

## TRANSCRIPT OF PROCEEDINGS

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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 appeared on behalf of the Prosecution  
MR A IQBAL QC and MR F ARSHAD appeared on behalf of the Defendant Basharat  
Iqbal 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 Yasar Majid  
MR R FRIEZE appeared on behalf of the Defendant Naveed Akhtar  
MR A BELL appeared on behalf of the Defendant Parvaze Afzal Ahmed  
MS G KELLY appeared on behalf of the Defendant Izar Khan Hussain  
MR G WILSON appeared on behalf of the Defendant Kieran Harris  
MS F HERTZOG appeared on behalf of the Defendant Zeeshan Ali  
MR A DALLAS appeared on behalf of the Defendant Fahim Iqbal  
MR R FERM appeared on behalf of the Defendant Mohammed Usman**

### PROCEEDINGS

**14<sup>th</sup> FEBRUARY 2019, 10.00-11.25, 11.48-13.14, 14.19-15.21 & 15.26-16.46**

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

**A**

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**B**

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**C**

**D**

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**H**

**A**  
**B**  
**C**  
**D**  
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**A**

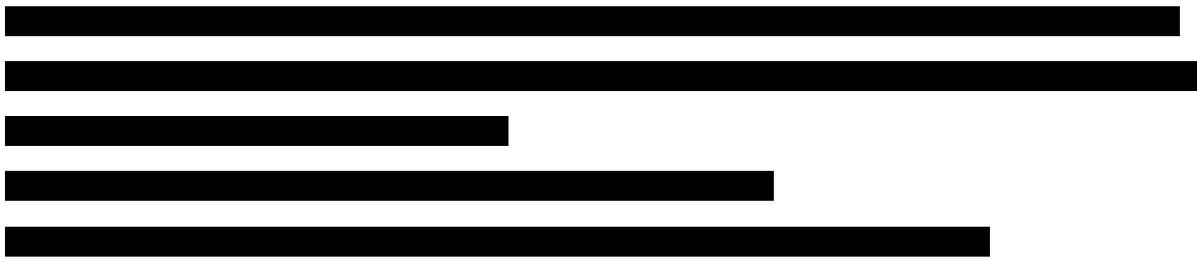
(In the absence of the jury)



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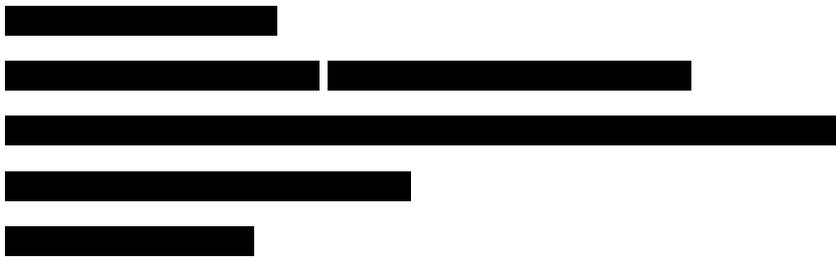
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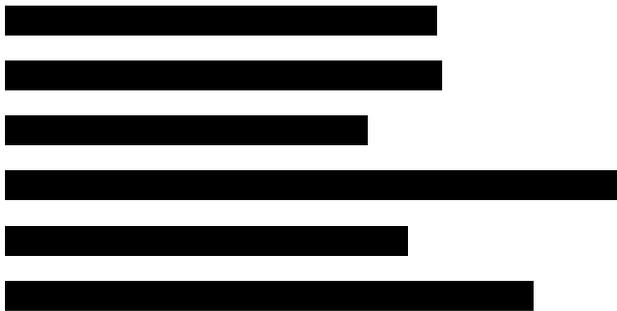
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A

[REDACTED]

B

[REDACTED]

(In the presence of the jury)

C

JUDGE HALL: Good morning, la - good morning on - on this - on this bright and happy day. Thank you.

D

There are two matters in relation to the - to the indictment. Before Ms Melly starts I'll tell you straightaway she's going to do an hour-ish general. We'll have a break. General matters, then she's more specific. She - she has a target to finish by 1 o'clock. Then Mr Wool - Mr Woolson? - Mr Moulson at 2.00/5 past, OK, that's the plan.

E

Could I invite your attention to count 8 on this indictment? On the joint application of both prosecution and defence for Mr Saeed Akhtar the word "... on multiple occasions," the evidence is [Person A1] alleges - you will have to decide - that she was, essentially, dispatched twice in order to exchange favours for drugs so counts 7 and 8 cover her allegations so there's no need for "... multiple occasions." When you look at - so cross out "... on multiple occasions" because the Crown's case is, or [Person A1]'s case is that she was used in that way on two occasions only (counts 7 and 8). It makes it much more straightforward for you and reflects the evidence.

F

Finally, count 15, please. At my invitation to consider put - putting a number (which we should have on the "multiple occasions") the prosecution and Mr Bell (for Mr Parvaze Ahmed), it's not agreement, but there is no dispute that the "multiple occasions ..." should be followed by these words "... namely no fewer than three." It is a requirement, in my opinion, that the prosecution have to indicate a figure so "... namely no fewer than three," all right. I'll tell you all about the meaning of these things.

G

In Mr Basharat Khaliq's case, finally - I'm sorry; I should have said this as well. Would you please on counts 2 and 4 - 2 and 4 and 5 delete the word "... on multiple occasions"? All right, counts 2, 4 and 5, this is my - my ruling/my invitation, there is no problem, and would you add - I think, Mr Iqbal, Ms Melly, I think we do need to add at the end of the particulars of count 2, 4 and 5 "(specimen offence)" but that I - I think that is better.

H

**A**

MS MELLY: Thank you.

JUDGE HALL: That is what they are and that is what I require, all right?

MS MELLY: Yes.

**B**

JUDGE HALL: OK. So, would you please just add at the end of the count 2, 3 - count 2, 4 and 5 "(specimen offence)"? I'll tell you what this all means, don't worry, OK. These are pleading techniques founded on common sense but I will explain to you. Don't worry now about it, all right.

**C**

So, have we dealt with everything. Count 2, 4 and 5, "multiple occasions" out ("specimen offence") in, all right, OK. Anybody else got any - spotted any problems? I don't think so. Right, that's enough from me.

MS MELLY: Just the document that was read yesterday and there was one matter that I needed to that I think that when it was read out it just there was a - slight change.

JUDGE HALL: If you're not going to refer, don't worry. If you're not going refer to these in your speech ---

**D**

MS MELLY: No.

JUDGE HALL: --- we can do it perhaps just before the break. So let's just leave.

MS MELLY: No, not at all.

JUDGE HALL: Are you happy to go along with this?

**E**

MS MELLY: Happy, yes, we can deal with that afterwards. It was just to correct one - a couple of words in the document that was read yesterday.

JUDGE HALL: No problem. No problem. Right.

#### CLOSING SPEECH ON BEHALF OF THE PROSECUTION

MS MELLY: Members of the jury, it - it's now time for the prosecution to address to you.

**F**

As you've heard from the learned judge, the way that I anticipate this morning will run is that I'll address you now for a period of time. It's hard listening to evidence, but it's harder listening to speeches, and thereafter a short break before I go on and deal with other matters.

In the spring of 2008 [Person B1] and [Person A1] were 14-year-old girls. They were removed from their families and they were placed - not through their own choosing but through the State - deciding to take them into a children's home.

**G**

Those two girls had been through perhaps more misery by the age of 14 than we would hope for our children in their lifetime. Their childhood experiences were very different to each other - [Person A1] and [Person B1] - but they now found themselves together living at [Location B1]. They were then in that situation separated, you might think, from all that was familiar, from friends and family - of what little they had - separated from

**H**

**A** them, no doubt feeling alone and abandoned. It's hard to even begin to contemplate what all of that must feel like as an adult, let alone at that age of confusion and that age where you have the desire for acceptance.

**B** What they needed during their period of time in care, you might think, was education, it was guidance, it was support, and it was being kept safe. They needed to be looked after. That is, indeed, the modern term of children in care: "Looked after children." Although it's hard to wonder really whether we could truthfully describe [Person A1] and [Person B1] as "looked after," because within weeks of being there they were out of that children's home. They were out late at night. They were out repeatedly. They were out so late it impacted on their movements in the morning. There were obvious signs - I'm just going to (inaudible).

