



JUDICIARY OF
ENGLAND AND WALES

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-V-

ABDULRAHMAN

BIRMINGHAM CROWN COURT

20 JUNE 2013

SENTENCING REMARKS OF MRS JUSTICE THIRLWALL

1. Jaymin Abdulrahman, on 2nd September last year you gave birth to your baby daughter. 6 days later on the 8th you placed her in a black bin liner. You placed the bin liner in the rubbish chute and closed the chute. She fell from the 5th floor to the bins below. She sustained catastrophic head injuries from which she will never recover. She will be dependent on other people for the rest of her life.
2. You gave a false story to your husband and the police about the baby being abducted. That story was obvious nonsense, it wasted police resources and misled your husband. It was many months before you were able to admit what you had done. As a result you faced a trial for attempted murder with an alternative charge of causing grievous bodily harm with intent and, later, a further alternative of causing grievous bodily harm.
3. By the time the matter came before this court you had accepted that you were responsible for the injuries to your baby. You were responsible for putting her into the rubbish chute with all those consequences. You have expressed your remorse and I accept it is genuine. I also accept that [redacted] was a much wanted baby who you looked after with great love and care until the events of the 8th September.
4. The jury have given the most careful consideration to this case. You have been acquitted of attempted murder. You have been acquitted of causing grievous bodily harm with intent. That means that you did not intend either to kill or seriously to injure your baby. It is of count 3, causing grievous bodily harm that you have been convicted. To demonstrate the difference between the seriousness of the counts as many people in this courtroom will know attempted murder and causing grievous

bodily harm with intent carry maximum sentences of life imprisonment. Causing grievous bodily harm carries a maximum sentence of 5 years' imprisonment.

5. That is the sentencing framework within which I deal with you.
6. It is quite clear from the verdicts that the jury were satisfied that you were or may have been suffering from post partum psychosis at the time you acted as you did. Anyone who sat through the whole of the trial will understand exactly how they came to that conclusion. The evidence of the psychiatrists was that this condition occurs in 1 in 500 new mothers. Sometimes it is missed because, as in your case, the initial symptoms may be confused with other much less serious experiences that women undergo after giving birth. In your case there was a particular difficulty because you spoke no English and were very reserved. It was only when you were seen at length by a psychiatrist skilled in dealing with women who have just given birth that the diagnosis of post partum psychosis was made.
7. As the court has heard, in only a very few cases does this condition lead to tragedy as it did here. You will have to live with the consequences of your actions for the rest of your life.
8. As the jury have found you appreciated that there was some risk of injury to your baby from your actions. As you said yourself - You were her mother. You should have been her guardian.
9. I have been referred by both counsel to the Sentencing Guidelines for causing grievous bodily harm. I am quite sure that this offence was not premeditated. The harm was extremely grave and it is permanent. I am satisfied that this offence comes into the second category within the guidelines with a starting point of 18 months. The question for me is where in the range this offence comes.
10. Ms Brand submits that I should pass a sentence that would allow for your immediate release so that you may be assessed within the family proceedings as a potential carer for your daughter. I have considered that submission with great care. However I have to mark the seriousness of the consequences of this offence on your daughter. The shortest sentence that I can pass is one of 30 months' imprisonment. You will serve half of that term. After that you will be released on licence. If you commit any further offences you will be recalled to serve the rest of your sentence.
11. The time that you have already spent in prison will count towards your sentence.