



JUDICIARY OF
ENGLAND AND WALES

R -v- Ali Dizaei

Southwark Crown Court

Sentencing Remarks of Mr. Justice Saunders

13 February 2012

On the last occasion Mr Justice Simon clearly set out why these offences are so serious. You are a very senior officer. The breach of trust that the public has placed in you is the more serious because of your senior appointment. You have been a role model to many other people as a result of your achievements as a police officer.

You used your position and your power to arrest a man because of a private dispute that you had with him. I like Mr. Justice Simon will deal with you on the basis that the earlier conduct of Al-Baghdadi had been provoking. Nevertheless you arrested him without good cause and you then made false statements about his arrest which led to him being remanded in custody overnight and then had to wait on bail for six weeks to see whether he was going to be charged and stand trial. The offences that you alleged Al Baghdadi had committed were serious ones.

Against these offences must be set your previous good character and your distinguished service as a police officer. For those offences Mr Justice Simon sentenced you to 4 years imprisonment and no criticism can properly be advanced nor has your counsel attempted to do so.

The situation in which I sentence you is different. Having served about 15 months of your sentence, the Court of Appeal quashed your conviction and ordered a re-trial. It was not your fault that the information that led to that re-trial had not been available at your first trial. You have had to wait for a further period on bail before the re-trial could take place.

I take that into account. More importantly I take into account that you will be re-starting a prison sentence. It is well known that for a first offender in particular it is the start of a custodial sentence that is most difficult. For police officers, sentences of imprisonment are especially and I am told and accept that you spent a substantial time in solitary confinement as a result of your treatment by other prisoners.

In all those circumstances, I feel able to pass a lesser sentence on you than was the appropriate sentence on the last occasion. However, you will have to return to prison for a period of time. The 462 days that you have already served will count towards that sentence. I sentence you to 3 years imprisonment, concurrent on each count.

I will adjourn the application for costs and any legal aid contribution until I have a detailed account of your means.