**C** JUDGE HALL: Sorry ---

MS MELLY: Sorry.

JUDGE HALL: --- no, absolutely not. My respects to the gentleman, but no. Mr Ferm, you did not - nobody's fault - but not going to have any disruption.

**D** MR FERM: I'm sorry, and I apologise.

JUDGE HALL: No, don't, don't. I'm sure it was are urgent, but I'm sorry.

MS MELLY: Thank you.

#### CLOSING SPEECH ON BEHALF OF THE PROSECUTION (Cont'd.)

**E** MS MELLY: There were obvious signs, you might think, of drinking, of signs particularly in the case of [Person A] that is of drinking and self-harm. There were older men pulling up outside that children's home in multiple vehicles.

The men you think who made it their business to interact with these children being looked after by our council you might think that these men viewed the on occupants of the children's homes of Bradford as containing fruit ripe for the picking. The occupants, you might think, of children's homes came to be viewed as commodities rather than people.

**F** You have heard from the social workers that were called to give evidence before you that it was soon after that they were placed at [Location B1] that there were concerns that they were leaving at night; they were going missing, concerns about what was happening, even though it seems no one had the power to stop what you might think was quite obviously happening to the girls.

**G** What was, you might think, absolutely inevitable was that these two girls - with their whole lives ahead of them - came to end up as nothing more than vessels for the men in the dock. It is a fact that when they were in the care of the local authority these girls were missing repeatedly from that home.

**H**

A

In the case we will submit to you that [Person B] [REDACTED]

B

[REDACTED] It is undisputed evidence, you might think, from all that we have of the social workers placed onto timeline that whilst in the care of the local authority [Person A] became an addict to cocaine and - and to alcohol. It was obvious to those that worked with her that she was self-harming.

C

It is the Crown's case that [Person A1] and [Person B1] came to be brought ultimately to the home of the second defendant, Saeed Akhtar (known known as "Sid) where [Person A1] was used and exploited by his collection of cronies, family members and drug dealers and then, indeed, abused by others in a more aggressive manner, and it is because the sexual activity took place in these circumstances that you are now here to address and make judgment on the charges that the State now brings against these 10 defendants. And it is, we say, because the sexual activity took place against that background, that it took place through grooming and through threats and through force that the Crown can say to you clearly that the sexual activity that's on these charges on your indictment was not consensual sexual activity and that, therefore, the verdicts in respect of all of these charges should be that of "guilty."

D

E

Now, as you know, almost all of what the two complainants ([Person A1] and [Person B1]) said to you is simply not accepted by the 10 men in the dock and it, therefore, follows that when you come to consider these charges you have to make some decisions about who is telling you the truth in this courtroom.

F

What I intend to do is - as we've said - is to set out some of the central themes for you on this side of the break this morning: of course, to deal with the issue of grooming; on the issue of consent; to set out for you, perhaps, some of the issues that you're going to have to decide factually; some words about the legal framework for your decision-making; a discussion and an address about the drug use, because that is one of things that you are going to have to make judgments on about who is telling you the truth about the drug use at Sid's address; you have to make judgments about who is telling you the truth about why [Person A1], in particular, was allowed into his address; an exploration the some of the points of the defence case; and, of course, to deal with how you approach a case when a defendant does not give evidence.

G

H

So, to turn to the first of those issues, grooming, and the issue of consent. It might be that you would to have lived under a rock, quite frankly, to not know about how grooming

**A** works, but it is an important concept here and so forgive me, please, for spending a little time on it.

Perhaps the simplest the way of looking at it is simply this. A defendant (a man) builds a relationship, often with emotional attachments, to gain the trust of their victim so that once they have it they can be sexually exploited. The relationship that is created makes the victim feel obliged or feel as though they want or need to go along with the sexual activity.

**B** One of the consequences of grooming is that it has a tendency to limit (to subvert) the victim's capacity to make decisions and it creates the risk that that person submitted because of that environment of dependency created by those responsible for treating the victims in this way.

**C** In this case, these two girls that you heard from - [Person A1] and [Person B1] - were manipulated to the extent that they were unaware of and confused about the distinction between acquiescence and general agreement at the time the sexual activity took place, and that is why, members of the jury, those repeated questions of [Person A1] and [Person B1] about "Did they consent at the time to sex?" only really demonstrate the very essence of the concept of grooming. Of course they were saying "Yes." Of course weren't putting up a fight. Of course they were cooperating and, at times, removing their own underwear. That's the very point of the defendant creating the relationship and manipulating the girl in question as he did. But it does not follow that, in law, there was a genuine agreement and genuine consent at that time. And that is why, members of the jury, you are here, because we say that [Person B1] and [Person A1], in their situations as they were, with their level of immaturity, were damaged, and manipulated, and groomed so that they could not see the reality of the situation that they were placed in. You now, many years on, are called upon to find out where the truth lies.

**D** The same is true, you might think, with some of the other questions asked or challenged about teenagers' behaviour. Questions were asked about why they didn't fight them off; why they didn't scream; how they weren't taken at gunpoint to that address; that they weren't forced.

**E** All of those questions, you might think, seem to completely misunderstand the impact of the reality of grooming on their psyche because once you understand the impact of grooming and appreciate how it works, the manipulation of someone's emotions and loyalties, you can see why those repeated points that were made to [Person A1] about how she was able to call the police about other things perhaps don't really help you very much indeed.

**A**

[Person A] explained, as best she could, how it was that she came to feel loyalty to the men that abused her at [Sid's address]. Yes, she was in touch with the police, but the men there were not people that she wanted to report. And yes, social services and police - as she told us - were aware that she was going missing and that there were concerns about her sexual exploitation, but she then - just as [Person B1] - could not see clearly what was happening to them back then so, of course, matters were not reported.

**B**

We ask you to remember how [Person A] explained it, how she - it was, sadly, "normal," how she described those feelings of loyalty and explained how they can, even where there is abuse within a family - and that's how she felt about those men - just bury - bury those feelings about abuse because their emotions and their loyalty have been manipulated towards the perpetrator who wants to use them for sex.

**C**

One of the techniques of grooming/one of the methods you might think was used here to really good effect by these defendants was to make the young person think that they were in some sort of genuine, caring relationship, and, you see, young people - like [Person A1] and [Person B1] - with limited life experience, with suffering rejections from their family, desperate, you might think, to have someone of their own, someone to make them feel important, or special, or cared about, were absolutely open to the manipulation by the men, who wanted the victims to think they were important in some way when this was just about fulfilling their sexual goals.

**D**

**E**

And the concept of grooming is just insidious, you might think, members of the jury, because the young person at the time believes that they are actually building friendships and actually building relationships with those men, but they are neither. The influence, you might think, of those negative relationships on their lives actually just isolate them further from those that care, or at least have their best interests at heart.

**F**

And once those relationships are formed, once those bonds of loyalty and emotion are formed and that young person comes to rely on that relationship, whether it be for company, whether it's because their only relationship left in their life, whether it be because the introduction to those men soon follows within an addiction to the drugs that they supplied, once those lines have been set up into that young person's mind they can be exploited for their sexual gain with ease. There will be no screaming; there will be no fighting back; there will be no need for a gun to the head of those girls because the grooming has done its job. There'll be no reporting to the police or to social workers because the young person, in their misguided loyalty, will want to protect the groomer.

**G**

**H**

A

They will not see that they are in a relationship where they are being used and they are being exploited, and this happens, members of the jury, and it happens in our cities, and you might wonder whether in fact it continues to happen despite the publicity, despite our increased knowledge about that concept, despite our adult awareness, that there is something very, very wrong when a group of adult men entertain care home girls over vodka and cocaine. But it continues to happen despite our increased awareness because the immaturity, the lack of cynicism and life experience, despite their outward teenage feistiness means that they are ripe for manipulation without even knowing that it is happening to them.

