



JUDICIARY OF
ENGLAND AND WALES

Chester Crown Court sitting at Southwark Crown court

R

-v-

Alesha Ahmed

Sentencing Remarks

Mr Justice Irwin

Friday 16 November 2016

Alesha Ahmed, yours is an extraordinary and terrifying story. You were born in June 1988, and so you were 15 years of age when your parents murdered your older sister Shafilea in front of your eyes. She was then 17. They suffocated her with a carrier bag in the family living room in Warrington, as you, your brother and your sisters watched. Her body was disposed of in the Lake District, where it lay undiscovered for months. You and your siblings were warned to keep silent. You were told “we all know what happens to disobedient girls”. Your mother and father had justified what they had done, on the grounds that your sister Shafilea had western friends and wanted to live a western life, did not want an arranged marriage. After the killing, your brother quickly told you and your sisters that Shafilea had deserved it. I have read the remarks of Mr Justice Roderick Evans when passing sentence on your parents, after their conviction in August this year. He emphasised the impact on you, stating that your parents have blighted the lives of their surviving children. He was just in making that remark.

In late 2003 you were drawn into protecting them, making statements suggesting that Shafilea had left home alive. However, shortly after your parents’ first arrest in December 2003, the conflict within you led you to tell a friend that your story of helping Shafilea to leave was a lie. However at that stage you were unable to speak out in public

or to the authorities. You were forced for years to carry this darkest of secrets, as your parents sought to evade justice.

It is not surprising that relations with your parents were poor. Such an event as this killing does not come unheralded, and this was a home where there had been consistent physical beatings. The beatings were confined to the girls. Your brother was spared. On your account, it was your mother, not your father, who was most angry and violent. The psychiatric evidence is that the unpredictable violence throughout your childhood, and the absence of ordinary parental protection, changed and distorted your personality even before your sister's death.

By the summer of 2010, you were 22 and a law student. You had left home, and you were the subject of some hostility from your parents, and indeed your siblings. Your sister Mevish had tried to break away, but as Mr Justice Roderick Evans put it, she “was recaptured and brought home and has since become compliant with your [parents’] wishes”, and she was hostile to you. You have never been convicted of any offence but this, but you were clearly in difficulties. You accumulated debt.

On 25 August 2010 you brought men to the house for the purpose of robbery. You acknowledge you knew that was the purpose. It is said that they exerted pressure over you to do so, and that seems likely to be true, although the court has heard no detail of how that arose. Early in the morning there was either an abandoned attempt or a reconnoitre, it is not clear which. In the evening you let them in. They brought weapons with them – a hand-gun, which was perhaps an imitation gun, a metal bar, and a hammer. The Crown accept that you did not know they would come armed. Your mother, brother and sisters were in the house, as you knew they would be, including your youngest sister who was then only 14. Your father was absent. A violent and terrifying robbery ensued. Your brother and sisters had their wrists taped up and were forced to lie on the floor. They were threatened in lurid and frightening terms, including threats to kill them. Your brother was kicked with a steel toe cap shoe. When your brother managed to loosen his bonds and tried to tackle the robbers, he was beaten. Your sister was hit on the shoulder with the hammer. It was fortunate that no-one suffered serious physical injury.

You actively helped the robbers. Your wrists were never taped. You told your family to do exactly what the robbers said. You had a mobile phone, but of course did not call the police. You had texted the robbers with instructions. You told the robbers how to get to the money and the jewellery that was taken, which your parents claim was of considerable value – £10,000, and then £30,000. The police are sceptical of those claims.

Not only did you help, but it was obvious that you were helping the perpetrators. Your family quickly realised that. When the robbers fled, you said you would leave but you did not do so. You were initially restrained by family members, but then you simply stayed on the pavement outside the house until the police arrived. One of the neighbours, a Mr Starkey, thought you looked very shocked. Your family were very aggressive to you, accusing you, “venomous” as Mr Starkey put it. Such was the atmosphere that, when PC Dadswell the first police officer came on the scene, his main concern was for your safety. That must have been in your mind too, because within moments you said to him “You know what happened to my sister?”

