

ENGLAND AND WALES / JUDGMENT

R v Govinder Singh

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Computer Aided Transcript of Epiq Europe Ltd, Lower Ground, 46 Chancery Lane, London WC2A 1JE Tel No: 020 7404 1400; Email: rcj@epiqglobal.co.uk (Official Shorthand Writers to the Court)

MS A HUSBANDS appeared on behalf of the Attorney General MR J McCLINTOCK appeared on behalf of the Offender

J U D G M E N T (Approved) Lord Justice Dingemans, Senior President of Tribunals: 1. This is an application by His Majesty's Attorney General to bring a Reference pursuant to section 36 of the Criminal Justice Act 1988, on the basis that His Majesty's Solicitor General considers the sentence to be unduly lenient.

Background

2. The respondent is Mr Govinder Singh. He is 28 years old, having been born in February

1997. He had previous convictions from when he was an 18-year-old which included, so far as relevant, aggravated vehicle taking and possession with intent to supply cannabis. 3. On 11 September 2025, at a time when he was entitled to 25 per cent credit, he pleaded guilty to three offences. These were: causing grievous bodily harm with intent, contrary to section 18 of the Offences Against the Person Act 1861; a second count of causing grievous bodily harm with intent; and a third count of wounding with intent, contrary to section 18 of the Offences Against the Person Act 1861. On 7 November 2025, in the Crown Court at Leicester, he was sentenced as follows: on count 1 to 7½ years' imprisonment; on counts 2 to 5 years and 3 months' imprisonment concurrent; and on count 3 to 3 years 9 months concurrent. The circumstances 4. The circumstances giving rise to the offences are that on 31 May 2025 there was a pre-wedding celebration in the Regent Sport and Social Club in Leicester. Talwinder Singh, who was the brother of Mr Govinder Singh and who had apparently not been invited to that particular celebration, had arrived late and drunk. He was ejected after arguments with others from the venue. There continued to be an altercation in the street at the rear of the venue, so the owners of the club, who are partners, Vicky Aylem and Leslie Edkins, tried to separate and placate the men who were fighting on the pavement of De Montfort Street. At some stage Mr Talwinder Singh called his brother Mr Govinder Singh to attend. Mr Govinder Singh drove a white Volkswagen vehicle along De Montfort Street, quickly up the road. He mounted the pavement and he ploughed into a group of people. Three people were seriously injured: Vicky Aylem (the owner); Leslie Edkins (her partner and fellow owner); and Manny Mahi. Kashmir Rura also suffered concussion and a broken rib and another man was narrowly missed. Mr Govinder Singh, having driven into the group of people got out of his car and then began to assault those who were around. That was captured on mobile phone footage. 5. Without tending to anyone Mr Govinder Singh got back into the car and further CCTV footage showed him parking his vehicle close to his home address, emptying the car of some belongings, then returning to the vehicle and removing both front and rear registration plates. These were then hidden nearby. He then drove the car round the corner and parked it on the side of the road. Within 15 minutes of the car being locked, the police had located the vehicle and were inspecting the damage it had sustained. There were not only missing registration plates but the front Volkswagen badge had fallen off, and that was found at the scene of the collision. Police later found the registration plates hidden near Mr Govinder Singh's house. 6. When police first spoke to Mr Govinder Singh he lied about the use of his car, suggesting he had given someone else permission to use the vehicle but was not sure who had driven it away. He was later arrested on suspicion of causing grievous bodily harm with intent. 7. The injuries sustained were as follows. Vicky Aylem had multiple fractures to her pelvis and lower spine. She underwent surgery and remained in pain with mobility issues and psychological injury. She was in hospital until 3 July 2025, which was over 2 months later. Manny Mahi had a bleed on the brain and a fractured left kneecap along with ligament damage and bruising to his face. Leslie Edkins (Vicky Aylem's partner) received a 5 cm wound to the back of his head that required sutures as well as abrasions. Kashmir Rura, who was also injured, suffered concussion and a fracture to his ninth rib. 8. So far as the judge was concerned, he had

details before him, including Prosecution and Defence Sentencing Notes, victim personal statement from Ms Aylem, first dated in June 2025, then August 2025 and then September 2025, where she reported that her mobility was still restricted. She used a wheelchair when going outside. She suffered anxiety. She was under financial strain because of the effect of her injuries on the business and suffered panic attacks. Mr Mahi had anxiety. He had not been out in public since. There was a split in the family due to the fact that he is the cousin of Mr Govinder Singh and he had been unable to work for a period suffering financial strain. He was unable to continue sporting activities. Mr Edkins suffered flashbacks and was re-living the impact of the incident and he was obviously caring on a reasonably full-time basis for Vicky Aylem. 9. So far as the defence were concerned, the judge had a letter from Mr Govinder Singh's wife dealing with his remorse, his positive good character, him being a father now to two children, as well as his own difficult upbringing. There was a letter also from Govinder Singh, expressing his deep remorse for the pain caused to his victims, the impulsivity of the offence caused out of concern for his partially sighted brother and the steps that he had taken in prison with a view to rehabilitation. We have seen an updated prison report showing the good progress that he has made. Sentencing 10. The judge approached the sentencing on the basis that the use of a highly dangerous weapon, namely the car, placed the offences in culpability A and there is no dispute that that was correct. The harm whilst grave for the first two counts was not the highest harm because there might not be permanent irreversible injury, although there was still a risk of that and that harm category was therefore level 2. Again, that was common ground. We should just record that in relation to Mr Edkins it was also common ground that his harm category was a level 3. 11. So far as the main offence which concerned Ms Aylem was concerned, the judge therefore took a starting point of 7 years with a range of 6 to 10 years. The judge made reference to the aggravating factors including this being a shocking attack on a group of people, the other offences including others injured, the aggravation of the previous driving conviction although of limited aggravation as that was some 10 years ago. In relation to mitigating features, the judge considered there to be genuine remorse on the part of Mr Singh, and took his 10 years of good character into account as well as his conduct in prison.