B

C

And the law in relation to grooming and consent, members of the jury, - and you'll receive that, of course, from the learned judge in his summing-up to you - but you might think, actually, thankfully, it is an area where common sense and the law combines, because you are entitled to take into account the factual circumstances of the sexual activity when you make decisions about consent and you're entitled to look at the circumstances, their ages, their immaturity, their lack of family connections, their promises of support, their promises of love, their promise of drugs. And the law understands that, regardless of an individual's precise age, people - young people (teenagers) - are malleable and they are open to exploitation, and that where the cooperation into having sex comes in such circumstances it is not, say the Crown, real consent: it is rape. You will recall, members of the jury, the repeated questions about how [Person A1], and indeed [Person B1], were girls that "knew their own mind," "they knew what they wanted." Well, no doubt they did. They knew exactly what they wanted right then and there.

D

E

F

Without trying to be facetious, a three-year-old who wants their tenth lollipop pretty much knows their own mind, and knows what they want, and are prepared to stomp and stamp their feet to get what they wanted. It doesn't follow that the fact that they "know their own mind" is the same as that being true consent.

G

H

Teenagers can be feisty, and they can be stroppy, and they request appear mature in many respects, but you might perhaps remember - some of you younger - who where memories of being a teenager perhaps not so far away, maybe from your own children, as teenagers we can remember their behaviour and character. They may very well appear to "know their own mind" and "know precisely what they want," but it doesn't follow, does it, that they necessarily see the truth of the situation? Because if you're 16-year-old came home and told you that a 30-year-old man that had no connection to you or your family was being really kind to them and letting them come to their home and quite happy to let them have drugs and vodka at their home you might be thinking, mightn't you, a number of things, but

**A** you certainly might be thinking that that 30-year-old man who was welcoming a teenage girl into their home might have an agenda. That would be, you might think as aware adults who know a little more about human behaviour, that we might have a number of questions and queries about why those men wanted to be in the company of those teenage girls, but it doesn't follow that the 16-year-old can see all of that at that time.

**B** The same, you might think, is true of the situation that [Person B1] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**C** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**D** [REDACTED]  
[REDACTED]

Because we know, don't we - particularly those of us who have teenagers - how vulnerable any teenage girl is to a group of men that actively want to spend time with teenage girls, and it is because we, as adults, know what the risks are that any responsible person, you might think, faced with that situation either at [Location B1] or the later institutions run by the council, if you or I, you might think, or any responsible parent was watching a 16-year-old try and leave their home in the middle of the night you might think that you would be there by that door, at the very least, with your arms crossed, telling them to get back to bed.

**E** Now, that is not to say that any individual social worker whatsoever is to blame - of course not. They were not permitted to what any decent parent would do, and stand in front of the door, and try and telling you to go to bed.

**F** Now, you could try telling that teenage girl - particularly one whose life so far has made her appear angry and strong-willed - that she wasn't able to see the cold picture. You could try telling that teenager that she was naive, and you might find that, in no uncertain terms, that teenager would be telling you that she knew best, and the fact that she tells you that she knows best and that she does so in strong terms, quite clearly knowing her own mind, doesn't in fact follow, of course, that she does know best, that she sees the reality of that situation.

**G** Because teenagers, you might think, in that position, particularly without secure bonds and relationships with parents or people who are supposed to be looking after them and

**H**

**A** acting in their best interest, people without teenagers, particularly without those relationships  
you might think are going to be naturally reluctant to take the word of people in authority,  
telling them: “Go to bed.” “Be back at a reasonable time. Go to school” or “education.”  
“Not drink.” “Not take drugs.” They’re not easily going to take those messages. They are  
**B** open to abuse by the adult, who pretend that they see the maturity in the girl and encourage  
the exact opposite, encourage them to be out so late that they disengage with their education  
and training. That is part of the impact.

No one, perhaps, puts it better than [Person A] herself in terms of her inability at the  
time to see the reality of the situation. She said: “There would be meetings regarding child  
**C** sexual exploitation ...” and this is whilst she was in care “... but nothing really happened.  
There were people around and involved, but no one ever really did anything. No one ever  
gave me advice. They would ask about drinking, and drugs, and that there were men around.  
I didn’t see it as grooming. I told them. And they never asked. Everyone knew it was going  
**D** on. I was only asked a couple of times: ‘Do you think you’re getting groomed?’ No one  
really explained and I never really understood.”

And yet there was [Social worker 5]- not the social worker, you might remember, but  
a woman that worked with her after she moved out of [Location B1] - how [Person A1]  
spoke of parties that weren’t really parties; where she was given drink and drugs; where she  
would come back under the influence; and have self-harm; evidence of sexual activity on her  
**E** clothing.

Members of the jury, there is absolutely clear and compelling evidence about the  
grooming of [Person A1] and [Person B1], and we say to you that it is right [Person A1] and  
[Person B1] didn’t scream, and they didn’t put up fight, and, in some cases, they took off  
**F** their own underwear for these older men to penetrate them, but it doesn’t automatically  
follow, members of the jury, that in such circumstances that that amounts to true consent.

What they did and said back then - [Person A1] and [Person B1] - has to be seen, we  
say, through the lens of these abusive relationships (if “relationships” is the right word to use)  
because the truth is that, we say, of [Person A1] and [Person B1] was so manipulated, and  
**G** that is why, members of the jury, you are here to make the judgments about the true position.

Now, members of the jury, as you know, this isn’t a case where the defendants accept  
that the grooming took place or the elements of grooming took place. They don’t say, for  
example: “Well, yes, we did - there was drunk and drugs” or “We did say ‘this is your  
family,’” or “We did pretend about relationships and so forth.” That isn’t this situation.  
**H**

**A**

The defendants in this case, if they say anything to you at all, they say, you might think: "The accounts of [Person A1] and [Person B1] are not true. They are, variously, lies, mistakes, exaggeration." Some of the men here, through their counsel, allege that [Person A1] and [Person B1]'s lies have been told to get decent men into trouble.

**B**

That is the defence cases in relation to some of the defendants, and so you might think before you can go on and make decisions about consent and think about the charges one by one - as your obliged to do, members of the jury - what you have to do first is make some factual decisions about who in this courtroom has come here to tell you the truth. And so you have to make factual decisions. [REDACTED]

**C**

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

**D**

[REDACTED]  
[REDACTED]  
[REDACTED]

**E**

might think sing essentially from the same hymn sheet, to an extent, that she was treated well ([Person A1]), but there was no pressure on her to have sex. There was no drugs supply at that address, and that actually at Sid's house she was just a pain (this girl), somebody they wanted to get rid of, that in many respects the men say they are the true victims here. [Person A1] wouldn't give them an opportunity on occasions to even put a condom on. They were just thrown onto the bed so that she could have her wicked way with them. That is the account of some of the men here.

**F**

And so you have to make factual divisions about who's come here to be open and honest and who has an agenda.

You know that in the cases of other defendants, such as the respective Kieran Harris, and Mr Usman, and also Izar Hussain, that they deny that some of the specific incidents took place at all, deny sexual activity and deny aggression.

**G**

Other defendants you'll have to manage, it seems, without an account. As you know, Naveed Akhtar and Mr Iqbal have not spoken to you about their charges, and you know that Zeeshan Ali told you nothing from the witness box but seems, from his police interview, that - to be running identification; that it might all have happened but it isn't him.

**H**

**A** So, those are some of the central issues that you're going to have to resolve, members of the jury, in order then to apply the law to the facts as you have found them to be. And how, members of the jury, will you make that assessment?

**B** Of course, you will decide such issues on all the evidence in the case. "Evidence" means, members of the jury, what people say, and perhaps that's absolutely stating obvious, but sometimes people seem to use the word "evidence" as if it means some physical piece of evidence - some CCTV playing, or DNA swab, or fingerprints, some - something like that, or photographs - but evidence in law is what people say to you, what people tell you happened, what they saw, what they did, what was done to them. "Evidence" doesn't just mean  
**C** physical objects. It is the words that were said to you from the witness box, from the video-recorded interview, from the statements and the documents that you have. And "evidence" includes what happens in the defence case. You don't stop and make your decisions about guilt or innocence at the point that the prosecution stop calling witnesses and the defendants start to give evidence.

