Mr Helmandi by contrast did get up and began remonstrating with you both, and by now two females had also turned up but they have not been identified although they left in your company afterwards. As for Mr Alikhel, he remained motionless and still on the ground in the middle of the carriageway. Neither of you nor the females who left with you made any attempt to assist Mr Alikhel to get him out of the middle of the road to a place of safety, even after two cars drove past, each managing to avoid him as he lay in a dangerous position in the road.

1.6 However, the N53 bus was travelling along Lower Road, driven by Gwen Quinn. She saw the remonstrations between you and Mr Helmandi on the left hand side roadside, so she drove the bus more into centre of the carriageway to avoid the confrontation. CCTV footage shows that Mr Alikhel began to sit up just as the bus hit him. His body was dragged along the road by the bus for 60 – 80 metres, sustaining catastrophic injuries. The emergency services were called by a member of the public, but Mr Alikhel was pronounced dead at the scene at 23:10hrs. A post-mortem examination described multiple injuries.

1.7 You both left the scene without attempting to give Mr Alikhel any assistance but just walked off, going into Corinthian Manorway where the piece of wood was later found discarded in a nearby bush. You were both arrested and interviewed on Tuesday 12th September 2023. Mr Pearce you gave a prepared statement stating you had acted in self-defence but otherwise answered no comment. Mr Collins you also answered no comment to all questions. The case was sent to the Crown Court for trial and at PTPH you both entered not guilty pleas to all charges.

1.8 On the first day of trial on 16/2/26, you Mr Pearce pleaded guilty to the unlawful killing of Mr Alikhel, charged as manslaughter in count 1, and guilty to assaulting Mr Helmandi causing him actual bodily harm in count 3. Mr Markie Collins you pleaded guilty to assaulting Mr Alikhel and Mr Helmandi causing them actual bodily harm in counts 2 and 3. The joint charge of manslaughter in count 1 was left on the file marked in the usual way.

## **2. Injuries Caused**

2.1 The long piece of heavy wood you, Mr Pearce, had picked up as a weapon of offence to threaten Mr Alikhel and Mr Helmandi was found in a hedge nearby. There is no evidence to suggest it was used during the altercation.

2.2 Mr Alikhel died in the most profoundly traumatic circumstances, suffering catastrophic poly-traumatic injuries affecting several parts of the body. He had a devastating crush trauma.

2.2 Mr Helmandi suffered bruising and cuts shown in the photographs at J4 CCDCS.

## **3. Defendants**

3.1 Mark Pearce you were born on 28/1/84, and now 42 years old, but 39 at the time of the incident. You have 21 appearances at courts for 64 offences. These aggravate substantially the offences for which you are to be sentenced.

3.2 Your previous convictions aggravate the offences because over the last 20 years you have been convicted of offences of violence, including affray, possessing offensive weapons, battery and possessing a shotgun without a certificate which was in 2015, now over 10 years ago.

3.3 Markie Collins you were born on 16/4/06 and now 20 years old but you were 17 at the time of committing the offences. I must take in to account the type of sentence that would be permissible for a court to pass because the two offences which you have admitted in the assault charge at the age of 17, do not reach a threshold of being sentences as Grave Crimes.

3.4 Parliament has tied a Judge's hands for the types of sentences that can be passed on a 17 year old if you would have been sentenced soon after the incident now nearly three years ago on 28/8/23. Moreover, you do not have any previous convictions so cannot be described as a persistent offender.

3.5 I have to sentence you for the initial assault on Mr Alikhel in count 2 and assault occasioning actual bodily harm upon Mr Helmandi in count 3. The prosecution has accepted pleas to those offences and the count alleging manslaughter against you remains on the file marked in the usual way. The maximum sentence I could pass on counts 2 and 3 would have been a Detention and Training order of up to 24 months.

