

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

8 FEBRUARY 2019 10.02-11.12, 11.44-12.50

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

A

DISCLAIMER: The quality of audio for this hearing is the responsibility of the Court. Poor audio can adversely affect the accuracy, and we have used our best endeavours herein to produce a high-quality transcript.

B

WARNING: reporting restrictions may apply to the contents transcribed in this document, particularly if the case concerned a sexual offence or involved a child. Reporting restrictions prohibit the publication of the applicable information to the public or any section of the public, in writing, in a broadcast or by means of the internet, including social media. Anyone who receives a copy of this transcript is responsible in law for making sure that applicable restrictions are not breached. A person who breaches a reporting restriction is liable to a fine and/or imprisonment. For guidance on whether reporting restrictions apply, and to what information, ask at the court office or take legal advice.

C

This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.

D

E

F

G

H

A
B
C
D
E
F
G
H

INDEX

Page

PARVAZE AHMED

Examined-in-chief by MR BELL

12

A

[REDACTED]

B

[REDACTED]

C

[REDACTED]

D

[REDACTED]

E

[REDACTED]

F

[REDACTED]

(The jury entered court at 10.17)

Thank you, ladies and gentlemen, I have really been pressing the parties, as they have me, as to the - what progress we are making. I think we, for reasons that we needn't worry about in terms of effect on the timetable, we may not get too far this morning, because Ms Melly ---

G

MS MELLY: Ms Kelly, sorry.

JUDGE DURHAM HALL: Yes, one of them, isn't here. The one you see who is not here, isn't here. Sorry. Thank you. I have known them both years. Why I am confusing them at this stage, I suppose there is an obvious reason. But Ms Kelly is sadly, not a problem,

H

A but she simply cannot get here today. Not a problem. And of course her client has some interest in - for Billy Jo Jo, who is related one way or another to Mr Parvaze. Is that right?

UNIDENTIFIED COUNSEL: No relation.

B JUDGE DURHAM HALL: No, but related in some way or another, friends. She has an interest in what Mr Parvaze might be saying - he is the next witness, I suspect we will find out - might be saying to Ms Melly. So what I have agreed to do is we will consider Mr Naveed's case, then hear Mr Parvaze, what we call in-chief. That's when his own barrister is asking questions. And then we are going to stop. There may be other bits and bobs to do this morning, like admissions, but there may not be. So this again may be

C a Friday early day. I know there's nothing wrong with that in reality. My superiors might say it's an inefficient use of court time. It isn't because we're working so hard, so efficiently, and without, I think, Mr Moulson, any impact on justice ---

MR MOULSON: Yes.

JUDGE DURHAM HALL: --- quickly.

D MR MOULSON: Yes.

JUDGE DURHAM HALL: Okay. So you might well have an early, early day. Okay, no problem, because I do need Ms Kelly back before Ms Melly asks Parvaze Ahmed questions. Okay? All agreed, I think.

E You were warned this case may go well into March, weren't you? And you took on the case bravely, thank you, co-operatively, thank you, with that in mind. In fact, we are way ahead of that schedule. The way we see it is that the evidence will finish the middle of next week. Okay? Give or take. The way we see it is that you could be listening to the closing speeches of the barristers. They will take as long as they want, but

F I imagine they will be quite focused and won't want to retread, go over, too much of the ground again and again and again. You follow that, but they will do their job. So we may have quite - we may have two or three speeches in by the end of next week, finishing the other speeches the beginning of the week after.

G I have no option, ladies and gentlemen, but to sum this case up. But again, that's not discretionary; it is compulsory. If I don't do as fair as I can, but as economically as I can, a summing up dealing with law and issues, if I don't do that, then your retirement in private applying the law certainly to the facts as you find them, you work out what has happened, your retirement and any verdict, if I didn't do a summing up in public, would be unlawful. The whole process, we would have to start again. Not a good idea or prospect.

H So, I anticipate I will be starting the summing up, which I really am going to, not going to

A insult you or anybody, will really be focused, you have heard all the evidence and listened very attentively, so you could be in retirement the end of the week after next. Okay? That's my crystal ball gazing, certainly by the Monday, well, by the Monday following. All right, and then you take all the time you need.

B So if you were worried about that holiday at the end of March, I don't think you need be. Okay. I fear though we may have to, as from next week, possibly, start using a bit of Friday afternoon, all right? I simply cannot justify it, can I? There will be no more legal argument, so we do not need to reserve Friday afternoons for that. And, for example, Mr Moulson may not have finished his speech by Friday afternoon or Ms Batts, if we move on. Okay, you follow. So I need to use Friday afternoon and if you are in retirement obviously you just work through the case morning and afternoon. So there we are. But way ahead of schedule, without, I am assured, any impact on the justice of the case. I am right, am I not, ladies and gentlemen? Thank you.

D Okay, now three issues. First of all, Ms Batts. To remind the jury, the only final witness, the only other witness you want to call in Yasar Majid's case can only be here Monday morning.

MS BATTS: Yes, she's got a distance to travel, so to assist her.

JUDGE DURHAM HALL: She's got a distance. It is a short witness.

E MS BATTS: Yes.

JUDGE DURHAM HALL: As to character?

MS BATTS: As to character.

JUDGE DURHAM HALL: All right, so 10 o'clock on Monday.

MS BATTS: Yes.

F JUDGE DURHAM HALL: It has to be, your witness must be here, Mr Majid. So 10 o'clock Monday and we will interpose. All right.

MS BATTS: Thank you.

JUDGE DURHAM HALL: Okay. Short, probably 10 minutes, something like that. Right, no problem.

G Next question, the spotlight turns to you, Mr Frieze ---

MR FRIEZE: Yes.

JUDGE DURHAM HALL: --- and you act for of course Naveed Akhtar.

MR FRIEZE: Yes.

JUDGE DURHAM HALL: Now is your - you know the - now is your turn.