**D** You must judge, of course, all of the witnesses in the case, including the defendants, by the same fair standards.

So you take into account, members of the jury, either - as you will hear - their failure to give evidence or/and the evidence that they gave to you from the witness box. So, you make your assessments based on all the evidence that you hear in this case and, of course,  
**E** you must decide then, in order to convict, whether you are sure of their guilt.

"Sure" - as you will hear - is a word with its everyday meaning, and those are the decisions that you will have to make. It does not take on some special legal definition because we use it in this courtroom and it does not mean the same as a mathematical  
**F** certainty.

You do not need to have seen CCTV of the sexual activity happening to make decisions about what happened. You do not need CCTV of the sexual activity to having taken place to make decisions about consent. You are entitled to make those decisions, members of the jury, based on the evidence that you have heard in this case already. And you  
**G** will have to make decisions about your assessment of [Person A1] and [Person B1].

The Crown submit to you that the evidence that they gave you both on the videos and from the witness box was compelling, and it was credible, and it was consistent, members of the jury. There was, we say, no suggestion whatsoever that [Person A1] and [Person B1] were young women who had come here with lies to tell you in order to gain in some way.  
**H** Where they were asked to consider dates, and times, and make concessions, or to clarify

**A** whether they could be - they were less than sure on certain aspects you might think they listened and they were fair in their responses and the concessions that they made. They didn't choose just to say "Don't know," or "can't remember," or refuse to engage in the questioning, you might think, when they gave evidence to you.

**B** Now, dealing with some of the lists of things that you have to resolve, members of the jury, just touch upon age. Because, mem - what we say about that is that it's clear that there are - have been different accounts, quite obviously and quite understandably you might think, about trying to work out what precise age these girls were at when this abuse took place.

**C** Now, you will recall that [Person A1]'s evidence was primarily remembering herself at Sid's house after she was 16 years of age. But you will recall also that she had some memories that contradicted that and that she thought placed her there earlier. And you will recall [Person B1]'s evidence of attending at Sid's house soon after that first occasion and when she was still at [Location B1] with [Person A1].

**D** But in general terms, in respect of the accounts from [Person A1] and the charges that you have, members of the jury, the law states this on grooming: "That it matters not we - that they are over 13 or, indeed, over the age of 16. It is the impact of the grooming behaviour on the mindset and behaviour and behaviour of the intended victim that is relevant, not their precise age."

**E** Now, turning to a separate issue, question of drugs:

Because one of issues that you will have to resolve, members of the jury, is the question of who's telling the truth to you about the drugs at [Sid's address].

**F** Now, either it's [Person A1] and [Person B1] or it's the men who were prepared to give evidence to you of what went on at Sid's house. Now, I want to try and deal with this issue shortly because it might be that you've already formed a very clear view on who's telling you the truth about the drugs at Sid's house.

**G** Firstly, the descriptions of the drug use from [Person A1] and [Person B1] were compelling. [Person B1] said this. She was asked: "How did [she] get to the [Sid's address] property?" And this is - this is [Person B1], not [Person A1]: "We would be picked up. May have been from [Location B1] or from my house at [REDACTED]. When I was at [Location B1], then [Person A1] was with me. I've been there less than 10 times but more than a handful" were the number of occasions she'd been to Sid's house. "I never went. Alone, and when we went there, there was drink and drugs. And it would be spirits they would drink and we would, along with the drink, be in the living room.

**H**

**A** On one occasion they were older females but all on other occasions it was just me and [Person A1] and there would be five to seven of them. I just know some of them their names: there would be Sid, and Billy Jo Jo, and Khalid, and Yasar Majid. There would be spirits on table and you could help yourself if you wanted. And as regards the drugs, that was cocaine.

**B** It wasn't discrete: it was out in the living room. It would be passed around and offered to anyone who wanted some. I was never asked for money for the drugs and alcohol and when I was there neither was [Person A1] asked for money."

**C** So you have the evidence of [Person A1]. You have the evidence of [Person B1]. You have the evidence that [Person A1] became a cocaine addict. You have the fact that there was no way on earth, you might think, that a girl in a care home could possibly afford her own cocaine habits. You have the facts that there were multiple visitors to that house who were Class A drug dealers. You have the evidence of [Person A1]'s grandmother of her becoming addicted to drugs. You have [Person A1]'s description about the availability of Class A drugs in that house. How - how in particular Parvaze Ahmed bought large

**D** quantities to the house, "rammed" into her was the phrase that she used on one stage. How it was that Sid didn't seem to have to pay for drugs, or perhaps not pay with money, members of the jury. That it was common knowledge that Izar Hussain worked for Parvaze Ahmed.

**E** All of those pieces of evidence you have and yet the defendants who gave evidence to you about what happened at [Sid's address] say to you that [Person A1] and [Person B1] are the liars here: that they were not involved in drugs; that they were not involved in drug use; that Saeed Akhtar said it was [Person A1] and [Person B1] who brought Class A drugs to his house, even though he didn't want them there.

**F** None of them, by some extraordinary coincidence, it seems, discussed the fact that they had these previous convictions for supplying heroin and crack cocaine, so it wasn't mentioned in the house that there happened to be the coincidence of men with the multiple drug dealing history between them, an absolute extraordinary coincidence, then, that at that address was a drug addict, drug dealers, but they never, it seems, told or discussed the fact that one of them was a drug - one set was a drug dealer and that the girl was a drug addict.

**G** And what an extraordinary coincidence, you might think, that if [Person A] didn't know - as they say she didn't know - of the criminal past of those men, what an extraordinary coincidence that she just happens to make allegations that men supplied her with Class A drugs. What a coincidence. She makes that allegations against men who have a criminal history - some of them - for supplying Class A drugs.

**H**

**A**

In that house, though, it seems drug dealers and drug addicts sat together multiple nights didn't discuss drugs. People used the house, it seems, to party, to turn up to late at night, to stay up drinking 'til 6 o'clock in the morning - as some defendants spoke of - without there being Class A drugs.

**B**

There were drugs in those house - in that house, members of the jury, and you might think that the evidence taken together from [Person A1] and, indeed, from [Person B1] is absolutely compelling that she became a drug addict at the hands of these defendants and she was easy and ready to be manipulated once that had been achieved.

**C**

Would they really have bothered to get [Person A] addicted to cocaine if she didn't have a mouth and vagina for them to use, members of the jury? That, we say, is why they were interested in getting her addicted to Class A drugs, not because they were happy to give away expensive product; because she could be used once that had been achieved.

**D**

Now, what is clear, you might think also, members of the jury, is that the other matter you have to resolve is whether they even wanted her there or not. Because the evidence, particularly you might rule, from Izar Hussain, from Saeed Akhtar, amongst others, was that [Person A1] was a nuisance. There were, according to one defendant - Mr Hussain, I think - vans turning up umpteen times outside Sid's house, that the police had visited multiple times to his address to look for [Person A1] and the other girls from the care home, but Sid's house happened to be a place - although he was opposed to drugs - where drug dealers went to congregate late at night. It was a place that he conceded (Saeed Akhtar) some people did use drugs, and therefore his position was that he definitely didn't want her in his property.

**E**

**F**

You might wonder, members of the jury, how it was then that this adult, mature man came to be put in this position by this young girl, because according to him he really didn't want her there but, somehow, he seemed to let her in, let her stay the night - night after that night. And how is it, members of the jury, you might wonder then, if he really didn't want this nuisance girl, he'd already behaved so well he was a Good Samaritan, according to him, taking in a homeless girl, she betrayed that trust by bringing drugs to his house when he didn't want them there and that was the situation that he was in, he was to tell you. He didn't want her there. She caused trouble for him. She was a nuisance. She brought police to the house.

**G**

**H**

He wasn't interested in having sex with her. He told you he couldn't - he was so uninterested in having sex with [Person A] that even now when he was asked to think back about how she appeared back then, as a slim, pretty teenager, he couldn't even bring himself to work out if she was ever attractive because he was so uninterested in her sexually.