#### **4. Manslaughter of Mr Alikhel**

4.1 I need to say something about the offence of manslaughter because it is not always clear to the public or the offender who is to be sentenced on what basis, and how a judge arrives at the sentence to be imposed. The first step is to assess the seriousness of the offence. This is measured by two component parts, the offender's culpability and the harm caused by the commission of the offence. The second step is to apply the Sentencing Council guidelines as directed by section 59 Sentencing Act 2020.

4.2 The law has long recognised that the culpability of an offender will arise where they act unlawfully and create a life-threatening danger. They remain criminally responsible for the consequences unless a later event is so independent and unforeseeable that it renders their conduct merely part of the history.

4.3 Leaving or abandoning an incapacitated, unconscious person after an unlawful assault in a predictably dangerous position does not break the chain of causation. By unlawfully assaulting a person by knocking them to the ground, leaving them there unconscious and in the middle of a road with the consequence of an oncoming vehicle not seeing the victim in time, running over them and killing them is manslaughter. In the case of Michael Page 1996, the Court of Appeal Criminal division upheld a conviction for manslaughter because in similar circumstances to this present case, the third-party driver was not a new intervening act that broke the chain of causation.

4.4 In this case, Mr Pearce you deliberately re-engaged with Mr Alikhel and Mr Helmandi after the original encounter had ended. You could have walked off and gone home. However, you returned, and your son Markie Collins, having now joined you, both of you participated in a violent assault. Mr Alikhel

was punched to the ground and left motionless in the middle of Lower Road. The evidence showed that he remained lying in the carriageway, at night, on a public road, until he was struck by the approaching bus. In the cctv clips it was apparent that several cars and a bus drove along that stretch of road at that time, and you lived a matter of 100 m away on that road, so the risk of death or really serious harm by leaving a motionless injured Mr Alikhel in the road was obvious.

4.5 Mr Pearce by your plea of guilty, you accept that you did not act in self-defence when you punched Mr Alikhel to the floor. I asked why you did not remain with him or move him from the roadway because in the PSR you accepted that you could have stayed with the victim, or attempted to move him out of the road, therefore negating any potential collision with vehicles approaching the victim.

4.6 In the opinion of the Probation Officer, Daniel Lewis, the incident that led to the death of the victim was easily avoidable and unnecessary. With that observation I agree. What is disturbing is the further observation by Mr Lewis about your character when he said that “Mr Pearce's inflated or insecure ego can be viewed as a motivating aspect, leading to the defendant behaving in a thuggish manner, where he was not willing to back down. His intent on acting out his own retribution for the earlier exchange, including an aggressive form of machismo, also seems linked to this offence. His inability to control his anger, alongside failing to consider the consequences of his actions, as well as poor problem and conflict management skills also appear linked to these offences.”

4.6 The bus driver was entirely blameless and the driver's actions do not constitute a new event. A person who leaves an unconscious or incapacitated man lying in a lane of traffic has created an obvious and continuing danger. It was entirely foreseeable that an approaching vehicle might fail to see him and collide with him. The intervention of the bus was therefore the very kind of event that made your conduct dangerous in the first place. The chain of causation was not broken.

4.7 Mr Pearce you created the peril after unlawfully knocking Mr Alikhel into a position of mortal danger and then abandoned him in the middle of the road. In my judgment the fatal collision was a natural and foreseeable consequence of the hazard you had created. You were liable for unlawful act manslaughter. Mr Markie Collins you joined the violence, but it was your fathers' actions which felled Mr Alikhel and left him helpless in the roadway, creating the fatal risk that ultimately materialised.

## **5. The assault on Mr Helmandi**

5.1 Mark Collins, you were then only 17 years old and I am quite sure you acted with a sense of loyalty to your father. There was a deliberate call to arms which is why you were summonsed to the scene. You had been in a house

only minutes away and you quickly emerged from Corinthian Manorway and then ran towards the group.

5.2 From that point onwards, there was a joint concerted confrontation in an incident properly described as a sustained attack lasting some 30 seconds. It might be that your father struck Mr Alikhel to the ground but whilst he lay there, he was assaulted by both you and your father. This is why you pleaded guilty to count 2 as an alternative to manslaughter.

