

TRANSCRIPT OF PROCEEDINGS

Ref. T20177306

IN THE CROWN COURT AT BRADFORD

Exchange Square
Drake Street
Bradford

**Before HIS HONOUR JUDGE DURHAM HALL QC
THE RECORDER OF BRADFORD**

R E G I N A

- v -

**BASHARAT IQBAL KHALIQ, SAEED AKHTAR, YASAR MAJID,
NAVEED AKHTAR, PARVAZE AFZAL AHMED, IZAR KHAN HUSSAIN,
KIERAN HARRIS, ZEESHAN ALI, FAHIM IQBAL, MOHAMMED USMAN**

**MS K MELLY QC and MS S BEATTIE (instructed by the Crown Prosecution Service)
appeared on behalf of the Prosecution**

**MR A IQBAL QC and MR F ARSHAD appeared on behalf of the Defendant Khaliq
MR P MOULSON QC and MR A SHAKOOR appeared on behalf of the Defendant
Saeed Akhtar**

MS G BATTIS appeared on behalf of the Defendant Majid

MR R FRIEZE appeared on behalf of the Defendant Naveed Akhtar

MR A BELL appeared on behalf of the Defendant Ahmed

MS G KELLY appeared on behalf of the Defendant Hussain

MR G WILSON appeared on behalf of the Defendant Harris

MS F HERTZOG appeared on behalf of the Defendant Ali

MR A DALLAS appeared on behalf of the Defendant Iqbal

MR R FERM appeared on behalf of the Defendant Usman

PROCEEDINGS

18th JANUARY 2019, 10.06-11.28, 11.49-13.05

REPORTING RESTRICTIONS APPLY:
SECTION 4(2) OF THE CONTEMPT OF COURT ACT 1981
SEXUAL OFFENCES (AMENDMENT) ACT 1992

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[REDACTED]

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A

(The court reconvened at 10.06 in the presence of the jury)

JUDGE DURHAM HALL: Thanks very much, ladies and gentlemen. Okay, more of the same.

B

MS MELLY: Yes, thank you.

JUDGE DURHAM HALL: Very important.

(DVD played)

C

MS MELLY: Yes, your Honour, ladies and gentlemen, the next DVD to be played is DVD number 2. It's 48 minutes long, your Honour. In this instance the sound quality, despite attempts to improve it and indeed attempts to enhance it, remains still a little poor. So, for the purpose of the playing of this DVD it's going to be necessary for the jury to have a transcript, which of course in due course they will be collected from them.

JUDGE DURHAM HALL: Mr Moulson, agreed?

D

MR MOULSON: Yes, my Lord, thank you. Yes.

JUDGE DURHAM HALL: This is an exception to the rule. Obviously if you can't make out what's being said, that's pretty hopeless. It's not fair to the witness; it's not fair to anybody else. So we can give you a transcript. Try and follow what is being said.

E

Obviously, it may be difficult. If you can't, you can follow it on the transcript, okay? But we have to - we have to take this back off you. All right? I'm afraid the rules are very clear. It's not me at all. But it would be - I would be in real trouble procedurally if I let you keep them. So, I'm afraid, nothing personal, very strict rule, okay? Are we doing one between two of this? Okay. Can you manage with that? I'm sorry, I suppose it is a gesture to saving a bit of a forest somewhere. Okay, we will have a break after this, all right, this one. Do we have any more volume for the system? Do we know? Okay.

F

(DVD played)

MS MELLY: Yes, your Honour, before we collect the transcripts back from the jury, can I just mention one thing? Part of the transcript has been highlighted. It's not meant to be highlighted. I think just in the editing and photocopying transfer it seems to have just been attached. It's not meant to be there and I'm asked to raise it.

G

JUDGE DURHAM HALL: Sure. No, it's not an emphasis, it is just something.

MS MELLY: It's just (inaudible) being in it in error.

JUDGE DURHAM HALL: All right, well, no problem.

H

MS MELLY: Thank you very much. So if you can collect those both from the jury and from the defendants.

