

THE KING

-v-

MGW

SENTENCING REMARKS OF MRS JUSTICE BRUNNER DBE

Reporting restrictions imposed under section 45(3) of the Youth Justice and Criminal Evidence Act continue to apply to the defendant. He was referred to by name in court but is referred to in these remarks by the use of computer-generated random initials.

1. You may remain seated during my remarks.
2. MGW, you are to be sentenced for the offences of murder, robbery and possession of a bladed article. You were convicted at trial of murder, and pleaded guilty to the other offences. At the centre of this case is a man who lost his life in an unprovoked attack. Mr Hamid Erfani was the father of a teenage son and had a partner and they must be suffering greatly. I have heard a statement about the emotional impact of his death on his family and friends in Iran. He was a beloved son, family member and friend who provided emotional support to many who knew him. No sentence can begin to compensate for the loss of Mr Erfani's life.

The Facts

3. The central facts are as follows. Where I have made findings I have reached a sure conclusion based on all of the evidence that I heard during the trial.
4. MGW and another teenager met up in Cheltenham town centre around lunchtime on 16 December 2025, both carrying large knives with black blades. MGW was 15 and the other boy was 17. MGW regularly carried a knife which he said he needed for his own protection. He heard that two drug users who he knew were planning to meet a dealer

in an alleyway between St Paul's Road and Larput Place. MGW and the other teenager decided to rob the dealer to take drugs and money from him. MGW said at trial that it was his idea, and the other teenager said to the probation officer that it was his. I cannot be sure about who first suggested the idea, but I treat both as equal willing participants.

5. Mr Erfani was selling drugs as part of a network, which involved users telephoning a drug line and being directed where to wait for a dealer to arrive. The two boys were targeting the drug dealer but did not know who that was going to be. They waited at the top of the alley until Mr Erfani arrived. They didn't know him, and had not had any dealings with him before.
6. Once Mr Erfani arrived, they waited until there was nobody else in the alleyway and then walked down the alleyway to rob him. Both MGW and the other teenager got out knives in order to make Mr Erfani feel threatened, and both searched Mr Erfani at knifepoint, with his back against a wall. He must have been terrified. Drugs, money and phones were taken off him. He did not resist in any way. They handed back his personal phone when he asked for it because that was not of value.
7. After the robbery, MGW, you could have left. There was no threatening movement from Mr Erfani, but for some unknown reason you turned violent. You stabbed Mr Erfani in his chest. The knife went 11cm into his body. You used moderate force, enough to cut through the rib cartilage and pierce his heart. You both ran off, leaving him injured and dying in the alleyway. The other teenager played no part in the murder. He pleaded guilty to robbery and possession of a bladed article and has been sentenced.
8. A man who you knew, Paul Newman, had come into the alleyway to buy drugs. As you ran away you, MGW, told him that he should not "rock on our names".
9. Extensive efforts were made to save Mr Erfani's life by people who had come into the alleyway or lived near it, particularly Paul Newman, Patricio Lozano and his friends. Emergency services did all they could. Sadly Mr Erfani had such a severe injury that he could not be saved.
10. You, MGW, and the other teenager ran off and hid your knives. MGW later tried to persuade someone to move his knife to a different hiding place although that did not

happen and the police recovered it. Both were arrested, and made no comment in interview.

11. On 19 June 2026 you pleaded guilty to robbery and possession of a bladed article. That was not the first opportunity to plead guilty as you had previously been in court, but it was the first time that you had been asked to enter pleas. You were young and had psychological difficulties and it was important to obtain expert opinion and ensure that you could understand legal advice before you entered any pleas. For those reasons I will give you a little more than the usual 25% credit for those pleas. There is of course no credit in relation to the offence of murder because you stood trial for that and were convicted by a jury.