The psychiatrist has considered your culpability in relation to the robbery, and the motivation for it. He suggests that it took place in the context of “a very disturbed state of mind, marked by dissociation, suggestibility and a lack of real consideration of the consequences of your acts”. In my view that chimes with the way you behaved on the day.

After your arrest, you told your story to the police, quickly as to the death of your sister, but only later about the robbery. You made full statements about the murder, giving great detail, which proved to be accurate. You denied being a participant in the robbery until text messages retrieved made that untenable. You then admitted what you had done, and you pleaded guilty to the robbery at the first opportunity. The other robbers were never traced by the police.

From soon after your arrest you were placed on the witness protection scheme, for your own safety, but in stringent and confined conditions. You remained there for over two years. This can properly be compared to house arrest, and I accept it had an especially intense effect on you, since you were psychologically vulnerable, you were in a state of

conflict with your family, isolated and away from friends and any ordinary support. In addition there was real concern for your safety, which must have added to your anxiety and depression.

Your parents had been suspected of the murder from early on, and the finding of the Coroner as to your sister's death was a verdict of unlawful killing. However, in 2006 Queen's Counsel had advised that there was insufficient evidence available for a successful prosecution. It was your co-operation which changed that. You maintained that co-operation, as the investigation was revived, your parents were arrested and charged, and the case moved towards a trial. You gave evidence at the trial for eight days. It is accepted that your evidence was the crucial matter which allowed the case to be brought, and which opened the case up for the jury. The content of your evidence was confirmed, when it was shown that your sister Mevish had given a similar account to a friend, although at the trial she denied it was the truth, claiming it was a fantasy. It was your evidence which laid the foundation for the case, so that as the trial proceeded, your mother changed her story, and accused your father of the murder, whilst still attempting to exculpate herself. Because of what you did, the truth has emerged. The complex cases unit of the Crown Prosecution Service have struggled to identify any other case where the assistance of a witness has been as important as yours, or where the impact of the case on that witness has been as great.

It is also significant that you were not trying to bargain for a lower sentence in giving your evidence. Your initial request was to be sentenced before your parents' trial, so that no-one could accuse you of seeking to profit from what you said about them.

I have already touched on the effect of your upbringing. I have seen a good deal of psychological and psychiatric material on you, prepared by experts for the Crown as well as instructed by the defence. I bear in mind all of that. It is not necessary for me to quote technical medical language. There have been really significant psychological difficulties for you as a result of all of this. One of the experts is a specialist in caring for the victims of torture. He has said that the psychological work he conducted with you during the murder trial was the most complex and harrowing of his professional career.

Robbery in the home is a very serious crime. That is so here, even allowing for the fact that you did not know weapons would be used. This was terrifying, and you must have realised it would be so. There was violence, although no significant injury. No-one had any active medical treatment as a result. The normal sentence for an offence of this kind, will be a significant period of imprisonment, even for someone of good character and for someone who pleaded guilty. In all but the very rarest case, that will be right, whatever provocation might be present, and however strong the personal mitigation advanced. However, the Court of Appeal have stressed that there is a wide range of conduct in such cases, and that assessing the individual case is a matter for the judge who knows the detail. In this context I bear in mind that although your role in the robbery was crucial, there was a degree of unreality about how you behaved. You were bound to be linked to this from the very start, and you made no attempt to leave or to avoid your arrest.

The Crown have described this as a truly exceptional sentencing exercise. Ms Forshall QC has urged on the court that this is a most exceptional case, and that it is possible to avoid an immediate sentence of imprisonment in your case. I have read the pre-sentence report with care. I bear in mind all of the extraordinary circumstances I have outlined, in particular the truly appalling nature of what you had to witness, the impact this has had on you, and what you went through to be a witness. I bear in mind that, despite your undoubted intelligence and despite the help you may be given, your future life will be overshadowed by all that has happened, and it may be a long time before you achieve peace of mind and anything like normality. In my view this is a case for mercy.

The sentence of the court is one of 12 months imprisonment, suspended for a period of two years. There will be a condition that during that period you are supervised by the probation service. In fact they are likely to be of help to you. You must co-operate with them and comply with their instructions. There will be a further condition that you undergo continuing mental health treatment, with the psychologist, and with any psychiatric service which may be recommended. I am confident you will not re-offend. You may go.