A JUDGE DURHAM HALL: Ladies and gentlemen, just leave them there. Don't worry, not now. You go and have a break. Thank you. If you don't mind, I would like one as well. We will just have a chat. There are potential - possibilities of getting in two more, a 30-minute and about a 40-minute, in today. We should be able to do that. So we will see. We will come back in, yes, about quarter to 12 should be fine. Thank you very much.
B If you would like to go, thank you.

(The jury left court at 11.27)

Yes? Yes, yes.

MR WILSON: As your Honour knows, I'm off now.

C JUDGE DURHAM HALL: All right, bye. We will go and have a break and we will see you on Monday, Mr Wilson. Your client is happy with that?

MR WILSON: Yes, he is.

JUDGE DURHAM HALL: Are the rest of you happy that we try and get on with the - do the 30 and the 40, if we can? If we can't get to your social worker, tough.

D UNIDENTIFIED COUNSEL: Your Honour, we're trying to agree that at the moment, so.

JUDGE DURHAM HALL: Good. Tough might not have given the right gentle and cuddly impression, but I'm not having professional witnesses interfere with the flow of these DVDs.

E UNIDENTIFIED COUNSEL: Of course.

JUDGE DURHAM HALL: Okay.

UNIDENTIFIED COUNSEL: Thank you.

JUDGE DURHAM HALL: Okay. Mr Moulson pulls the potential sting out of that one, okay. Good. Thank you so much.

F (Short adjournment at 11.29)

(The court reconvened at 11.49)

JUDGE DURHAM HALL: Mr Moulson, Mr Iqbal, the jurors - some of the jurors - are a little concerned, not about, I am sure, the ladies on the front row at all, but a little concerned about distraction from the public gallery in the sense of people - and I expressly exclude from this comment those present, sitting courteously and quietly - coming in and going out. So we have issued a directive, which will not apply to you, that if people come in, they stay in; if people go out, they stay out.

G MR MOULSON: Thank you very much.

JUDGE DURHAM HALL: Okay, is that all right?

H MR IQBAL: Thank you, yes.

A JUDGE DURHAM HALL: Obviously, it hadn't occurred to me to be a problem, but I'm looking elsewhere, I guess.

MR MOULSON: Thank you, your Honour.

JUDGE DURHAM HALL: Just a question. Reference to Suli Sultan in the context of this

B case is, question mark, who knows?

MR MOULSON: Yes.

JUDGE DURHAM HALL: We know Billy Jo has a relevance, doesn't he?

MR MOULSON: Yes.

JUDGE DURHAM HALL: And others. I think I might just need a list at some stage,

C because I have one and mislaid it, of nicknames and whatever the ---

MR MOULSON: Yes.

JUDGE DURHAM HALL: Yes, okay?

MR MOULSON: Of course.

JUDGE DURHAM HALL: Something. It is the sort of thing that the schedules wizard,

D Mr Shikor, could do.

MR MOULSON: Yes, he is indeed. Thank you.

JUDGE DURHAM HALL: Thanks a lot, great.

(The jury entered court at 11.52)

MS MELLY: We will move on to the third DVD.

E JUDGE DURHAM HALL: Thanks a lot, thank you.

(DVD played)

Just - I'm sorry. Just a moment.

MS BEATTIE: I am afraid, despite our efforts, we've not been able to deal with that noise

F on the recording. The difficulty is that it's actually outside the police station.

JUDGE DURHAM HALL: I know.

MS BEATTIE: I appreciate it's - it doesn't assist but, as I say, we've not been able to improve it. For that I apologise.

JUDGE DURHAM HALL: It's not your problem, is it? But remarkable lack of thought at

G the time. But there you go.

(DVD played)

Can you follow this? Just stop. This is absolutely - can you follow? No, of course you can't. Right, we will need transcripts.

MS BEATTIE: Yes. We will just take a few minutes. Perhaps ---

H JUDGE DURHAM HALL: No, it's all right. Would you just leave me a second, please?

A

Can I have Ms Melly back in court? Would you mind just giving me a minute?