Comments to MGW

12. There is a legal requirement for courts to ensure that children understand sentences. MGW, because you are a child I am going to explain the sentence to you first in straightforward language. The sentence that I pass cannot make things right. You did a terrible thing when you took Mr Erfani's life. He did nothing to you, and it is not clear why you suddenly stabbed him. As you have heard he was a kind man and you broke the hearts of people who loved him. You will have to live with the responsibility of what you did for the rest of your life.
13. As you will know, there is only one sentence for murder which is detention for life. I have to set the minimum term, which is the least time that you will be in detention. It is not a definite release date but after that term the Parole Board can consider when you are safe to be released. When you are released there will be rules. If you break those rules or if you carry out any more crimes, you can be sent back to prison. I have decided that the minimum time that you will be in detention is 16 years.
14. Because you took a knife to the scene, the starting point is 17 years. Your crime in stabbing Mr Erfani was made more serious because before stabbing him you had taken a knife on to the streets of Cheltenham, and had robbed Mr Erfani. You got rid of evidence afterwards. You had also carried out previous crimes including robbery. Those are all things that make the murder more serious.
15. There are also things that are in your favour. Although the jury was sure that you must have meant to seriously hurt him, you did not mean to kill him. I have read a lot about

your life and about you. You had an extremely difficult upbringing. You saw things that children should not have to see. You were let down by adults who should have kept you safe. Sadly you have some mental health issues. You were less able than others to manage your behaviour and less able to appreciate the consequences of what you were doing. That was partly because of the awful things that had happened to you.

16. Although you did something terrible, lots of people see positive things in you. You are polite and thoughtful. You have responded extremely well to the structure which you now have. You are making good progress with education and have become more mature and found faith which brings you comfort. Your teachers and social workers say you are capable and intelligent and there is every reason to be optimistic that you will turn your life around.
17. After considering all of the material I have been provided with I decided that 16 years was the appropriate term. I am now going to give much more detail about the sentence to the lawyers in court. You can leave court if you wish.

Full Sentencing Remarks

18. The victim surcharge will apply.
19. The only sentence that can be passed is a life sentence which in relation to children is called detention at His Majesty's pleasure. The Court must fix a minimum term of detention, in line with Schedule 21 to the Sentencing Act 2020. As I have explained, such a sentence affects the offender for their whole life. It is for the Parole Board to consider when they are safe to be released after the expiry of that term.
20. As I am setting the term for an offender under 18, I am required by law to have regard to his welfare. Children are treated differently from adults, and the minimum term for a child is shorter than it would be for an adult. As MGW was 15, and took a knife to the scene which he had available to use as a weapon if needs be, the appropriate starting point under paragraph 5A of Schedule 21 is 17 years.
21. That is a starting point and not an end point.
22. I have considered relevant publications by the Sentencing Council, including the sentencing guideline for Robbery by Youths, the Adult Robbery guideline, the Over-arching guideline on Sentencing Children and Young People ("the Child Guideline"), and the Totality guideline.

23. The core principles from the Sentencing Council Child guideline include:

- i. When sentencing children a court must have regard to the principal of preventing offending by children, and their welfare.
- ii. Although chronological age dictates in some instances what sentence can be imposed, developmental and emotional age is of at least equal importance.
- iii. The approach to sentence should be individualistic. It is important to consider the extent to which the child or young person has been acting impulsively and whether their conduct has been affected by inexperience, emotional volatility or negative influences. They may not fully appreciate the effect their actions can have on other people.

24. The documents before me today include two very helpful and full reports from a forensic psychiatrist Dr Chakrabati and the Gloucestershire Youth Justice Service.

25. Children's social care have been involved with MGW's family since before his birth. He spent time in a care home as a looked after child, there was a gross lack of familial support, disrupted experiences in accommodation and education. He witnessed domestic violence between his parents and substance misuse by both his parents. He was neglected, and exposed to trauma including a threat to his life. He was exposed to criminality. He had an Educational Health and Care Plan because of learning and behavioural issues. He stopped attending school about a year before this offence. I find that background and the normalisation of crime directly affected MGW's decision-making and contributed to these offences. He was wandering the streets daily, taking cannabis, armed with a knife and drug-dealing at an age when he should have been in school and supervised when he was not in school. The responsibility for this crime lies with MGW, but it must be recognised that he was grossly let down by those who should have kept him safe.

26. His development has been shaped by the appalling upbringing which he endured. In July 2025 just five months before this offending, there was a National Referral Mechanism finding that MGW was a victim of modern slavery for the purposes of criminal exploitation. It is clear that at the time of this offending MGW was in a highly vulnerable state.