H MR FRIEZE: Yes. On behalf of Naveed Akhtar the defence call no evidence.

A JUDGE DURHAM HALL: Thank you. Now, Mr Frieze, I will say to you and I won't need to say it to anybody else, if others don't, I don't know, give evidence, you appreciate now is the time to give evidence.

MR FRIEZE: Yes.

B JUDGE DURHAM HALL: And if you don't, you know that there may be certain directions as to the way that a jury could possibly deploy the fact in consideration of the case for and against you. You know that.

MR FRIEZE: I do.

JUDGE DURHAM HALL: And you have advised your client, I think all of you have, as

C to those directions and the jury's position when a client, lay client, does not give evidence.

MR FRIEZE: I have so advised him.

JUDGE DURHAM HALL: All right, thank you very much. We will come to that obviously when I sum up the case. But thank you, Mr Frieze. So that's it. Now, Mr Bell.

MR BELL: Your Honour, yes. I will call my client and may I call Parvaze Ahmed.

D JUDGE DURHAM HALL: Thank you. Come forward, Mr Ahmed, please.

PARVAZE AHMED, Sworn

Examined-in-chief by MR BELL

Q. Can you tell the court your full name, please?

E A. Yes, it's Parvaze Ahmed.

Q. And how old are you now?

A. Um, 36, I think.

Q. What's your date of birth?

A. 16th of the 3rd 82.

F Q. All right. Now, you will understand it is really important this jury hear everything that you have to say.

A. Yes.

Q. And so with that in mind, as you have heard from other witnesses, can I invite you, please, to project your voice to the back row of this jury now, all right?

G A. Okay.

Q. And of course you will also be aware that a note is being made of what you say.

A. Yes.

Q. So again, with that in mind, could I invite you, please, to speak clearly but slowly (inaudible) than you might otherwise speak.

H A. Okay.

A Q. All right?
A. Yes.
Q. I would like, if I may, really to, as it were, divide your evidence into three parts. Just to talk a little bit about your background, a bit more detail in respect of [Person A] at

B [Sid's address].
A. Okay.
Q. And then latterly in terms of just one or two matters in respect of (inaudible). All right?
A. No problem.

C Q. So let's just deal then, as part of that, in terms of your sort of background.
A. Okay.
Q. Where were you born, please?
A. Um, Bradford BRI.

D Q. And where did you go to school?
A. Um, I went to school [REDACTED]ey in Bradford.
Q. Your voice is just slightly dipping.
A. Yeah.
Q. I know that you are being polite and you are looking at me ---
A. Yeah - no.

E Q. --- because I'm asking the question. But can I, just so that the jury hear the detail ---
A. Yeah.
Q. --- of what you are saying, can I invite you, please, to try and face the jury ---
A. Okay.

F Q. --- so that they hear ---
A. No problem.
Q. --- the detail of what you are saying. All right?
A. Okay doke.
Q. Now, you told us that you were born in Bradford ---

G A. Yes.
Q. --- and you went to school here. Where did you go to school, please?
A. Um, I went to [REDACTED]. From there I went to [REDACTED]. From [REDACTED] [REDACTED] I went to Scotland. I did two years in Scotland and then back to Bradford.
Q. All right. And in terms of once you'd sort of left school ---

H A. Yes.

- A** Q. --- what sort of work, if any, did you do?
A. Um, I went to college. Um, I did a Network Rail course and then, um, after that I did a mechanics course. And right about now I'm a clinician, which is hair removal and all that.
Q. Hair removal?
- B** A. Hair removal, yeah.
Q. All right. And just in terms of your position right now, are you married or single or what's the position?
A. No, I'm married.
Q. You're married. And do you have any children or not?
- C** A. Yeah, I've one daughter.
Q. All right. And as far as your wife is concerned, is she aware of this allegation?
A. Yes.
Q. All right. [Sid's address].
A. Yeah.
- D** Q. I want to now deal with your attendance at [Sid's address].
A. Okay.
Q. And we're really focusing in relation to the sort of time, 2010, all right?
A. Yes.
- E** Q. Okay. Can you just tell us, please, how did you come to know Saeed Akhtar?
A. Um, what it is, is that I used to look after my dad. I used to, like, come out once a month. I had a little arrangement with my sister because my dad were bed-bound and, like, at the end of the month I used to say to her, "Just give me, like, two days off." So what she used to do is come to my house, look after my dad for them two days and then I
- F** would, like, have a bit of steam off and just go out and stuff.
And then what's happened is, like, I've gone out on a night out, um, with Billy Jo Jo's brother, [Person Q1], and he used to live opposite Sid's. So, he goes, "If you don't want" - because I was a bit smashed, I didn't want to go back home. I says, "Okay, have you got somewhere we can calm down and cool down?" And he goes, "Yeah, let's go -
- G** we'll go to Sid's house. Sid's alone anyway. His wife's left him." I says, "Who's Sid?" He says to me, "Oh, it's just my neighbour. He's a good guy. You'll have seen him about. He's from our local area." I says, "I don't really know him." I says, "Is he going to be all right with me coming to the house?" And goes, "Yeah, no problem." So, I've gone to the house. When I ---
- H** Q. Just pause there for a minute.