(The jury left court at 12.28)

[REDACTED]

[REDACTED]

B

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

C

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

D

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E

[REDACTED]

[REDACTED]

[REDACTED]: Okay, [REDACTED]

[REDACTED]

[REDACTED]

F

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

G

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

H

[REDACTED]

[REDACTED]

A

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

B

[REDACTED]

(The jury entered court at 12.34)

JUDGE DURHAM HALL: Is this the only DVD that has somebody cutting down?

MS MELLY: I think that is correct.

JUDGE DURHAM HALL: All right.

C

MS MELLY: But we are going to make those checks with the next one that follows just in case. But people have the transcripts.

JUDGE DURHAM HALL: Yes, okay. Sorry about that, ladies and gentlemen, not Ms Melly's fault. Goodness knows what was going on, but it was a workman obviously cutting, I don't know, angle grinding or maybe even cutting something down. We don't know. It doesn't matter. If even one of you is distracted by it, as I was, we are going to come back to this on Monday morning, first thing, refreshed, with a transcript, okay?

D

Which they will do this afternoon. So we are just going to pause the DVDs of [Person A1]. The plan is not interrupted. You will be seeing her Wednesday morning absolutely latest, okay, so no problem. There are still quite a few, aren't there, to deal with, of necessity?

E

MS MELLY: Yes, in fact, although it will take that long to watch, we should also indicate that what we are viewing represents less than a third. So we have substantially cut down.

JUDGE DURHAM HALL: Yes, good. Brilliant. Now, the plan in any event was to interpose a social worker who - social worker or somebody like that?

F

MS MELLY: Yes, somebody who worked with [Person A1] but more in the guise of the witness we heard yesterday, [REDACTED].

JUDGE DURHAM HALL: Yes, good, good. Excellent. There were problems so we agreed to interpose this witness if at all possible. It's now possible, so we are going to call.

G

MS MELLY: [REDACTED], who I'm told is being brought into court.

JUDGE DURHAM HALL: Right, so this will save time later on in the proceedings. So, there you go.

MS MELLY: Thank you.

H

[REDACTED], Affirmed
Examined-in-chief by MS MELLY QC

- A** Q. Thank you very much. Is your full name [REDACTED]?
- A. It is.
- Q. And is it right that in 2010 you were employed as a youth support worker for [Location H] at Dewsbury?
- B** A. That's correct.
- Q. Thank you. Your experience had been more of a teaching assistant previously and you didn't have a social work qualification ---
- A. No.
- Q. --- or anything such as that. Is that right?
- C** A. That's correct.
- Q. Thank you. We know that [Person A] was a young person who was housed at one of the premises at [Location G] in Dewsbury.
- A. That's correct.
- Q. And you worked personally, we understand, with [Person A].
- D** A. That's correct.
- Q. We already appreciate that this is semi-independent accommodation.
- A. That's correct.
- Q. And we also know that, from others who worked there, that [Person A] had a tendency to be away overnight.
- E** A. She did.
- Q. And was that something that you yourself were able to see or witness?
- A. Yes, it was.
- Q. I understand that in your shift pattern, am I right in saying that because of your shift pattern you rarely saw her go out at night but you would be present when she would come back?
- F** A. That's correct.
- Q. And so, on the occasions when you saw her coming back in from nights out or having been gone for some time, I just want to deal with that and when you would see her when she would return, please. Okay?
- G** A. Okay.
- Q. Did you speak to her, firstly, about what she actually had been doing when she had been out?
- A. On some occasions, yes, I did.
- H** Q. And what did she tell you she had been doing, please?