A

Now, it is the situation that, according to him, not only was she turning up and he was trying to get rid of her, but she - he was put in an impossible position, according to him. She wasn't even grateful, it seems, for the charity that he offered, because according to Izar Hussain on these nights when he would go round she was a pain, and according to the co - evidence from the other defendants, you'll remember Yasar Majid's evidence about, "This was just a group of adult men and there was a discussion wanting to discuss politics, and movies, and documentaries, and that was we wanted to do at [Sid's address]" but then in comes [Person A1], being a pain.

B

C

Now, in fairness, it's right that few teenage girls are sought out for their wit, and company, and conversation, for their views on politics and documentaries or movies. They say that the reason they let her in, though, was just because she would have been homeless, it seems, according to Saeed Akhtar.

D

The Crown say to you that the reality of the situation was not as described by the men; that they were anxious to not have her there, they were anxious not to let her in the property. The true situation was that she was there, she would be taken to that address, she was encouraged to attend there because they wanted something from her, and it wasn't her conversation or her views on politics that they were interested in.

E

[Person A1] describes that opening period of time in this way: "During this first - first 40 days before the sexual activity took place, all of them were present ..." she spoke of them being "... all present all the time apart from Zeeshan Ali, and they were there more than once and there were drugs and alcohol freely available during that period of time."

F

She said: "They knew my true age before the sexual contact because the police had attended and told them my age. I was there a few times when they called and a few ..." that is the police "... and a few times the police had been when I wasn't there. Billy Jo Jo and Sid both rang me when I wasn't there when the police came. And within a week of being there I started opening up about the fact I was in care and the issues surrounding my life, and by the time the first month had gone, they would have known pretty much everything with my life: I was rarely in education; they knew I was at their house when I should have been at school; they knew I had no contact with my mum; and I was not always in contact with my grandma; they were aware of [REDACTED] ..." the child a that that had been removed; "... and they were present when I was on the phone. There was so much contact was taking place with social workers et cetera and my mum over contact.

G

H

The rest, apart ..." she said "... from Zeeshan Ali, who was not as regular attender. The three end defendants and, of course, Basharat Khaliq, but the group that were regularly

**A** attending at Sid's house, they were aware of my situation. They were told - they told me I should sign myself out of care and they would look after me."

That was what was going on in that early period of time at Saeed Akhtar's house. It was clear to all of those involved with [Person A] what was going on and it was clear, we  
**B** say, that she was at that house because she was - she was wanted there, and she was wanted there for one purpose only.

Her grandmother spoke to her about her going out all the time. Her grandma remembered how she would be scared and crying sometimes at nights when she would phone her. Her grandma remembered how she would see her with injuries after a period of time in  
**C** care. Her grandmother spoke to her about not going out.

Her grandmother said this: "I tried to talk to her about going out at nights, but it's not very exciting staying in with your grandma when someone is plying you with drink and coke. I saw her under the influence of drink and coke. It was coke, I think, as her gums were bleeding, and she was always sniffing, and her nose was bleeding. I had to take her to  
**D** hospital as her kidneys were damaged by alcohol."

That was what was going on at that early period at Sid's house. And it was not the case, we say, members of the jury, that he was trying to prevent her coming into that address.

Now, a couple of final topics, members of the jury, before we have that break. I have to try and deal when I come on to deal with the individual defendants with some of the points that is the defence are going to raise. You'll be relieved to know that speeches are one-offs: we don't get a chance to reply (the Crown) to the defence speeches, otherwise we'd keep going, no doubt, for another few weeks.  
**E**

Members of the jury, one of the things that you might, however, hear during the speeches and what I anticipate that you might hear from many of the barristers in this case, representing their clients, of course, to the best of their abilities, is the address that their defendant is somehow different to every other defendant in the dock; that their defendant's case is unique, or different, or special in some way.  
**F**

The fact is, say the Crown, that although different, not one of them is unique, members of the jury. Each one has perhaps used different techniques in order to achieve their end game (to use [Person A1] or [Person B1] sexually), different techniques, depending on what was required for them to reach their sexual fulfilment.  
**G**

Some used emotional pressure - classic grooming, it might be thought. Some used drink or drugs and addiction and others used force or fear. There may be degrees. Some may have done less, some more, but each and every man in that dock has this connection: they  
**H**

**A** used a vulnerable girl for sexual purposes without obtaining anything that comes close to true consent on the charges that they face.

So, whilst, of course, it is absolutely right that you must approach the case of each defendant, and indeed each separate charge - each "count" as we call them - completely separately, members of the jury, we say that there are central similar themes.

**B** Now, one of the issues that you will, no doubt, be addressed on by some of the - on behalf of some of the defendants in this case, it is not an issue raised by all of the defendants here, but in the cases of some of the defendants we anticipate that you will hear an address along the lines of: "The motive for the lies from [Person A1] and [Person B1] is some grubby pursuit of compensation."

**C** Now, because we anticipate that that issue might be raised by the defendant we do intend to make some very brief remarks about it. But first a word about - caution about the notes that are taken of accounts, and this comes up from the notes of Gatenby and Taylor and it comes up, indeed, from that draft of a statement taken by Switalskis Solicitors.

**D** And, again, this is common sense, members of the jury. You know how many dozens and dozens of hours it took to get the account from [Person A] by the police, by trained officers, who ask questions in that way.

**E** You know you've seen just a proportion of the evidence that was obtained and you know how it was that the officer took that account, by allowing a, sort of, free narrative over - over the course of the first couple of videos just to allow her to say about things that had happened here, not necessarily in a structured order, in a detailed way, working out.

**F** What came first and how many occasions, it took time, and patience, and training by a specialist officer to marshal [Person A1]'s thought, to take her back in time and get her to give that clear account. And so you know, don't you, that in the brief notes that have been taken by others in this case of descriptions of [Person A1] that they were not taken in the way that it is necessary to take a proper account from someone who has been, we say, victim to this type of abuse over a period of time.

**G** You know this also. In relation to the notes of Gatenby and Taylor that the notes that were taken there as to the behaviour of the men were taken under the general discussion of "groomed by hundreds of men," and that the comments then, the brief fragments of little details of what each man may have done doesn't mean that that is all they have done, because she was describing to Gatenby and Taylor an episode of "hundreds of men" being involved in the abuse of her that she had been groomed and that the men that she described were in the context of being those groomers.

**H**

A

So, turning then to this issue of compensation, the Crown say, quite frankly, that this is a last-ditch attempt by the defence to try and spread some final muck against the [Person A1] - against [Person A1] and [Person B1].

B

You know, members of the jury, that there are a number of factors about the compensation issue which show, we say, what nonsense this is as something being pointed to as the motive for [Person A1] and [Person B1] putting themselves through giving evidence in this case. And we make that submission to you for a number of reasons, and not because the agreed facts show you that civil solicitors had to repeatedly, and unsuccessfully, request documents so they could progress their claim. How interested really was [Person A1] in any compensation if that was the case?

C

We don't say that you can ignore the issue of compensation simply because there is - as a fact there has not been a claim lodged for compensation, that there has not been a lodged claim in respect of criminal injuries compensation. We don't just say you can ignore it because [Person B1], as you can see, was in touch with a firm of solicitors because, in part, she thought she needed her own solicitor for this criminal case.

D

We say that you can ignore it not just because we're dealing with abuse from so many years ago and that - that the seeing of the civil firm by [Person A1] was now multiple years ago and yet no claim has been brought.

E

We don't say this to you merely because the council themselves closed their file on this so-called claim years ago. And we don't just tell you to ignore it because [Person A1] and [Person B1] told you in no uncertain terms that they were not in this for the money. But this is about telling you the truth of what happened.

F

We say to you, members of the jury, that you can absolutely ignore this issue of compensation because the chronology in this case speaks for itself. Not only is there contemporaneous records from the time that they were in clear - care that might, you think, make it perfectly obvious that they were being sexually as exploited; men turning up to collect, coming back late (early hours of morning); going missing; under the influence - repeated signs, you might think, that social workers were very concerned about what was going on in the lives of [Person A1] and [Person B1] back then.

G

Not just that clear evidence of exploitation and risk apparent from the contemporaneous records at the time and some other evidence - such as her grandmother - but because of this, you know that well, well before [Person A1] ever went anywhere near a firm of civil solicitors, before the word "compensation" was ever uttered or thought about, you know as a fact that [Person A1] was desperate for the State the look into what had

H

**A** happened to her. As an intelligent woman, she had begun to see what had actually happened at the hands of the men in this dock.