- A**
- A. Yeah.
- Q. All right, you have given quite a lot of information there.
- A. Okay, sorry.
- Q. I just want to go back a couple of steps.
- B**
- A. No problem.
- Q. All right, okay?
- A. Yes.
- Q. First of all, dealing with that time in 2010 ---
- A. Okay.
- C**
- Q. --- you mentioned that you were a bit smashed.
- A. Yeah.
- Q. What do you mean by smashed?
- A. Well, I had a bit of a drink and I were a bit jolly and that. So I didn't really want to go home because my dad's poorly and stuff. I didn't want to ca - look after him in that state.
- D**
- Q. Thank you for clarifying that.
- A. Okay.
- Q. Just go a little bit back again. I just want to deal with the circumstances in relation to your father and your opportunity, for want of a better word, to go out at night.
- A. Okay.
- E**
- Q. So, just explain that a little bit more clearly to the jury. Tell us, please, at that time, so that is that 2010 period that we are concerned with, what was the position in respect of your father then?
- A. Oh, he had MS and Parkinson's and stuff. And obviously he couldn't move. I had to take him to the toilet and basically he can't even walk, nothing. He were just on a hospital bed.
- F**
- Q. So you were caring for your father.
- A. Yeah.
- Q. Okay. What was the position in respect of your mother, please?
- G**
- A. My mum has got heart disease, osteoporosis. She's as bad as him really, but she could walk and get to the toilet and back herself. But right about now she's on them stages now.
- Q. All right. So just, as it were, summarising the mobility of your father at that stage ---
- A. Yes.
- Q. --- he couldn't move about.
- H**
- A. At all, no.

- A** Q. He needed help ---
A. Definitely.
Q. --- and in essence you are saying that you were his carer.
A. Yeah, I am his carer.
- B** Q. Okay. And in terms of caring for him ---
A. Yeah.
Q. --- and in terms of you going out, you said that you had your sister.
A. Yes, my sister, my older sister, yes.
Q. So, just explain that, again so that the jury understand, please.
- C** A. Yeah, like, obviously she lives alone with her own children and stuff. And obviously I'm caring for him, like all the month. And then when I do have a bit of time off, it's like - I chose to have it at the end of the month because I like going out and stuff, clubbing and, you know, socialising and stuff. So I thought I'd better let a bit of steam off. And, um, every time I do that, I call my sister up and I say, "Look, can you cover me for two days at least?" So, and that's it really.
- D** Q. So effectively your sister is giving you the respite from that.
A. Yes, she gives me a little break, yes, in between, yes.
Q. I understand. [Sid's address].
A. Yeah.
- E** Q. All right? Okay. You explained how you were introduced to [Sid's address].
A. Yeah.
Q. Can you, please, just give us a sense of how often you might visit [Sid's address].
A. I can count it on one hand. It were, like, twice. Because I used to come out every, like, month, you see. I weren't really much of an attendee. It were, like, I go clubbing and then I'd - like, I went there once and then I went there again, and that's it really.
- F** Q. So it wouldn't have been every day.
A. No. No, what it was is, it's because I didn't know Sid. I can't really - you know, I knew him through [Person Q]. I couldn't really go to his house and say, "Oh, I want to come in, mate." You know what I mean, you don't do them things. Unless you know the person yourself direct, so.
- G** Q. I understand. But just trying to sort of get a bit more detail on frequency.
A. Okay.
Q. As I understand your caring situation, you don't really get out, once a month, you say.
- H** A. Once a month, yeah.

- A** Q. All right, okay. But sort of over, you know, the period that you were going to [Sid's address] ---
A. Yeah.
- Q. --- how often would you be going to [Sid's address]?
- B** A. Like, not on a night out, just on a normal?
Q. Just give us a sense of what happens.
A. I've - twice. I think I've been twice. I can't really recall how much times it was and all that from back then. It were just, like, most - it were twice, I think, yeah.
- Q. Now, I appreciate it was a very long time ago.
- C** A. Yes.
Q. Okay. And obviously it's difficult ---
A. Yes.
Q. --- to remember every time that you went.
A. Yes.
- D** Q. All right? Okay. But is there any more information that you can give us about how often you might go?
A. Um, not really. I was around the area but I never used to go to his house. Like, I used to go to [Person Q]'s house, which weren't far off. And I've got all my friends live around, like, Allerton.
- E** Q. And in terms of your visits to [Sid's address] ---
A. Yes.
Q. --- can you give us a sense of what the atmosphere was like? Who was up there ---A.
Um, well, that day when I - the day I went there, it were, like, I don't know, summat, it
- F** were like a little special occasion. I can't remember what occasion it were, but, um, all I knew is that [Person Q] told me that Sid's missus has left him and Nav's missus has left him. And I didn't know Nav. I says, "Who's Nav?" And he goes, "Oh, it's Sid's brother." So I says, "All right." And I go, "So don't you think there's going to be a bit of a thing if we go there after, you know, I'm being a bit drunk and we'll be a bit loud and they're not
- G** going to accept that if they've just lost their wives."
Q. Just pause there, please.
A. Yeah.
Q. Continue.
- H** A. Okay. Yes, so, I thought - I felt a bit - really I thought, you know, it's not going to be looking good, this, if I go there and I'm a bit drunk. And these guys have just, you know,

- A** they're in a bit of a bad situation at home. But when I went there, they were all right. They were cheerful, invited us in, you know, they respected, like you do, with a guest. So we've gone in, sat down, had a little laugh. [Person A1] were there. A few other girls were there.
- B** Q. Pause there, please.
A. Okay.
JUDGE DURHAM HALL: Say that again, would you? Have we ascertained approximate date?
MR BELL: No.
- C** JUDGE DURHAM HALL: No, okay, you will come to that. Time of day or night, you will come to that.
MR BELL: Absolutely.
JUDGE DURHAM HALL: What was the last thing Mr Ahmed said? Who was there in terms of the girl, [Person A1].
- D** MR BELL: [Person A1] was there.
JUDGE DURHAM HALL: [Person A1].
MR BELL: And some other girls were there.
JUDGE DURHAM HALL: Thank you.
- E** MR BELL: And so I asked him to pause.
JUDGE DURHAM HALL: Thank you.
MR BELL: And we'll try and deal with the detail. All right? So, as it were, listening to what His Honour has said ---
A. Okay.
- F** Q. --- do you remember what time of year this was or not?
A. I can't recall that.
Q. All right.
A. A long time ago, you see.
Q. I understand.
- G** Q. Do you recall what time of night it was or day?
A. I think it were - it was night because obviously I went out on a night out and then I come back. So it must have been about 2 in the morning because I don't really take it too far.
Q. All right. And in terms of [Person A1] being there ---
- H** A. Yeah.