- A** A. She was very, very bubbly. She said she'd been drinking, um, taking drugs and generally having a good time.
- Q. Thank you. And when you spoke to her about drinking and taking drugs, did she tell you where she'd got them from?
- B** A. She said friends.
- Q. Thank you. And did she tell you what drugs?
- A. Um, it would be MCAT, cannabis, alcohol.
- Q. Did you ever speak to her about how it was that she could afford drugs and alcohol?
- A. Yes, I did.
- C** Q. And what did she say?
- A. She said that friends would provide her with them and ask nothing in return.
- Q. And in terms of friends, did [Person A1] give you names of the people that she described as her friends?
- A. The only one name she ever gave to me was somebody called Sid.
- D** Q. Did she give you an indication of whether these friends - are we dealing with multiples, do I understand that?
- A. Yes.
- Q. Were they male or female?
- A. Male.
- E** Q. Did she give you an impression of whether they were white or Asian?
- A. Asian.
- Q. Now, you have spoken about not giving - her not giving anything in return for the drugs and alcohol; is that something that [Person A1] would actually say to you?
- F** A. Yes.
- Q. Would you ask her about that?
- A. Yes, I would.
- Q. Did you speak to her about why it was that people were giving her free of charge ---
- A. Yes, I did.
- G** Q. --- drink and drugs? How did the nature of that conversation go?
- A. I would often say to her that, um, it's not very often in this life that you get something for nothing. And she said that nobody would expect anything back from her if she was given drugs or alcohol and if she wanted to sleep with anybody she did so with her own consent and was never forced into anything.
- H** Q. Did you speak to her about issues of consent?

A

A. Yes.

Q. And what advice did you give her then, please?

A. That if she was drunk or under the influence of drugs, how could it have been consensual?

B

Q. That's what you were saying to her.

A. Yes.

Q. What did she say back?

A. She said that she knew what she was doing.

C

Q. Thank you. So, you've mentioned sexual activity. Did she give you an idea of whether it was one person she was specifically sleeping with or more than one?

A. There was only one occasion that I can recall that she told me it was more than one person.

D

Q. I don't - I'm sorry, that was my clumsy question. I don't just mean on one night, but over the period of time that you worked with [Person A1], was she talking about sexual activity having taken place with more than one person?

A. Yes.

Q. Did she give you an idea of numbers?

A. No.

E

Q. When you - on the occasions when you did see [Person A1], either going out or coming back, in terms of her appearance, please, how would she have been dressed?

A. In my opinion, it was very provocatively. It was short skirts, low tops, high heels, lots of makeup.

Q. Did you speak to her about her choice of dress and makeup?

F

A. Yes, I would challenge her and say, "Do you think it's appropriate?" And she would always reply, "Yes, where I'm going this is how I feel good."

Q. Did she ever indicate anything about the views of those people that she was meeting about how she should be dressed?

A. She would always say that it pleased her friends. They would always say now nice she looked.

G

Q. And in terms of viewing her, not just in terms of her appearance, but when she came back late at night or in the early hours of the morning, did you actually see her and speak to her on those occasions when she came back?

A. On a few occasions, yes.

H

Q. And how did she seem, please, to you when she came back?

- A** A. Very happy. Never concerned about anything.
- Q. Thank you. And when she came back into the next day, would it appear as though she'd slept somewhere and got changed and then returned?
- A. She would always normally come back in the same clothes, but without makeup.
- B** Q. Did you ask her for details though of who she had been with and where she had been?
- A. Yes.
- Q. And would she give you that information about ---
- A. No, she wouldn't.
- Q. --- the names of who she had been with?
- C** A. No, not at all.
- Q. Or the addresses of where she had been at?
- A. She would just say Bradford.
- Q. And you've obviously said that you've expressed some views to [Person A1] about your concerns about her.
- D** A. Yes.
- Q. Did - ultimately did [Person A1] appear to take that on board?
- A. I would like to think that we had quite a good relationship. She, having gone through several bad illnesses in my life, she was very respectful to me and I believed that she was also very protective to me and would only, like any other child as well in care, only tell me a certain amount, as what she wanted me to know.
- E** Q. All right, thank you. Did you raise any of the things that you have told us, the lifestyle issues, so going out, drinking, drugs and sexual activity, amongst other people? And were those issues raised with your superiors or the management, please?
- F** A. Yes.
- Q. And who did you raise it with?
- A. [REDACTED].
- Q. Thank you. Was she the owner of ---
- A. Yes, she was the owner.
- G** Q. --- [Location H]? And since that date, [REDACTED] has died; is that correct?
- A. That's right, yes.
- Q. Thank you. And the situation, is this right, that after living at [LOCATION H1], so [Location H], for a while, she was then moved into more independent accommodation? Is that correct?
- H** A. That's right.