12. When the judge dealt with the main sentence the judge said that, so far as is material in relation to the main sentence, he treated the other counts as aggravating factors. The judge then considered dangerousness and decided that Mr Govinder Singh was not dangerous, and that is not an issue before us. He then referred back to count 1 and said that the sentence would be 10 years with a 25 per cent reduction for plea, taking the sentence down to 7½ years. The sentence on count 2 started at 7 years, and 25 per cent reduced that to 5 years 3 months and count 3 was a starting point of 5 years with 25 per cent credit reducing that to 3 years 9 months with those sentences, as already indicated, both being made concurrent.

Submissions

13. So far as the submissions are concerned, Ms Husbands on behalf of the Solicitor General submits that, although there is no criticism of the categorisation of the offences within the guidelines, the starting point and sentence was really for only a single offence, and the judge had wholly failed to take into account the principle of totality. This meant that insufficient account was taken of the number of offences committed together with the high number of culpability factors present and the further aggravating features where a number of people were injured in the attack. Mr McClintock, on behalf of Govinder Singh, identified that this was a careful sentencing exercise, carried out, so we are told, over the course of a day, that the categorisations were correct, which is common ground, and that the judge made no error. The judge had expressly referred to totality and he had expressly referred to the other counts. It was submitted therefore that the Reference should be dismissed.
14. We are very grateful to both Ms Husbands and Mr McClintock for their written and oral submissions and we will grant leave for the Reference. The Reference 15. So far as the principles applicable to any Attorney-General's Reference is concerned, it is established that: the judge below is particularly well placed to assess the weight to be given to competing considerations; leniency itself is not a vice; and a sentence is unduly lenient only where it falls outside the range of sentences which the judge applying his mind to all relevant factors could reasonably consider appropriate. 16. It is difficult from the sentencing remarks that are before us to work out exactly what uplift the judge had given to reflect the other counts that were before him. The sentences that were passed in relation to those other counts were plainly appropriate sentences, and we have already indicated the way in which the judge had calculated those. It is, however, not apparent how he had taken account of those separate counts in relation to that first count. It is necessary therefore to deconstruct the judge's remarks to attempt to work out what has happened. The judge has taken the starting point in relation to category 2A in relation to the first count matter which was a starting point of 7 years and a category range of 6 to 10 years. It is common ground that there were a considerable number of aggravating factors. So far as is material, there were relevant previous convictions in relation to aggravated vehicle taking, but it is only fair to Mr Govinder Singh to note that that was some 10 years ago and so was unlikely to aggravate the sentence by much. Another matter was that the offence was committed against a person performing a public service or performing a public duty or providing services to the public, and that the two owners of the venue who were attempting to separate the persons who were fighting. Other relevant aggravating factors were: the presence of children, who were captured on the CCTV; the fact that these were vulnerable victims because they were pedestrians on a pavement; the fact that Mr Govinder Singh drove off without helping any of the victims and indeed he had continued to assault some of them; and the fact that he had attempted to mislead the police. It is also right, and only fair to Mr Govinder Singh to point out that there were mitigating factors, that is that the features that he had stayed out of trouble for the period of 10 years, he was in work, he showed genuine remorse and he had 10 years of good character. He had made progress in prison and there will inevitably be an

impact on his young children. 17. Taking all those matters into account, it seems that the judge must have gone up to a figure of about the top of the range for count 1, the judge must have then gone beyond that perhaps, by a year to reflect the other counts. The judge must then have reduced that by a year to reflect mitigation, and then given a discount of 25 per cent for plea to end up with the sentence of 7 years and 6 months. 18. In our judgment, an uplift of just one year was plainly insufficient to reflect the other two counts and all the criminality reflected. We consider that such an uplift was not just lenient, it was unduly lenient. It is necessary for us to attempt to do the exercise we consider that the judge should have done.

Conclusion

19. So far as count 1 is concerned, having regard to all of the matters that we have indicated, it is, in our judgment, at the top of the range. We would then take away a year for mitigation (9 years), we would then apply the discount of 25 per cent, which would give a sentence of 6 years 9 months. That is for count 1 alone. We note that is only 9 months short of the sentence that was imposed for count 1 alone by the judge. Count 2 and count 3 were, as we have already indicated, 5 years 3 months and 3 years 9 months. It is not permissible or appropriate to simply add those on to count 1, but we have to have some regard to a principled and proportionate increase in the figure of 6 years 9 months to take account of that separate offending. In our judgment, to reflect all of the criminality reflected by counts 2 and 3, the lowest we can increase that sentence to remain proportionate to the offending and having regard to all the matters that we have noted is an additional 3 years 3 months. This gives an overall sentence on count 1 of 10 years' imprisonment, with counts 2 and 3 remaining concurrent as they are.
20. So for all those reasons we will allow the Reference to the extent that we increase the sentence on count 1 from 7½ years to a sentence of 10 years. Counts 2 and 3 remain as they are and remain concurrent. There will need to be an uplift in relation to the period of disqualification. The other relevant orders were disqualification for 5 years and an extension period of 5 years. The extension needs to be two-thirds of 10 years. The extension period is uplifted from 5 years to two-thirds of 10 years being 80 months (6 years 8 months) extension period. Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof. Lower Ground Floor, 46 Chancery Lane, London, WC2A 1JE Tel No: 020 7404 1400 Email: Rcj@epiqglobal.co.uk

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