- A** Q. --- what were people doing? What were the activities?
- A. Um, well, I walked in, um, there were three lads, four lads, I think it were Khaliq, Nav, Sid, they were sat on there with [Person A1] and them girls having a chit-chat. And obviously me, [Person Q] and Billy Jo Jo come in and we were on this side.
- B** Q. Pause there. You mentioned that there were other - there was [Person A1].
- A. Yeah.
- Q. And there was another girl or woman or other girls.
- A. Two - there were about two or three. I can't really recall how much they were, but I weren't really paying that much interest.
- C** Q. And in terms of social activities that you had seen ---
- A. Yeah.
- Q. --- what did you see taking place?
- A. Nowt, everybody were having a laugh and stuff. And, you know, [Person A1] were bopping about. That's why I focused more on her because she were being a bit loud and being silly and the other girls weren't really like that. They were just sat down having, you know, a normal chat. But she wanted to be, like, centre of attention type of a thing, jumping about and stuff and, you know. So anyway, I'm a bit funny like that as well so I started having a laugh with her and me and her started talking.
- D**
- E** Um, she come over and sat near me. She goes, "What's your name? Are you English or what are you?" I says, "I'm Asian, you know." And she goes, "How come you've got freckles and stuff?" And says, "I don't know, god's plans, that's how it is." So, yeah, just hit it off. Started talking to her. She were all right. She were a good lass. She sounded funny, independent type. She goes, "I'm getting a flat" and she was saying she's
- F** going to move on. And I go, "What are you doing in here?" She goes, "Oh, I've had a bit of trouble with me mum."
- So then we've started talking about personal lives and stories and stuff. So I go, "Why?" And she's gone, "Oh, my daughter, I had a daughter and", um - I go, "Have you got a daughter?" She goes, "Yeah." I says, "All right." So she's gone - she's gone, "Yeah, she's not" - I go, "Where's your daughter? You know, you should be out there looking after her." She goes, "Oh, she's in care."
- G** Q. Just stop there for a minute.
- A. Okay, sorry.
- Q. Just so that (inaudible).
- H** A. No problem.

A

Q. If you can, just try and speak a little bit slower.

A. Okay.

Q. And just a little bit louder.

A. No problem.

B

Q. All right?

A. Yeah.

Q. I think everyone can hear clearly, thank you very much.

A. Can you?

C

Q. All right, okay. So you have got to the point where you were telling us about her - the disclosure of her daughter.

A. Yes.

Q. All right. So just continue from there as to your awareness and understanding of everything that's going on.

D

A. Yeah, um, I asked her about her daughter, and that, and she's told me about her daughter, that she's in care. So I says, "How come she's in care, you know what I mean?

You should be looking after her. You shouldn't really be around here if you've got a daughter in care." And that's like a touchy feeling for her. She just went, "Oh" - and then she went, "Oh, sorry." She, like, apologised a bit. Because she got a bit angry about it. So I says, "Oh, don't worry about it, you know what I mean. Things happen in life. If

E

you can't do it, you know what I mean, it's just one of them things in life. It's the way your life's going to go." So I go to her, "How old are you and that?" She goes, "I'm 17, 18." I says, "All right." So I didn't really say owt then.

Anyway, we're talking away. She goes, "What are you doing here?" I says, "Look,

F

I've had a bit of a drink, I don't really want to go home yet. I want to calm down, you know, drink a bit of water and stuff, calm down, and then go home." She goes, "Oh, that's all right then." We were having a bit of a laugh and a banter and stuff and then she started telling me, "I'm going to get a flat soon and then I'm going to move." And I go, "How come - where's your mum and dad and stuff?" She goes, "Oh, my mum lives up

G

Buttershaw and, um, I don't really get on with her." I says, "Why don't you just stay with your mum for a few days?" She goes, "I've tried that but," she goes, "My mum keeps kicking me out. We don't get on and she's got a fella and her fella's a bit thingy with me, he's not" - you know, they don't get on and stuff. So I says, "Yeah, well, that's fair enough them, I don't blame you." Because I've had a bit - a few situations like that where your

H

parents proper, like, make you angry sometimes and you think I want to go.

- A** Q. Just pausing there a bit.
- A. Yeah.
- Q. What was the atmosphere between the two of you? Did you get on?
- A. Yeah, we got on. She were a good lass. She were good. She were all right. She were
- B** funny. We got on and stuff, yeah, really well.
- Q. And in terms of your overall impression of her, because you sort of had a wide-ranging conversation ---
- A. Yes.
- Q. --- did you think that she was in some way being controlled or ---
- C** A. Oh no, definitely not. She were quite witty. She were witty, she were independent type and, um, she knew where she were going in life. It's not like she didn't know and she were, like, acting all weird. No, she says to me, "I'm going to get a flat soon, I'm going to move in there and I'm going to buy these couches, what do you think?" I said, "Yeah, yeah, that would be good." You've got to make a start in your life somewhere where
- D** you've got to be independent. And she come across like she were more independent and she knew where she were going. It's not like she didn't know where she were going and she were lost. She knew that she wanted to get a flat. You know, she were quite witty. She had a big aura about her. Yeah.
- Q. Can you tell us ---
- E** JUDGE DURHAM HALL: A big what, aura?
- A. Yeah, a good aura about her.
- JUDGE DURHAM HALL: A good aura?
- A. Yeah.
- F** MR BELL: A good aura. Can you tell us, please, how did matters progress from that sort of friendship of discussion to becoming something more ---
- A. Um, I can't remember if I gave her my number or she gave me hers. But we got on anyway and it were, like, she were very clingy to me. Because me and her got on. We started talking. It were just one of them things where you're helping someone. Where you
- G** meet them for the first time and you, like, you get on. Because there's some people you can meet for the first time and you don't really take to them. But me and her, I took to her and she, like, took to me.
- Q. All right. So how did matters progress to a sexual level?
- A. Um, like, well, I met her that first time and didn't really do - we had a good laugh and
- H** we proper got on. And then, um, I come there a second occasion and, um, yeah, we were

A sat down, same scenario. Um, I think there were three lads there this time and I can't even remember how many - what were going on. But anyway, we've gone back there, again the same scenario. We went out clubbing, gone back to Sid's. Felt a bit comfortable this time when I went back to Sid's. Sat there, just having a banter, the start of a little party going on and social drink and that. Watching a bit of TV, a bit of music. Started chatting to each other and I could tell she liked me and I know that, obviously, I had a little bit of feeling. She were a good looking girl, funny and that. And, um, anyway, we were just chatting.