5.3 At the same time Mr Helmandi was also assaulted by you both, causing him to fall to the ground. His injuries were not so devastating. He suffered facial and head injuries shown in the photographs. During the attack his trousers were pulled down.

## **6. Victim impact**

6.1 A man lost his life at the age he did. His family have lost a brother and a mother lost her son in wholly unnecessary circumstances. Nothing this court does can restore him to them.

6.2 Mr Helmandi was himself assaulted and was left to witness the immediate aftermath of a horrifying fatality involving his friend. The emotional impact of those events is obvious.

6.3 In Mr Helmandi's personal statement he describes the effects on him after being assaulted leaving him with residual headaches on the right side of his head and face from where he was hit. Even three years on, he has pain in his shoulders and in the neck area with broken sleep, severe headaches which are being treated but he is waiting for an MRI scan. Perhaps he makes an obvious point: the fact that two people were drunk, and in this state, they were attacked from behind but had done nothing to justify the attack on them, which he described as being unpleasant. As the prosecution has conceded there is a significant inconsistency in this statement made on 11/2/26 and the original statement made on 31/8/23 some 30 months earlier. I have been invited to ignore any allegation of racism in determining the sentence. He said that a lasting sight and memory for him is, after passing out coming round to realise his friend was dead on the road with a lot of blood around him and a bus parked close by.

6.4. In a Family statement written by Mr Ali Khan dated 20/3/26 he explains how the effect of an unexpected homicide ripples through a family affecting many others. Mr Ali Khan speaks about the emptiness created by the death and how his absence cannot be filled. He explained "the family suffer from anxiety, depression and severe emotional distress, with sleep being disturbed by recurring nightmares and intrusive thoughts. Everything feels overshadowed by grief and silence, with a mother suffering psychological and emotional shock, with her longing to hear her child's voice while knowing that he will never answer. At family gatherings, he said there are painful reminders from a seat which remains empty, the financial hardship from loss of income

all created uncertainty leaving them with their sense of security deeply shaken. We feel vulnerable and emotionally fragile because of what's happened.”

## **7 Pre-sentence report Mr Mark Pearce**

7.1 Mark Pearce there was considerable delay in the preparation of the PSR in your case but the one uploaded dated 22/6/26 contains an explanation you gave to the probation officer which was effectively a denial of wrong doing.

7.2 In your police interview you made no comment but later in the signed defence statement served on 28/2/25 you stated facts which you failed to mention in previous interviews. You said coincidentally you were making a call to your daughter Sherry Anna Collins when the two men approached you to purchase drugs. I asked whether this assertion was to be maintained. Whilst Mr Briegel submitted this is something you have consistently said, he also accepted that it would not affect the sentence outcome and it was safer to put it to one side. I did not require any Newton hearing because everything is recorded on the CCTV footage.

7.3 As the Probation Officer observed, this was a piece of thuggish behaviour. Mr Pearce,

First, I do not accept you acted with any degree of self-defence. I do not accept that either man tried to attack you, nor that there was any need to protect your son.

Second, I do not accept you did not know the Deceased was seriously injured or even died. I do not accept that you told Mr Helmandi to go and get his friend from the road and go home.

Third, from reading the PSR, there is a significant level of denial and minimisation of your actions, almost to the point of blaming the bus driver for veering onto the other carriageway and whilst had the bus stayed on the correct side of the road it naturally veered off to the right to avoid the continuing altercation between you and the victim on the kerbside.

Fourth, by your plea of guilty, and what you eventually said to the probation service there is an acknowledgment that with hindsight, you 'would have done things completely differently', and that this has been the 'biggest regret of my life'. The levels of remorse and regret appeared sincere.

7.4 Despite that being said, I accept what the author of the PSR said about not finding any part of your antecedent history nor the nature of the offending despite this latest conviction being an escalation in criminal conduct, it all comes after a 10 year gap in offending since 2015. I therefore do not reach the conclusion that the assessment could describe you as a dangerous offender, despite there being several relevant previous convictions.