As she got older she began to see that although though she'd submitted and cooperated in many of the cases to the sexual activity that the men wanted, that in fact she  
**B** began to realise that there is something very different between submission and true consent. And so when officers Gatenby and Taylor knocked on her door without warning as far back as 2013 and in the presence of others and on her adopted daughter's birthday day and they asked her about grooming she began to speak.

And you remember, members of the jury, that all of this material from the social  
**C** workers - Rachel Hoyle's evidence about bottles at that property and men at that property that she was placed in - was all there. If anybody had wanted to look at the records of girls that were supposed to have been looked after of in our city, if anybody had wanted to look at that, the evidence, you might think, was clear. No one had looked into that. So, when Gatenby and Taylor knocked on [Person A1]'s door about a completely separate police enquiry into  
**D** the abuse in Keighley, coming, as they did, with a questionnaire of lists of names of men and lists of names of girls that featured in a completely separate abuse investigation - because that's what they were interested in - when they met [Person A1] then back in 2016 or some - almost six years ago now, [Person A1] was to tell police that she had been sexually exploited in care.

**E** And no defendant, members of the jury, you might think, can answer the question as to why, if this is all a lie for compensation, members of the jury, why was she shouting this to the police a year before she ever visited Switalskis Solicitors.

The chronology of failure of our authorities, I'm afraid, continued after that visit in  
**F** 2013 because, as you know, in those notes [Person A1] of the visit in 2013 by Gatenby and Taylor, [Person A1] signed that she was willing to do have identification parades - that is if the police invited her to any - that she signed that she was happy for the police to look into her Facebook and her accounts, and she signed documents to give police permission to investigate those matters. What happened? Nothing happened. Despite [Person A1] telling  
**G** police officers that she'd been groomed by multiple men in local authority care, nothing happened.

Now, one of the officers - officers, it seems, puts that down to the wishes of [Person  
**H** A1]. [Person A1] said that could not be further from the truth. And the fact that she wanted to do identification parades, that she was willing to let the police investigate her private social

**A** media records speaks volumes, doesn't it, of what [Person A1] wanted to happen when the police knocked her door in the summer of 2013?

**B** And you know from the officer in the case (Helen Riley), who investigates this case now, there's no mention in those notes of Gatenby and Taylor of saying she didn't want any further police contact.

**C** But the real reason, you might think, members of the jury, is that you can be absolutely certain that nothing happened at that point, but that something should have happened had that point is this: when the officers got that information from [Person A], not only did nobody go back and invite her to give a full account, invite her to a video interview to see if she could give sufficient detail so that the men can be found; they didn't even enter the information that [Person A1] had given them into the intelligence records of the police.

**D** Not even that first entry step took place at that point so there wasn't even considerations about safeguarding; there weren't even considerations in 2013 about the need to check whether they could find the identity of these men and see if those men were having contact with children or teenagers. Nothing happened at the point that [Person A1] told police officers that she had been sexually exploited.

**E** It is hard to imagine how that must have felt for [Person A]. There she was now telling police aware that this was something that police now, perhaps after too long a period of time, but the police did now investigate and take seriously and yet nobody was back in touch.

**F** Did she run to a civil solicitors? Was she desperate to claim compensation in the years that followed her leaving care and in the years before over the news of abuse in other areas? No. Because when [Person A1] saw the news about abuse in other parts of the country, despite the fact that she told the police and they hadn't come back to see her, she saw that if anybody was looking into it at that point in our country it was the media, and that's where she went, members of the jury.

**G** She went next to the media. She went to a journalist. And, members of the jury, she went there not for compensation; because she wanted people to know - as she does still today - that sexual abuse had happened in the care homes of the City of Bradford and it was then, and only then, members of the jury, having been trying to tell people this now for some time, that she was referred to a firm of solicitors to assist her.

**H** She wanted the council to deal and recognise with what had happened to her whilst in their care. She wanted, when she'd met - her child had been adopted, to have corrected her records. She wanted to be able to hold her head up high when she finally met her adopted

**A** child. She wanted people to do something about the abuse that was happening. That was her motivation, members of the jury, and you can see that from the agreed facts that we read to you yesterday.

**B** When she was in touch with her firm of solicitors she was telling them how she'd spent her own time contacting members of Parliament. So yes, members of the jury, [Person A] had an agenda, and her agenda was not one for compensation. It was an agenda of wanting people to know the truth. What she has told you, members of the jury, is not some made-up story to get decent, Good Samaritans into trouble in pursuit of money. It is, say the Crown, an account of her own experiences, an account of truth.

**C** If that's an appropriate time, your Honour?

JUDGE HALL: Yes, it is, of course. You are - you will be done by 1 o'clock, I know. You know how long you will be. How long can I give the jury to accommodate your agenda and the timing?

**D** MS MELLY: I anticipate the jury probably would be grateful for more than a stretch of the legs and might want a cup of coffee. But if I'm wrong about that I'm content with just ---

JUDGE HALL: No, no, no, they look like I they want a coffee.

MS MELLY: Yes, fine, all right. So I think the arrangements are such that ---

JUDGE HALL: Are we all right?

**E** MS MELLY: --- 15 to 20 minutes, if that's ...

JUDGE HALL: And that ---

MS MELLY: Thank you.

JUDGE HALL: --- you know it's just that I have promised Mr Moulson he'll be on at 2 o'clock or 5 past 2, so as long as we're all right.

**F** MS MELLY: Thank you.

JUDGE HALL: OK, 15/20 minutes. Thank you very much. We're 11.25. Quarter to 12. Thank you. No. Oh, is that right? Yes, about that. 20 to/quarter to 12, as soon as you're ready, thank you. 25 past, 5, 20 minutes, quarter to 12.

(In the absence of the jury)

**G** JUDGE HALL: Thank you.

(Short adjournment)

(In the presence of the jury)

JUDGE HALL: OK, thank you very much. Good. Thank you.

MS MELLY: Thank you. Sorry; a short delay.

**H**

A

CLOSING SPEECH ON BEHALF OF THE PROSECUTION (Cont'd.)

MS MELLY: I just want to deal now in the run-up to 1 o'clock with some brief points that we make about the evidence that you've heard in relation to each defendant.

B

We're not going to be able to repeat all of the evidence on that point or give you all of the points that we would make in relation to each defendant. You have heard the evidence in the case, and if there are, of course, matters of evidence that you thought were significant and recall as regards the descriptions of the offences and so forth then you will use those pieces of evidence.

C

So, turning to the first defendant, Basharat Khaliq, you know that apart from the digital penetration of [Person A] his charges relate to [Person B].

[REDACTED]

D

[REDACTED]

E

[REDACTED]

F

[REDACTED]

G

[REDACTED]

H

[REDACTED]









**A**

[REDACTED]

**B**

[REDACTED]

Dealing briefly in respect of the digital penetration count. As you know, Basharat Khaliq also faces count 6. You can see that they describe [Person A1] and [Person B1] that that having taken place the night that Basharat Khaliq took two 14-year-olds to a hotel room, that it was on the night that some unrelated shooting had happened in Bradford, and so in that way the dates were worked out.

**C**

[Person A1] and [Person B1] alone with Basharat in that hotel room - a fact he denies - why make that up? you might think. Why would the girls make that up if that hasn't happened? And you know that [Person A1] described clearly how Basharat Khaliq took advantage of her in that situation and put his fingers into her vagina.

**D**

Without understanding situation that [Person A1] and [Person B1] were in that night and the impact and shame of sexual offences you might think that the questions about "Why not shout?" "Why not do something?" might, if we were dealing with adults here, have some force. But, members of the jury, you know that the victims that we are dealing with in this case, we say.

**E**

Now, it's right that [Person B1] gave an account to the police of being told by [Person A1] many, many years ago - essentially back at the time - that this had taken place. This is not something that [Person A1] is - has made up and made up recently.