27. Sadly, MGW has fragile mental health and a history of trying to take his own life. He hears voices and has flashbacks as a result of the trauma he has experienced. He was

not under the care of mental health services at the time of this offending but is now on medication and under the care of CAMHS. He shows traits of autism. He has conduct disorder which is a recognised condition in the DSM diagnostic manual. The early childhood trauma and substance abuse which has marred his life may explain that condition, which means that he is less able than others to manage his behaviour and less able to appreciate the consequences of his actions.

28. I turn to the aggravating features:

- i. Firstly, MGW has previous convictions. The most relevant convictions are on 8 November 2024 robbery and possessing an offensive weapon in a public place, which was a baton. I do not, and am not asked to, take into account an allegation about another offence which has not been pursued, save for the fact that MGW was on bail for that offence.
- ii. Secondly, MGW's actions afterwards included telling a witness not to give his name to police, and getting rid of the stolen items and murder weapon.
- iii. Thirdly, and most significantly, the minimum term I impose for the murder reflects the criminality of two other offences on the same day, robbery and possession of a bladed article. That robbery was serious in itself because it was a joint attack with another teenager, both with knives, and they made sure Mr Erfani was alone and isolated down the alleyway. I do not treat the possession of a bladed article as a significantly aggravating feature, as possession of a knife is already taken into account in the starting point for murder. However, MGW had possession of that knife for a considerable period walking around Cheltenham town centre before the robbery and stabbing, which carries some small aggravating effect. If MGW was being sentenced separately for the robbery and bladed article, because of his age and guilty plea, if a custodial sentence was passed it would have been under two years. That figure would be reached because under the Adult Robbery guideline the starting point would have been 5 years, and the aggravating and mitigating features balance. Given MGW's age and lack of maturity, application of the Child guideline means that the sentence would have been halved before further reduction to reflect credit for plea.

29. In terms of mitigation:

- i. Firstly, I am satisfied that MGW did not intend to kill Mr Erfani.
- ii. Secondly, MGW is remorseful. That much was plain to me when he gave evidence at trial; even though he was denying murder he plainly deeply regretted his actions.
- iii. Thirdly, MGW experienced a grossly unstable upbringing which strongly contributed to this offending. It is striking that every one of the examples of an unstable upbringing in the Children Guideline apply.
- iv. Fourthly, MGW was a victim of criminal exploitation as recognised through the National Referral Mechanism.
- v. Fifthly, MGW's developmental and emotional age is lower than his chronological age.
- vi. Sixthly, MGW has mental health issues including trauma-related issues, and conduct disorder which contributed to this offending in the ways I have set out. Further, these difficulties will make his time in custody significantly harder.
- vii. Lastly, MGW has taken all opportunities that have come his way in custody to rehabilitate himself.

30. The personal mitigation is exceptionally high and just outweighs the aggravating features. The effect of those factors is that the appropriate minimum term is 16 years. From that will be deducted the 264 days that MGW has already spent in custody, such that the minimum term is 15 years and 101 days. No separate penalty will be recorded for the other offences.

31. You will be taken down now.

32. Finally, I recognise the work of the police team led by DI Adam Stacey, DS Anna Portman and DC Jabez Stokes which investigated this case so effectively, and supported the family through the process.

33. I commend PC Ivor Bace. He was one of the first officers on the scene, and the jury saw footage of his lengthy interactions with an eye witness who was bloodied and extremely distressed. That footage shows a very impressive officer. He was empathetic and non-judgmental and seemed to have a natural ability to calm the witness down and build trust. He adapted to the situation as it changed, and he remained patient and kind towards the witness and persuaded him not to leave. PC Bace managed to

obtain important information from the witness at the scene, which led to the arrests.

My comments should be transcribed and provided to the Chief Constable.

34. My thanks to counsel who prosecuted and defended this case with particular skill and who, from both sides of the court, treated the child defendant with appropriate and conspicuous fairness. My thanks too to court staff who provided an excellent level of support. A number of jurors have returned for the sentencing hearing, and I thank you again for the attention and dedication they showed during this distressing trial.

The Honourable Mrs Justice Brunner DBE

8th September 2026