## **8 Pre-sentence report Mr Markie Collins**

8.1 In the pre sentence report dated 30/4/26 you came over as a remorseful polite courteous open and cooperative person. You pleaded guilty to two offences of assault occasion actual bodily harm in circumstances which I have already referred to. Whilst I am quite sure that your father told you various things about the events which prompted this incident, I take with a degree of scepticism some of the points that you say your father told you. I accept that you went out to assist your father without any shoes on and although you acted with misplaced loyalty to your father, you joined in the assaults.

8.2 You have been on bail for over two years and in that time since you were 17, your level of maturity has increased into a more adult mind. You now have a partner, a 15 month old baby, a good job and there is a lot for you to lose in life in the future.

8.3 Whilst the two assaults are specified offences, you do not have any previous convictions and you do not represent such a person where the court is able to form the opinion that there is a significant risk to members of the public of serious harm caused by you committing further specified offences.

## **9. Assault guidelines and Young Person guidance**

9.1 In section 59(1) of the Sentencing Code I am required 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.

9.2 In your case Markie Collins, as the offences for which I have to sentence date back to more than two years ago, 28/8/23 in accordance with those statutory observations and the Sentencing Council guidelines on sentencing young persons, I have approached the sentence to be that which would have been passed at the date of the commission of the offence and is the starting point.

9.3 I have followed the helpful guidance set out in R v ZA and read paragraph 1.5 of the Sentencing Council for Youths guideline which reads :

"It is important to bear in mind any factors that may diminish the culpability of a child or young person. Young persons are not fully developed and they have not attained full maturity. As such, this can impact on their decision making and risk taking behaviour. It is important to consider the extent to which the young person has been acting impulsively or negative influences. They may not fully appreciate the effect their actions can have on other people and may not be capable of fully understanding the distress and pain they cause to the victims of their crimes."

9.4 In Paragraph 6.46 of the guideline it reads:

"When considering the relevant adult guideline, the court may feel it appropriate to apply a sentence broadly within the region of half to two-thirds of the adult sentence for those aged 15-17 and allow a greater reduction for those aged under 15. This is only a rough guide and must not be applied mechanistically."

9.5 At paragraph 48 and 53 of the Prosecution Sentencing note, Mr Holland suggested the categorisation for the assaults on Mr Alikhel and Helmandi both fall into the culpability A category because both victims were vulnerable due to their intoxication and between you and your father it was a group activity but not one with you playing a leading role despite its prolonged nature. The harm falls in category 2 because of the factors between categories 1 and 3. You deliberately joined an attack upon two intoxicated men. You assaulted both complainants. Although you were not convicted of manslaughter, your conduct formed part of the group violence which created the circumstances culminating in Mr Alikhel's death. Your age, immaturity and misguided loyalty to your father materially reduce your culpability.

9.6 The guideline applies to all offenders aged 18 and older, who are sentenced regardless of the date of the offence. Nevertheless, the starting point for an adult after a trial for a category 2A offence is 18 months in a range between 9 months and 30 months.

9.6 In my judgement the sentence after a trial for the two assaults, each aggravating the other, and in the context of this case would have been raised the starting point from 9 months to 12 months custody concurrent. There are no immediately obvious aggravating features, but your good character and age are mitigating features.

9.7 Consideration to the Young persons guidance, the appropriate reduction of 75% on account of your age reduces that sentence to 8 months custody and the combination of both offences are so serious that neither a fine alone nor a community sentence can be justified. As the indicated sentence is 8 months, there two more steps to be taken.

First, you pleaded guilty on the day of trial so you will receive a reduction of 12½% making 7 months and as this is less than 12 months the court must consider whether to suspend the sentence.