B

C Got to a bit, like, 4, 3 or 4 in the morning. I think everybody else wanted to go home then so most of them went home. She goes, "Oh, why don't you come upstairs with me?" I looked at her and I started laughing. And then she's gone, "Oh, come on then, come on, let's go." And I says, "What for?" Like in a cheeky way, yeah, she's gone, "Come on, just let's go upstairs." So I says, "All right then." We've gone upstairs, sat on the bed for a bit. She were just chatting away. Anyway, one thing led to another. I don't know how it went on. We just started kissing each other and, um, that's it. We had sex.

D Q. Just pausing there for a minute.
A. Yeah.

Q. I just want to go back over one or two aspects.
A. Yeah.

E Q. You will know that [Person A1]'s evidence was that in that sort of lead-up to intimacy ---
A. Yeah.

Q. --- you were talking about getting back at someone else.
A. No, none of that went on.

F Q. Is that your recollection of how you ---

A. I know for 100 per cent. I know what you're talking about, that incident where she says something about Nav. At that point I didn't even know Nav. That were my second, second ---

G Q. It was your second visit.

A. Second visit there and I didn't know Sid and I didn't even know Nav.

Q. All right.

A. But, you know, I - what I think she's trying - she's got it mixed up in her head. That's what she were doing to people. Do you understand? But I were, like, telling her, "Look, this isn't no good, stuff like that." Because it's just going to end up having - someone's

H

A going to end up having a fight. If you're going over there to her - to him and chatting away to him and then you're jumping over there and then - people don't like that.

Q. Just pause for a minute because you're talking very quickly.

A. Sorry, sorry.

B Q. I know you've got a lot to say ---

A. I know.

Q. --- but let's just try and focus it a little bit.

A. Yeah, okay.

Q. I want to deal if I can now with just a little more detail in respect of the intimacy. All

C right?

A. No problem.

JUDGE DURHAM HALL: Is this the first visit, Mr Bell?

MR BELL: Second.

JUDGE DURHAM HALL: We are into the second visit.

D A. Yeah.

JUDGE DURHAM HALL: I see. So what happened on the first visit, to summarise? It was just ---

MR BELL: It was just general chit-chat.

JUDGE DURHAM HALL: Chit-chat.

E MR BELL: An exchange of sort of, you know, personal information. A bit of a spark between them. Another exchange and then departed.

JUDGE DURHAM HALL: That's what I - I've made a note.

MR BELL: So, second visit, another occasion.

F A. Okay.

Q. So just dealing really with that before you go upstairs.

A. Okay.

Q. Were you flirting with her?

A. Um, no. Um, the reason why I was saying she was a bit funny and witty is because

G when we were downstairs she were messing about. She was saying, "Come on, get up and dance." And I was, like, "Oh, no, I'm sick of dancing. I've just been dancing all night in the club. I'm knackered. My legs are killing. I can't be arsed." So anyway, I gone, "All right then." I just stood up and I pretended that I was going to dance, but I didn't. I just stood there like that and I was just going like that and next minute she's grabbed my bum

H and stuff and playing about with me. And I'm like, "What are you doing?" You know,

A one of them. And then that's when I think it, like, got more sexual then.

Q. All right.

A. Yeah.

Q. And just really focusing then on your feelings, were you attracted to her?

B A. I was, yeah, yeah, yeah.

Q. All right, okay.

A. Of course I was, yes.

Q. In terms of you going upstairs ---

A. Yes.

C Q. --- did you know which bedroom to go to or not?

A. No, not really, no.

Q. In terms of you being inside that bedroom ---

A. Yes.

Q. --- now, we know that - well, you tell us, please. Who was on top and who was, as it

D were ---

A. Um, what happened is we were on the bed sat down, talking away, chit-chatting. And then I'm sure I mentioned to her, "Don't grab my bum like that, I jump, it makes me jump, yeah." So she's - we were having a laugh anyway. I can't even remember the banter what we were having. She were having a good chit-chat with me and then I started kissing her.

E She started kissing me. And then she's like pushed me, not like, just like a funny type of a push. So I've gone - I'm just laughing. We're having a laugh. Anyway, I'm lying down. She's gone, she's like, started kissing me, and all that, grabbing me, grabbing my genitals and stuff, yeah. And just started taking my clothes off. And then she took her own off and

F then she's got on top of me.

Q. Okay. Now, in terms of the sex that took place ---

A. Yes.

Q. --- was there any impression that you formed that she was unhappy?

A. No, because after sex I even stayed there and woke up in the morning and we were

G having a laugh and she goes, "Is this a one-night stand?" And for a laugh I go, "Well, I've got my dad to look after and, you know, it's going to be hard for me, so I'm not going to promise you that we're going to get into a relationship and we're going to fall in love overnight. It's not going to be one of them because I've got my dad to look after and I'm not going to be able to spend time with you." Because I know women want time, you

H know, so.

A

Q. Was there any way in which she indicated any unwillingness?

A. No, not at all. I kissed - we had a kiss afterwards. By that time, you know, we were proper getting on. We had a good laugh.