- A** Q. Is that to a one-bedroom property ---
A. Yes, it was.
Q. --- in the Dewsbury area? Did you ever attend that property?
A. Yes.
- B** Q. And did you ever see anything that caused you concern when you visited that property?
A. Never.
Q. Thank you. Was there a specific time that you would visit [Person A1] at that address?
A. Different times.
- C** Q. Thank you. And did you work with [REDACTED]? Were you employed at the same time as [REDACTED]?
A. Yes, I was.
Q. All right, thank you very much. We've already heard the detail of one occasion when [Person A1] came back and was upset about events that had occurred the night before and wanted to speak only to [REDACTED].
- D** A. That's correct.
Q. All right, and you put [REDACTED] and [Person A1] in touch with each other ---
A. I did.
- E** Q. --- on that occasion; is that correct?
A. That's correct.
MS MELLY: Thank you very much.
- Cross-examined by MR MOULSON QC
- F** Q. Just very briefly, please. In your conversations with [Person A1] she said she was with friends who wouldn't hurt her.
A. Yes.
Q. Is that correct? And in that context she mentioned the name Sid; is that right?
A. Yes.
Q. [LOCATION H1] accommodation, she kept the place clean and respectable; is that right?
- G** A. As much as a teenager would.
Q. You never saw any bottles of alcohol or signs of drug taking?
A. No.
- H** Q. No Asian men at the premises?
A. No.

A

Q. You never saw her injured, covered in bruises, did you?

A. No.

MR MOULSON: Thank you very much indeed.

JUDGE DURHAM HALL: Okay.

B

MS MELLY: No re-examination.

JUDGE DURHAM HALL: No, of course. Thank you very much and I am glad we could fit you in. So that is you done.

THE WITNESS: Thank you.

JUDGE DURHAM HALL: Thank you. Thank you.

C

(The witness withdrew)

MR MOULSON: Can I just have a moment with my learned friend, please?

JUDGE DURHAM HALL: Mm.

MS MELLY: There is a statement that needs to be read and whether or not I was in a position to read it now. Right this moment I've just asked my learned friend if I could deal with reading that when we return. It's just a few moments, I just want to review that statement.

D

JUDGE DURHAM HALL: Yes.

MR MOULSON: Of course.

JUDGE DURHAM HALL: Are you sure?

E

MS MELLY: Thank you.

JUDGE DURHAM HALL: Just a couple of minutes? If you - what do you want to do, sorry, for the jury?

MS MELLY: I am quite content to read it at a later convenient point. But I do appreciate that it needs to be read to the jury before we call [REDACTED] and I think that is what Mr Moulson was concerned with. But I don't ask for time to look at it now. I can review it and then read it when we return.

F

JUDGE DURHAM HALL: It's a couple of minutes either way. Who is the witness, by the way?

G

MS MELLY: [REDACTED].

JUDGE DURHAM HALL: [REDACTED], we have heard about her, I think.

MS MELLY: We've heard about her. She is a health visitor that dealt with [Person A] following the birth of her child. So she doesn't quite fit into the social work evidence. She was going to be called but then she became agreed evidence. So I just want to review the statement and note and then I will obviously read it to the jury, as I have indicated.

H

A

JUDGE DURHAM HALL: Yes, we will put it in when we want, when we can.

MR MOULSON: I was just going to use the 10 minutes, but ---

JUDGE DURHAM HALL: Sure. No, well done.

MR MOULSON: Thank you.

B

JUDGE DURHAM HALL: But there we are. Ten minutes' break. Good. What am I trying to say? Have a nice weekend. That is fine, everybody is as you see on the hoof.

Well done to all, agreeing material, trying to avoid witnesses. But we cannot just read

a statement. Ms Melly needs to identify it on the system, have a look at it, and just see

whether anything should be taken out of it, for example. So not now. We will do it

C

tomorrow - not tomorrow, Monday, Tuesday or Wednesday, before [Person A1] is

cross-examined. Yes? Okay. Have a great weekend, ladies and gentlemen. Please, as we

get further into the case the rules of the case not to discuss, not to be in any way influenced

by third parties or the press or social media content, so far so good. But really we want to

see you safe and well, 10.30 Monday. It's very good, it's good for me, 10.30, so I can

D

sweep up all the debris that's happened in Bradford over the weekend. Okay. It's always

quite a busy time. All right, so we will see you then. Safe trip.

