

BHATT MURPHY SOLICITORS
PRESS RELEASE
5 August 2020
(FOR IMMEDIATE RELEASE)

State Inquiry into Racist Attempted Murder at HMP Bristol

The Secretary of State for Justice has published an independent investigation into a racist attempted murder attack on a Black Muslim prisoner by a white prisoner at HMP Bristol on 26 June 2014.

The victim, Mohammed Sharif, sustained serious brain damage and remains in a severely disabled state as a result of the attack. The attacker, Ryan Guest was convicted for the attempted murder in December 2014¹. Over the last six years the family have been engaged with state investigations into the circumstances surrounding the racist attempted murder and have repeatedly raised their concerns about the failures by the state to safeguard Mohammed from racist attack.

On the day of the assault, Ryan Guest had been in the Brunel Unit in HMP Bristol for six days having been remanded in custody, charged with the murder of his step-grandmother in a care home outside Bristol. He stated during his cell sharing risk assessment that he would only share a cell with a white person and not a homosexual, but the basis of his attitudes were not explored by any member of staff. On 26 June 2014 Ryan Guest was left, contrary to policy, unsupervised on the exercise yard with Mohammed Sharif where he subjected him to a violent and unprovoked attack.

The victim's family have been devastated by these events and have been supported by the charity [Stand Against Racism & Inequality](#) (SARI).

On 6 February 2015 the family brought judicial review proceedings challenging the delay in holding an independent investigation into the circumstances of the attempted murder.

On 31 March 2015 the Secretary of State for Justice commissioned an independent investigation under Article 2 ECHR, led by Rob Allen.

On 15 May 2015 an internal investigation by a senior Governor in the prison service concluded. It recommended disciplinary action against two officers and found that a number of systemic factors contributed to the attack. Oddly the report stated that there was “no evidence” that there was racist motivation to the attack despite Ryan Guest’s statements that it was racially motivated and that the police had investigated the attempted murder as a race hate crime².

On 19 June 2018 Rob Allen submitted his final report to the Secretary of State for Justice. In a wide ranging report made **numerous criticisms** of both the prison service and the mental health provider, Avon and Wiltshire Mental Health Trust and is available [here](#). Mr Allen found that the Brunel Unit **was poorly managed, the admission procedure was**

¹ <https://www.bbc.co.uk/news/uk-england-bristol-30374727>

² <https://www.itv.com/news/westcountry/story/2014-08-12/man-charged-with-attempted-murder-of-prisoner/> ; <https://www.gazetteseries.co.uk/news/11654397.yate-man-killed-elderly-relative-on-gods-orders/>

not clear, that risk assessments were inadequate, that the attack was motivated by hostility to Muslims, that the racist and homophobic comments made by Ryan Guest should have been explored and the allocation of staff to the Brunel Unit was unacceptable. The investigation concluded “*We also have serious concerns about the management of race and diversity issues at HMP Bristol. .. we found evidence of a high level of mistrust between the Somali community in particular and the prison, with concerns in the community that what happened...formed part of a wider pattern.*”

In evidence to the Allen investigation the senior Governor who had conducted the internal prison investigation alleged that he had been pressurised by his senior manager to change the internal report to play down the racist motivation of the attack.

Significantly Mr Allen recommended that there should be a **second stage** investigation as further public scrutiny was required in regard to equality and diversity at HMP Bristol, the poor management of the Brunel Unit and the alleged misconduct by staff in seeking to change the internal report.

The victim’s family requested a full judicial led public hearing however this request was refused by the Secretary of State for Justice. The Secretary of State for Justice accepted that further public scrutiny was required in light of the **shortcomings in the management of race and diversity** and **poor management of the Brunel Unit**. With Avon and Wiltshire Mental Health Trust it provided a joint action plan on the “*uncertainties*” about the Brunel Unit and commissioned an investigation by Dale Simon DBE into the alleged misconduct by staff. As regards the serious concerns about race and equality at HMP Bristol the Secretary of State indicated that there had been a review of the management of equalities in the prison.

On 11 June 2019 HM Chief Inspector of Prisons issued an **urgent notification** to the Secretary of State for Justice about HMP Bristol in particular “*numerous significant concerns about the treatment and conditions of prisoners. It was the latest in a series of disturbing inspections at the prison over the last six years.*”

On 19 December 2019 Dale Simon DBE concluded her investigation into the alleged misconduct by staff. She concluded that there was no evidence that improper pressure had been placed on the internal investigator to change his report but raised concerns that the internal report had been accepted by the Secretary of State for Justice when it was evident that the report lacked competency as it had failed to explore the fundamental issue of the racist motivation of the attack.

The family continue to seek answers to the decisions that left Mohammed in prison and unsafe from racist attack.

Mahmoud Gelle and **Ugaso Dahir**, his brother and sister in law stated: “*Our hearts are broken. Why has it taken so long? There is no justice.*”

The victim’s solicitor **Jane Ryan** of **Bhatt Murphy** said: “*If Mohammed Sharif was white he would not be severally disabled today. The reality is that racist beliefs, like for Zahid Mubarek’s death 20 years ago, were left unchallenged and Mohammed was put in a dangerous situation with a violent white man. The family have fought for six years for answers and they have been met at every turn with delay. They continue to fight for justice*

and for accountability from the State for these appalling events. We are hopeful that their requests for meetings with decision makers and wholesale changes will be met.”

Alex Raikes MBE DL (Hon LLD), Director of **SARI** said: *“When this case was first brought to us by the family, we promised that we would do all we could to get to the bottom of how the attack on their loved one was allowed to happen. They were adamant that the attack was racially and religiously motivated. They felt Mohammed was failed by the prison service who should have kept him safe. He was left unattended, without CCTV, alone and vulnerable to a prisoner known to be racist and anti-Muslim and who was remanded for murder – a toxic situation that was near fatal for him. For the family to then have to fight so long and so hard despite the police and CPS prosecuting this as a racially motivated attempted murder and there being indisputable evidence that this was a racist attack has been shocking to the family and to SARI. Despite specialist legal advocacy and the support of SARI and 3 different investigations we have still not got the openness and transparency that our clients deserve and they are still on a quest for justice. SARI will continue to be with the family until we have exhausted all avenues. Remember, Mohammed can never get his life back to how it was – he is now irreversibly and severely disabled and will need round the clock care until the end of his life. We call for Robert Buckland to meet with the family urgently so changes can be made at the highest level and no other family goes through this experience.”*

For further information please contact j.ryan@bhattmurphy.co.uk / 020 7729 1115

www.bhattmurphy.co.uk