**F**

Now, it could be said that, in some way, [Person B1] is trying to support the evidence of [Person A1] by saying that [Person A1] had told her about this incident. That, of course, really doesn't, on careful analysis, make any sense at all because [Person B1] was quite clearly saying to the police: "Well, I'm not sure whether it really happened, but [Person A1] did tell me about this back then." No possibility, therefore, of thinking, we would say, that if [Person A1] and [Person B1] were lying they would - because if [Person A1] and [Person B1] are lying they would have got their stories straight with each other. Those are some of the brief points that we would make in respect of the evidence of Basharat Khaliq.

**G**

Turning to the second defendant, Saeed Akhtar:

In many respects, of course, the address that you already had prior to the coffee break deals with the situation that was happening with - at Sid Akhtar's house.

**H**

A

This is his home. He made out to you, as you will recall, what a nightmare it was having [Person A1] turning up at his home, a man who, it seems, though, was also happy to have other girls, such as [REDACTED] and [Person B1], also at his house.

B

We say - as we have already addressed you - that they made [Person A1] and [Person B1] welcome; that they were then plied her with - plied [Person A1] with drink and drugs; that they made her feel obligated; and that that was the atmosphere in the house, as well as the bubbling atmosphere of fear and criminality that [Person A1] described.

C

It was in that house (in Saeed Akhtar's home) where [Person A] had sexual activity with multiple men, including with his own brother, yet the evidence of Saeed Akhtar seemed to be that he was oblivious to her having sex with all these men in his property.

D

You have the list of the times that the police attended at his house. You know that [Person A1] and another girl, [Person EE1], were found in a cupboard in his house.

You remember the exchange in the witness box of his evidence on this point. How his evidence, we say, shifted and he realised he was being caught. That at first he was saying that the girls had just hidden, and telling you that the police had searched, and how it then changed to him telling the police.

E

He - you know that, in addition to other pieces of evidence, you have the evidence of [REDACTED], a woman who had been in a relationship with Sid Akhtar, who told you that he had admitted having had sex with [Person A1]; that she, according to him, was "just a slag that they had all been through."

F

You know that you have that evidence and yet his account to you was that he was a Good Samaritan who took into his home the girls from the local children's home, it seems, out of the goodness of his heart. He didn't fancy the slim, pretty teenagers. He was so uninterested that he didn't even notice that [Person A] was attractive. He didn't know his brother, in his thirties, was having sex with her, or anyone else, but his account was that he didn't like drugs but had drug dealers and drug addicts in his front room because, according to him, it was [Person A1] and [Person B1] that brought Class A drugs to his house and, even though he was really quite opposed to that, he let them in.

G

Can you just imagine, members of the jury, for one moment some nuisance local teenager knocking on your door repeatedly and asking to come in and you know that they're bringing bags of drugs Class A drugs with you them and you've got a real problem with drugs. What - what do you really do in that situation, members of the jury? Pick up the phone the police, to the children's home, or do you let them in night after night to use Class

H

A drugs in the company of adult men?

**A**

He says he didn't have parties old - often. They were just a group of Asian older men who would come round. Oh no, he said they were old early women who used to attend his house. He just, unfortunately, couldn't remember any one of their full names when he gave evidence to you.

**B**

So, that is just some of the evidence in relation to Saeed Akhtar. And so just a word about the specific counts that he faces, even though, of course, his role in this case is much greater than the specific charges that he faces.

**C**

What did [Person A1] tell you about how it came to be that she had sex with him? Why was it she had his name down as "Best mate" on the phone records? She said this: "As I explained I felt, he told me he cared for me. They were family. I felt they were there as my friends and were looking out - and I was looking out for them. So when I saved it, I put "Best mate." By this time he may not have been, but this is how I wrote it down because this was how it would be on my phone. This is written after the rape" she told you quite frankly. "But, like I say, this is how it was on my phone when I saved it. I didn't go in and change it to 'Sid, rapist' in my phone records because at that point I did not fully understand what had gone on because the rape took place in these circumstances.

**D**

**E**

"He wore me down," she said. "I ended up saying 'Yeah.' I said 'Yes,' but I said "No' multiple times. It is still rape ..." she said "... if you say 'No' multiple times and the person just carries on." "You went into the bedroom ..." it was put "... to go to sleep. Was there was a conversation?" She said: "I went upstairs to sleep. He kept shaking me. Trying to pretend to be asleep, thinking of things to avoid, pretending to be asleep, but shaking me awake, calling me names. I didn't give reluctant consent. I said 'Yes' under pressure. There wasn't threats or force, but I knew that if I didn't have sex I'd have to sleep on the streets and I'd be out of the frying pan and into the fire." That's not consent, members of the jury.

**F**

**G**

And what about his incitement to prostitution count? He was - was put to him: "You weren't sending her out ..." sorry. It was put to her: "He wasn't sending [[Person A1]] out?" And she said this: "Why would I say that's what I was doing? Do you think it makes me feel good telling people that I was going out to do sexual favours on adult men in exchange for cocaine? What happened in that house was they sent me out to get drugs, and I've got nothing to gain by that."

**H**

That was her evidence to you, members of the jury, on that point, but what did Sid rush to tell the police when he was picked up to be asked questions about [Person A]? He was, let us remember, on his own account, a Good Samaritan, concerned about the girls of Bradford going homeless, and you might have thought that this was his opportunity to

**A** explain to the police how well he had behaved towards [Person A]. And when he was put in that position police interview and he was asked question after question about exactly what was his relationship with [Person A] he was asked about why she would be in his house and asked about drug use and the men that had sex with her in his home and what did he tell the **B** police, this Good Samaritan, members of the jury? He made no comment to those questions, didn't he, as you know.

We say that was the case because he knew his account would not stand up to investigation and interrogation by the police. And so he said he goes "no comment" and stands behind his solicitor's advice. We say, members of the jury, he chose to take that **C** advice because his account would not stand up to analysis because he hadn't worked out what him and every - all of his mates and brothers were going to be precisely saying about [Person A1]'s attendance at their home and it was safer, because he was never going to be telling the truth about it, to bide his time and tell you later on.

**D** Now we turn, of course, to other defendants and we turn, of course, to Yasar Majid as the next the defendant to give evidence.

[Person A1] told us how she was the first the - he was the first man she had sex with in that house; that she told police how he was and how he had been treated in front of her; how there had been pressure, it seems, put upon him in her presence.

**E** Now, why would [Person A1] lie about that, you might think, members of the jury, if that wasn't true? He, however, does not accept that. Again, members of the jury, we say to you when you have to make decisions about who's telling you the truth, and who has been straightforward with you, and who's been an honest witness, think about, we say, aspects such as this.

**F** If this was a woman hell-bent on getting some really nice, Good Samaritans into for money, why would she be saying, why would she describe the sexual activity in ways like this; that he was put under pressure too? Why would she make concessions about him not being a horrible person if she wanted to paint a false and untrue picture?

**G** But the fact is Yasar Majid was one of the men who had been at that property during that initial period of grooming.

He was reminded, of course, what he had said in cross-examination where Ms Beattie was asking him questions that he had said: "Police had attended and that they were asking questions and mentioning a care home and that she was a missing person."

**H** You will recall that in his evidence he went from giving specific ages that she'd announced to coming back and simply announcing: "I am overage."

**A**

He was asked questions about why his evidence was different on significant points like this and he told you how he was in shock and complained about the temperature of the cell prior to his interview as one of the reasons why his account in interview was different to his account from the witness box.

**B**

His account of sexual activity couldn't be further than that of [Person A]. She describes going to bed in the early hours of the morning; that she did things after attending weeks; where she was told that they were family; where she was told that she should sign herself out of care; where they knew her situation and they knew her age; and she spent the evening being given alcohol and cocaine, and being put under pressure to have sex with an adult male; and that she went up to bed; and she told Yasar Majid that she wanted to go to sleep. When sexual activity took place with Yasar Majid that was not sexual activity with true consent. That was, we say, submission, her will having been overborne. His account couldn't be more different, could it: she didn't even give him a chance she was so desperate for sexual activity with him.