(The jury left court at 12.50)

MS [REDACTED]

E

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

F

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

G

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

H

[REDACTED]

[REDACTED]

A

[REDACTED]

B

[REDACTED]

C

[REDACTED]

D

[REDACTED]

E

MS BATTS: May I raise one matter, which I believe concerns all defendants? It has been brought to my attention by my lay client, Yasar Majid, this morning, he has been sent a link to a website. It's the Breitbart website, which is a news network, which I think is affiliated with quite extreme right-wing views. Contrary to your Honour's reporting restriction, the defendants' addresses have been published. They were published on the

F

same day, I think, that your Honour made the order, the 10th of January, and they remain there. And what is of concern too is that there are a number of comments that have been posted by various members of the public which express some extremely unpleasant racist views and specifically the defendant Kieran Harris is referred to and there are also some links to the trial that took place earlier last year and some of the reporting that was done in

G

respect of that.

MR MOULSON: I think that trial last year, I was involved, and it's three other members of the Harris family ---

MS BATTS: It is this trial ---

MR MOULSON: --- that have been accused.

H

MS BATTS: Sorry, I apologise, it is the trial that took place ---

A JUDGE DURHAM HALL: No, just in case.
MS BATTS: Yes.
JUDGE DURHAM HALL: It's this one.
MS BATTS: Yes, it's this one.

B JUDGE DURHAM HALL: Ms Batts, I'm very sorry. We seem to live in a society where some of our fellow citizens would better be - would feel more at home living in a cesspit and the view of myself and those much more senior to me is that there is very little we can do about it. The reason I've given the jury, I know with your support, such constant warnings to forget any unpleasantness they read is clearly deliberate because we all know

C what's out there, don't we? I deplore the comments. I don't deplore any free press agency. Absolutely fantastic that we have a free press, but I have made an order and therefore, please, will your solicitors and again, Ms Melly, can this be referred to your people ---
MS MELLY: Yes.

D JUDGE DURHAM HALL: --- that must be told, with great respect, for good reason in this case, I made an order that, not so much names, but addresses, and they will have to take it down. Okay? But I can't have the court chasing every - everything. Your solicitors have a duty. The CPS, the prosecutor, will check it out.
MS MELLY: Yes, I will see that that's done. I think that the defendants are particularly

E concerned because the link was sent to him by somebody else. So clearly just by typing in his name to Google this article with his address and that of the other defendants is readily available, despite your Honour's clear warning. So I will see that that's ---
JUDGE DURHAM HALL: No, I'm sorry. It doesn't help, does it? Okay, anybody else

F got any concerns? The order must be followed but I must give an opportunity to anybody who may be unaware of it to act. Okay? So if it continues into next week I may have to get involved. Okay? And what are these called, Bright Sparks?
MS MELLY: It is Breitbart.
JUDGE DURHAM HALL: Breitbart?
MS MELLY: Breitbart, it's Steve Bannon and Donald Trump. Steve Bannon and Donald

G Trump, I think.
JUDGE DURHAM HALL: There we are, fantastic. Huffington Post okay?
MS MELLY: Yes, they seem to be behaving themselves this week.
JUDGE DURHAM HALL: They are a very good organisation in my opinion. But, okay, Breitbart is an American outfit, is it?

H MS MELLY: It is, certainly the funding, but they do have a UK website.

A

JUDGE DURHAM HALL: All right.

MS MELLY: I have found the page. I sent it off to the police.

JUDGE DURHAM HALL: All right, there we are. You are onto it. I am very grateful. It is 1 o'clock and I wish you a good weekend. Is 10.30 all right?

B

MR MOULSON: Yes, thank you, your Honour. Could I just mention your other case?

JUDGE DURHAM HALL: Yes, all right. If you would like to go, gentlemen, please. No need to detain you. See you at 10.30. Thank you for your punctuality, much appreciated.

ADJOURNED AT 13.05 UNTIL MONDAY, 21st JANUARY 2019

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