Q. Was there any way in which she appeared to you to be coerced, like forced, in any way?

B

A. No way. She - I think I got forced more than her.

Q. Was there any way in which you sensed that she was not a willing party to what you were doing?

A. No, never. No, not at all.

C

Q. Now ---

A. I wouldn't even put no one through owt like that. If they were not willing, I wouldn't even touch them. I wouldn't even talk to them as a matter of fact. I wouldn't, like, I'd know that this ain't right, so don't do it.

Q. Now, we know that obviously after that a sort of sexual relationship ensued.

D

A. Okay.

Q. In terms of the period of time that you had a sexual relationship ---

A. Yes.

Q. --- do you know roughly how long that lasted or not?

E

A. I can't really say, to be honest with you. All I know is we had sex and I went to sleep and then she went to sleep and then we woke up together and ---

Q. The relationship, in terms of sex afterwards, how long do you think you were in a sexual relationship with her.

A. With - overall?

F

Q. Overall, yes.

A. Okay. Um, I reckon about six to eight months.

Q. All right. And during that period of time ---

A. Yes.

Q. --- do you have a sense of how many times you were intimate or not?

G

A. I think the most we had sex is about, three or four times. In between that it were, like, go to snooker, um, just general stuff. Go to snooker. Like, if I'd go to play football, she'd turn up there, stuff like that. Yeah.

Q. I want to deal with telephone call chat.

A. Okay. Okay.

H

Q. In terms of your communicating on the phone, did you call each other late at night or

- A** not?
- A.** Um, I used to call her, yeah, but, um, mostly she used to call me, like, late. And obviously I had to look after my dad and I used to look at the phone and then she used to blast my phone, like, all night, like 3 or 4 in the morning. And this is why I tried to
- B** explain to her that I don't want a full on relationship because of this. Now, obviously you have to give women time. I couldn't give her that time because I knew I've got my dad to look after. So I couldn't come out. She used to ring me at 4 or 5 in the morning, sometimes drunk, sometimes with other lads. You know, and then I thought to myself, this ain't good, this. I can't, you know, I can't carry on like this.
- C** All right, at the time it were a bit of fun, a bit of banter, you know, everything were all above board. But obviously given a relationship, you've got to give a lot. You understand, you can't just go out with somebody and, you know, ignore the woman. You've got to be there for the woman. You've got to, you know, give her time, a lot of
- D** time. And women get really offended, as I have learnt in my life, if you don't give them time.
- Q.** Yes.
- A.** So obviously I couldn't give her that time and, she, like, she were ringing me at, like - I don't mind, you know, through the day, like snooker, this, that, I don't mind going and doing a bit of that. But then, like, 4, 5 in the morning, drunk and, "Come out, come out, and stuff." And I'm like, "I can't, my dad's in bed. I can't do it. What if he wakes up in the middle of the night and needs the toilet. I can't, you know."
- Q.** Now, in terms of that sort of telephone contact, and so on ---
- A.** No, I don't.
- F** **Q.** --- did you want to spend time with her even though you couldn't?
- A.** Yeah, of course I did. She were a laugh. I'd rather spend more time - I think I used to spend more time with her than with any of my mates really.
- Q.** Did she want to spend time with you, even though ---
- A.** Yeah, of course she did. She used to ring me all the time. She used to love my
- G** company. But all it is, she couldn't get hold of me to get my company. That's the only thing.
- Q.** Now, we've heard a little bit about, I'll say Billy Jo Jo, but you know who I mean.
- A.** Yeah, yeah, of course I know, yeah.
- Q.** Okay. And him using your phone, all right?
- H** **A.** Okay.

A Q. Were you aware of any meetings ---
A. Right.
Q. --- between, if you like, Billy Jo Jo and [Person A1] with you not being there? Were you aware of that or not?

B A. Um, I think she used to go to his house when I weren't there thinking that I'm going to be there and kicking his doors and stuff like that, "Let me in" and stuff, because, I don't know, they never got on, them two, so.
Q. Just pausing there ---
A. Yes.

C Q. --- did you make any arrangements for Billy Jo Jo, anything of that sort?
A. No, no. Why am I going to make an arrangement? If I'm not there, then why am I going to send him there for? I'm not a nutter.
JUDGE DURHAM HALL: Did I - sorry, I couldn't quite hear, just a bit garbled. I don't - no disrespect.

D A. No problem.
JUDGE DURHAM HALL: Billy Jo Jo and?
MR BELL: [Person A1].
JUDGE DURHAM HALL: [Person A1], did not get - what did he say, didn't get on?
MR BELL: He said they didn't get on.

E A. Oh, didn't get on, your Honour.
JUDGE DURHAM HALL: Right, so Billy Jo and - yes, right. And what was all that about?

A. That were about, um, well, he used to love pigeons and she used to always take the Mick out of him, "Why do you keep going on about your pigeons", sort of. "Why do you keep going on about your pigeons?" And, um, what it is with him, he's one of them, like, when he were a kid, he lives on my street, he used to chuck stones on the rooftops and I used to look out the window and say, "Are you at it again?" And he used to go around chasing the pigeons and stuff.

F

G So anyway, he used to go on about the pigeons. Whenever he met her, he were on about his pigeons and she started saying stuff about his pigeons and he used to start talking about her daughter, "Well, you need to go out and look after your daughter." And that's it. If he says that to her, she were just going crazy after that. Then I had to step in and stop it and say, "Look, come on, calm down. Sit down, both of you. Act mature, you know what

H I mean, you can't do this."