Second, your plea of guilty was entered on 16/2/26 but had it been entered a month later on 28/3/26, the statutory presumption of suspension would apply. Nevertheless, considering the Imposition of custody guideline, because there is a realistic prospect of rehabilitation in the community, and you do not present high risk of reoffending or harm, together with the strong personal mitigation, an immediate sentence of custody will result in significant harmful impact upon others, including your young child.

9.8 Sentence on each count 2 and 3 because you are 20 years old is 7 months custody suspended for 18 months with 20 days RAR and 100 hours UPW. Costs of £750 at the rate of £150 pm, the first payment to be paid on 1/10/26 and monthly thereafter.

## **10. Manslaughter Guideline - Mark Pearce**

10.1 You were aged 39 at the time. I regard you as the instigator and driving force behind these events. The evidence demonstrates some premeditation. After the first encounter had ended, you chose to pursue the complainants.

Telephone calls were made, assistance was summoned and you returned carrying an object capable of being used as a weapon. Markie Collins followed your lead.

10.2 You struck Mr Alikhel to the ground and played a principal role throughout. You then left him incapacitated in the carriageway. I accept that your previous convictions are not recent, but they include offences of violence and possession of weapons, including affray, battery and possession of an offensive weapon and therefore aggravate the offence.

10.3 In making my assessment of the seriousness of the offence of manslaughter, I take account of those factors in category B because death was caused in the course of an unlawful act which carried a high risk of death or GBH which was or ought to have been obvious to you. There is a feature in category C which is where death was caused in the course of an unlawful act involving an intention by you to cause some harm that falls between high and low culpability. I therefore take the sentence to be lower than the starting point of 12 years in category B to be 9 years, which is higher than the starting point of 6 years in category C which would be increased to 9 years because of the combination of the statutory aggravating factors and further increased due to the associated assault on Mr Helmandi in count 3, making a combined sentence of 10 years.

## **11. Aggravating factors**

11.1 In your case there are some aggravating factors such as your previous convictions. I recognise that the convictions are not recent and to that extent I have already taken them into account. The other aggravating factors are that you took a piece of wood to the incident with the intention of using it to threaten but there is no evidence that you then use it as a weapon. You also summonsed your son for help and took a principal role in the attack so this was not a spontaneous event but one where there was some premeditation. I must have regard to the totality of a sentence and the mitigating factors such as you caring for your elderly father, your significant achievement in abstaining from alcohol for 5 years and elements of remorse although very late in the day. The aggravating factors and mitigating features balance each other and I therefore do not increase the total sentence of 10 years imprisonment (expressed as 120 months).

11.2 Finally, because you plead guilty to a serious offence in making a difficult decision, it entitles you to a reduction of 12½% making a total of 99 months or 8 years 3 months imprisonment. You may serve up to one-half of that sentence in custody before released on licence, after which you must keep to the terms of your licence and commit no further offence, or you will be liable to be recalled and you may then serve the rest of your sentence in custody

11.3 On count 3 there will be a concurrent sentence of 12 months imprisonment.

## **12. Actual Sentence – Qualifying Curfew**

12.1 I certify that you have spent 151 days on a qualifying curfew and I direct that 72 days will count towards the custodial term of your sentence. If this calculation is later found to be wrong, it will be put right by correcting the record administratively without any further hearing.

## **13. Ancillary Orders**

13.1 Surcharge applies in both your cases and will be collected in the Magistrates Court. Markie Collins in your case it will be the lower amount due to your age 17 at the time.

13.2 I order forfeiture and destruction of the plank of wood

## **14. Transcript**

14.1 I direct that a copy of these sentencing remarks should be provided to the deceased's family who were given permission to listen to the proceeding from Afghanistan but this was not a successful connection. The provisions in CrimPD Paragraph 9.6.1 applies and I direct that a copy of my written sentencing remarks are made available to the family now that sentence has been passed. The copy should be provided as soon as is reasonably practicable and made available from the Judicial Press office. Thank you.

His Honour Judge Martyn Levett DL.

17<sup>th</sup> July 2026