- A** MR BELL: Thank you. I just want to deal with some specific topics ---
- A. No problem.
- Q. --- in relation to drugs.
- A. Okay.
- B** Q. Alcohol, and so on. Taking drugs first, all right ---
- A. Okay.
- Q. --- now, we have heard that you've got convictions.
- A. Yes.
- Q. But the specific suggestion is that you gave [Person A1] cocaine. Did you give her cocaine?
- C**
- A. Not at all. Not at all, no. I used to like a little drink, but not cocaine.
- Q. There also is in the context of alcohol, did you give her any alcohol at all?
- A. I did bring a bottle, obviously, it were a house party and there's like loads of people there. I'm not going to go there and, like, first things first, it's not even my house and the
- D** guy who owns the house is not even my friend. So my job were to - I'm like that. If I go somewhere I pay my own way. I don't expect other people - I don't go there like a pauper and say, "Oh, I'm going to drink your bottle today, mate." No, I took my own bottle. And because I knew there were a few people in the house, so I thought, you know what, we're
- E** not going to all flipping share one bottle. So I took one bottle and, yes, loads of us shared it, and that's it. Because what I wanted to do is come down and go, you know, come off it and drink water and, you know, bring the level down, and then go home. That were my plan to go there.
- Q. Just dealing with the issue of drugs in respect of [Sid's address] ---
- F** A. Okay.
- Q. --- did you bring drugs, bring cocaine, to [Sid's address]?
- A. No, never, never.
- Q. Did you supply drugs to ---
- A. No.
- G** Q. --- anyone at [Sid's address]?
- A. No, I didn't even know no one there. So, the only person I knew were Billy Jo Jo and his brother [Person Q] really.
- Q. There seems to be a suggestion that Billy Jo Jo worked for you in respect of drugs. Is that the case?
- H** A. I wouldn't dare have someone like that working for me, mate, no, not at all.

- A** JUDGE DURHAM HALL: What do you mean by that?
- A. Because he's too much into the pigeons, you know. He doesn't even - he couldn't even drive a car. He couldn't even - the only thing I know this guy of is a little kid in the street chucking stones on the roof, waking me up at all times of day, going, like, clapping and trying to make the pigeons fly. That's all I know of him.
- B** MR BELL: All right.
- A. I don't think he's even capable of it.
- Q. I want move onto a slightly different topic now.
- A. Okay.
- C** Q. I want to deal with the suggestion that you tried to, as it were, set up [Person A1] with your relatives or something like that. Did you do any of that at all?
- A. No. I know she says - she didn't say that I set her up. She assumed that in her head, like she can tell the future or something, you know.
- Q. Did you ---
- D** A. I don't know why she says that. Because all I said - I did say to my nephews, "Look after her." But not in a sexual way. As in, if anybody says owt to her and does owt to her - and they did follow out on that, like they said in the evidence. Like she said when summat happened my nephew stood up and says, "That's my uncle's friend, what are you doing?" That's what I meant and they followed it through as well.
- E** Q. So just pause there for a minute.
- A. Yeah, no problem.
- Q. Just so that we are clear.
- A. Okay.
- F** Q. Did you intend for [Person A1] to have sex with anybody else?
- A. No, I'm not an animal. I wouldn't dare and if anybody did that in front of me I wouldn't be happy about it either.
- Q. All right.
- A. Not at all.
- G** Q. Now, we know that in due course that you were interviewed.
- A. Yes.
- Q. All right. And you chose not to have a lawyer.
- A. Yeah.
- Q. Was there any particular reason for that?
- H** A. Because obviously if you've got nowt to - I've been in trouble with the police a lot,

A yeah. I've always had a solicitor. I'm not stupid. This thing, I knew that I hadn't got nowt to hide. Why am I going to hide summat that I - you know, when you don't have no fear in your heart, why do you need a solicitor? You don't. So I give you a full account and I think mine were probably the longest interview that they give out the lot. So I give my

B own account. I ain't got nowt to hide. Why am I going to - I'm not even that type of a person who does rape and stuff like that. It's disgusting. It disgusts me to the highest level.

Q. Just pausing there.

A. Yeah.

C Q. I just want to - one or two specific topics within that interview.

A. No problem.

Q. Firstly, you didn't disclose oral sex in that interview.

A. Yes, because, you know, what, to be honest with you, I am a bit shy. I didn't really want to talk about stuff like that. I'm not really into oral sex, to be honest with you. It's,

D you know, like, everybody has their own thing in the bedroom. But oral sex for me is not - is not a must, if you understand.

Q. All right.

A. I don't really like talking about it because obviously, if you have oral sex, you have got, I'm not being funny, you've got to kiss the girl again.

E Q. I understand.

A. So, it's just one of them things in me head.

Q. Can I just deal then with the actual position?

A. Yes.

F Q. Did you have oral sex with [Person A1]?

A. I think I did once, but I can't really - I can't pinpoint it properly.

Q. All right.

A. Yeah.

Q. Next, there's a part of the interview where you use unflattering language about [Person

G A].

A. Um, yeah, I were a bit out of line. I apologise for that, but, um, what it were ---

JUDGE DURHAM HALL: What language was that?

MR BELL: Slaggified.

A. Slaggified, your Honour.

H JUDGE DURHAM HALL: Oh, that.

- A** A. The reason why I used that term is because when I first met her, she were all right. She were good. And don't forget, by this time when I used the slaggified term is when she'd invited me to her house in Dewsbury.
- MR BELL: All right.
- B** A. Because, um, and when I've gone to that flat there, she's had lads and all sorts and then I found out that she's gone with my nephew and then she's gone with my nephew's brother. And I thought, whoa, that's why I used the word slaggified.
- Q. But were you aware of that other sexual activity?
- A. Oh, afterwards I were, yes, because she said it to me.
- C** Q. All right.
- A. And I thought, you know what, no, I need to get out of here.
- Q. You also make mention of, I think your driving licence, her not seeing your driving licence.
- A. Yes, because at that point I thought, I didn't think about my provisional.
- D** Q. All right.
- A. Because it were on the paper. So I think she's seen that and I thought, how's she seen my driving licence? I hadn't even passed until 2000 and whatever, I think it were 15. So it were a bit of a complication.
- Q. I just want to deal with the overall position.
- E** A. No problem.
- Q. In respect of any sex that you had with [Person A1] ---
- A. Right.
- Q. --- was it consensual or nonconsensual?
- F** A. Of course it is consensual. She's even stated it was consensual and then all of a sudden she's saying, yeah, I don't think so. But then she's had sex with me there, she's called me over to Dewsbury, she's been with me in between. So, you know, how can you say it's not consensual? I don't understand that part. From my terms and what I say - I seen in my relationship with her, she was overage, she were consenting to sex, she were meeting me afterwards. If someone's raped you, you don't go back to them and talk to them and go to play snooker with them and go and look for them in 20 houses, at everyone's house, and people where I don't even know.
- G** Q. Was she unhappy in any way to be intimate with you?
- A. No, she were never unhappy. She were never unhappy with me, never. She's even
- H** stated that in her own interview, that I were good. You know what I mean? That's how I

A

am.

Q. And in terms of alcohol ---

A. Yes.

Q. --- was she ever incapacitated so that she was not aware of what she was doing?

B

A. Not when I've had sex with her she wasn't. I've seen her incapacitated, don't get me wrong, I've seen her like that. But I've never had sex with her when she's been like that.

MR BELL: I have no further questions of you. As you know, we are going to pause your evidence there.

A. No problem.

C

JUDGE DURHAM HALL: If any other defence counsel have any questions that don't touch on Ms Kelly, please ask any questions. Mr Iqbal.

MR IQBAL: No, thank you, my Lord.

JUDGE DURHAM HALL: No, nobody else? Okay, just take a seat, Mr Ahmed, would you?

D

(The witness withdrew)

What I think I am going to ask you to do, will you bear with me, could I invite you to have a break? We would have had a break anyway after this examination-in-chief. I think I would rather do that than try and toss a coin and think, well, perhaps just send you home. Because I think there may be something we can do, not much, but I would rather spend a bit more time with you than completely blow my credibility with the statisticians who mark down to the last moment how many minutes I sit in court. Fortunately I'm not paid by results, so that's all right. But, seriously, I need to see if we can do anything else, okay? I feel a bit cheeky sending you home at 11. Are you with me? All right, see you in 20 minutes, 20 to 25 minutes.

F

(The jury left court at 11.05)

[REDACTED]

G

[REDACTED]

H

[REDACTED]

A

[REDACTED]
[REDACTED]
[REDACTED]

B

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

C

[REDACTED]
[REDACTED]

(Short adjournment at 11.12)
(The court reconvened at 11.45)

D

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

E

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

F

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

G

[REDACTED]
[REDACTED]
[REDACTED]

H

[REDACTED]
[REDACTED]
[REDACTED]

A

(The jury entered court at 11.49)

Thank you. Okay, what we are going to do, ladies and gentlemen - thank you, the extra time was just needed to print off some material, get it into shape. There's just a little bit of evidence we can do, but it's right it's done now. Further admissions, formal admissions, as between Mr Ferm for Mani, Mohammed Usman, and the prosecutor, Ms Melly. Do I get that right? I've got that right, haven't I? This is ---

B

MS MELLY: Yes.

JUDGE DURHAM HALL: Right, okay.

MS MELLY: I'm going to ask Ms Beattie to read it.

C

JUDGE DURHAM HALL: And then I have to send you home. I am sorry, but there are legal matters for me to deal with. So that's fine.

MS BEATTIE: Yes. Well, your Honour, ladies and gentlemen, there is a further agreed fact which relates to the defendant Mohammed Usman and relates to his convictions. I would suggest that you put this with your admissions in divider 15, in that where you've got all the agreed facts.

D

JUDGE DURHAM HALL: That's a good idea. Thank you.

MS BEATTIE: Ladies and gentlemen, in relation to this, you can see that the agreed fact pertaining to Mohammed Usman is as follows. Mohammed Usman has the following convictions: (a) on the 9th of August 2007 one offence to supply a controlled drug of class A, heroin; (b) on the 13th of December 2007, one offence of dishonestly obtaining a wrongful credit; and (iii) on the 21st of August 2009 he was convicted of the following offences, which were committed in November 2007 when he was 19 years of age. One offence of possessing a controlled drug with intent to supply, class A drug, heroin; four offences of supplying a class A drug, again heroin; and one offence of supplying a controlled drug, class A, crack cocaine.

E

F

JUDGE DURHAM HALL: All right. Well, there it is, ladies and gentlemen. There will be some addition to the - I will give you directions how you view these admissions.

Nothing in a criminal trial happens without a purpose, you know that. And I will give you every assistance as to how you deploy this information to the extent that you want to.

G

There will, I think, be a further few more agreed facts, which we'd hoped might be ready by now, but they do need, as we say, Mr Wilson won't understand this, they need a bit of fettling. He comes from the posh south-west. So we are going to do that over the weekend.

H

We have to bid you good morning because there are other matters that I must deal

A

with now. So, in terms of court utilisation, we will be working for the rest certainly of the morning, into this afternoon possibly, but you must - there's nothing more for you to do until 10 o'clock, please, on Monday. And the character witness for Yasar Majid, you know what a character witness is, it's somebody who comes to speak as to the positive attributes of somebody. It's perfectly acceptable. And then we will move to the cross-examination of Mr Ahmed, all right, which of course is very important. So thanks very much. I wish you a good weekend. Remember my warnings and advices. Thank you very much. If you would kindly leave us, thank you. Thanks very much.

B

(The jury left court at 11.55)

C

[REDACTED]

D

[REDACTED]

E

[REDACTED]

F

[REDACTED]

G

[REDACTED]

H

[REDACTED]

A

[REDACTED]

B

[REDACTED]

C

[REDACTED]

D

[REDACTED]

E

[REDACTED]

F

ADJOURNED AT 12.50 UNTIL MONDAY, 11th FEBRUARY 2019

G

eScribers hereby certify that the above is an accurate and complete record of the proceedings or part thereof having used our best skill and ability in its production.

H