**C**

**D**

He told you of his moral compass. He told you how he never saw drugs in that house. He made out to you, members of the jury, that although he went to Sid's house in the very early hours of the morning to continue nights out he had never seen any of anyone take drugs in that house. He told you how he wouldn't have been comfortable with that.

**E**

We say, members of the jury, that Yasar Majid's attempts to claim a moral compass when he was a regular attender at Saeed Akhtar's house is nonsense. He was a friend of Saeed Akhtar. He went to his house before he'd ever met [Person A]. He continued going after he had met her. He helped him with issues of at work.

**F**

[Person A] said: "It wasn't as though I wanted to sleep with him." He was present when they called [Person A1] a slag. He was present when drug dealers congregated. He was present when cocaine was used. And he was present when she was pressured into having sex with him. And he was responsible for the pressure that he put her under in that bedroom when they were alone and that she told him she wanted to sleep.

Turning, then, members of the jury, to Naveed Akhtar, the brother of Saeed:

**G**

It's now, of course, the first defendant who has not given evidence to you because, as you know, there are three men who've been accused of sexual activity with [Person A] who have chosen (as is their right) to not give evidence in this case, and you will hear the legal directions in due course from the judge about this. But you might think that, yet again, that the legal directions completely accord with your sense of common sense because yes, it is quite right that nobody is obliged or forced to give evidence in their own defence. No one

**H**

**A** can make him do that. It is his choice. It is his basic human right to sit there and see if the evidence in the case is sufficient to prove it to you.

But that is not the whole story, members of the jury, because, as you will hear, you can take into account the failure to give evidence in deciding this case and so you are entitled to take into their failure to give evidence in making assessment about their guilt.

**B** That does not mean, of course, that that's all that we need to show. Your evidence - your verdicts, members of the jury, will be based on the evidence in this case.

But what of the evidence of Naveed Akhtar, the brother, as we say, of Saeed? He was there during the grooming process. He was there and saw drugs coming into that property from - by Sid that came from Parvaze Ahmed. He gave a different name to [Person A]: he told her he was called "Maj". And he used the grooming technique, we say, of pretending he wanted a relationship and then saying he'd got back together with his wife after he had got what he wanted.

**C** She describes how the sexual activity took place with Naveed Akhtar. She described how she would be more drunk than any of the men there; how she would drink three times as much as the adult men in the room. She describes how she feels now when she looks back that: "They just used me. For there to be a house full of men and a young girl there, the circumstances were that I didn't feel like I had a choice" is what she said. "I felt like I owed them something."

**D** And when she was asked specifically about Naveed Akhtar she said: "I feel like he exploited me, but I didn't understand what was going on. I liked him. I'm not going to say he was a horrible person. These people made me like them. They made me feel things. There was a mix of feelings, including ..." she described the issue of "... fear and violence." But she describes how she gave in now quicker to having sex with Naveed Akhtar, quicker than she had with Yasar Majid, and isn't that the process - isn't that the process of grooming? She said: "I would just - I stayed up. He would touch me. I would drink three times as much as everyone else. I would be throwing up on the toilet."

**E** And then she described each occasion happening within a few days of each other. And what of that sexual activity? "Didn't take my clothes off" she said. "None of it was personal. It was doing the deed so it were over," that's what she said. And she said that: "That's how it was with anyone at Sid's house: doing the deed so it were over." That's not consent, members of the jury.

**F** Turning, then, to Parvaze Ahmed:

**H**

**A**

Members of the jury, you know that this defendant (Parvaze Ahmed) did go into detail in terms of his interviews with the police. You can look back on those interviews and how he distanced himself, you might think, from his connections with [Person A].

**B**

He said, "I think I've met her" and goes on and describes being there at parties with her. You saw, perhaps, just a glimpse of the real Parvaze Ahmed. You'll recall how he was when he was asked to repeat an answer that couldn't be heard by some of the barristers in the case and how he spoke to counsel, how he spoke to the judge, who, you might think, was dealing with him with the upmost fairness and patience.

**C**

Members of the jury, many of the points that we make about Parvaze Ahmed are the same as with other defendants that we have already addressed you on.

**D**

She was clear that there was drink and drugs with sexual activity with Parvaze Ahmed on each and every occasion there was not sexual activity without it. He spoke to her. "He got me and explained about having sex with me 'to enjoy now.' He had been at that house. He was part of those group of initial groomers."

**E**

The comments that she makes about "having to do the deed" and "getting it over," members of the jury, she says in relation to all of the sexual activity at Sid's house.

You know what his attitude was really about [Person A]. Fahim Iqbal (his nephew): "Make sure you look after my nephew good" he told her. "I said: 'What do you mean?' He said: 'You know what I mean' and he meant "sexually."

**F**

Members of the jury, you might think that when he was cross-examined in detail about instances such as the oral sex he told the police he hadn't describe that with [Person A1] because he was embarrassed. He lied to you, on the evidence we say, about how often he went to Sid's house; trying to make out that he'd been there on just a few occasions. He lied to you, members of the jury, we say, when he told you he was skee - squeaky-clean, in terms of drugs and criminality, when he was at Sid's house, when you know of his drug dealing convictions before and after this.

**G**

We pose the question for you to consider whether or not Parvaze Ahmed was the true victim. We say, members of the jury, that all those points that we have made now repeatedly about what was going on at Sid's house - the drugs, the manipulation, the relationships - are part of the picture here, so that even when you have a case, as you do, in the circumstances of Parvaze Ahmed, where [Person A] would concede that at that time she was co-operating with that sexual activity, you are entitled to take into account that true full picture of what was going on when you make an assessment of the exploitation in respect of the sexual activity of Parvaze Ahmed.

**H**

**A**

Moving on to deal with Billy Jo Jo (as he has been known through this trial):

He accepts that as a nickname. Does not accept, as you know, that the nickname “Teddy bear.” Strange fact, you might think, for [Person A1] to make up the texts about “getting high on Teddy bear airways” if it isn’t in fact based on truth.

**B**

We say that [Person A1] gave clear evidence of offences of rape in respect of Billy Jo Jo.

You can take into account, members of the jury, the evidence of the complaints she makes at the time around him to others, including [Person K].

**C**

You have the clear evidence of his horrible and aggressive manner. The evidence given to you by both [Person A1] and [Person B1] and [Person B1] makes no sexual complaint about him. Her evidence, we say to you, is given by it truly reflects who he is and how he behaved.

**D**

[Person B1] described him in this way: “I think I only ever saw Billy Jo Jo at Sid’s house. I might have seen him more than three or four times. I couldn’t say how many more times. He was weird and scary. His physical appearance, his demeanour, that’s what led me to that conclusion. His eyes and his gold tooth. But it was his aura: he wasn’t approachable.”

**E**

It was put to her that: “He was entertaining?” And she was absolutely clear: “I wouldn’t say he was entertaining. I found him more intimidating than entertaining.” When it was suggested: “He was just animated?” she said: “Just no. He came across as quite an aggressive person.”

**F**

[Person B1] also told you this: that [Person A1] had spoken to her concerns about Billy Jo Jo. And it was put to her: “What, she told you about Billy Jo Jo back then, or could it be after the police had been involved, after the video interviews and so forth?” And she said: “It was definitely at the time and when it happened.”

**G**

And then you have the evidence from [Person A] as to how she described this. She said: “Every time sexual activity took place he was threatening. He would say things like: ‘You ungrateful bitch. We’ve given you all this coke.’ He would say things to her such as: ‘If you’re not fucking the doctor, then you can fuck me.’ He would lure her over because he had Parvaze Ahmed’s phone.” That was because, we say, he was, according to [Person A1], a drug runner for Parvaze Ahmed. And, yes, she describes the incident when his family member intervened and, yes, a brother of his may have been called into the witness, but ask yourselves this question: what complainant would say that the man who had tried to rape had had his brother intervene if it wasn’t true, members of the jury? Because she knows almost

**H**

**A** certainly that brother's loyalty will be to brother, as opposed to the girl who's been in that house. Why make that allegation to the police if it wasn't absolutely true?

**B** And the link, it seems, according to Izar Hussain, because he is both an attender at Sid's house during the grooming, dealing with the drug dealing during that initial period of time but goes on to rape her at properties connected with him - [Billy Jo Jo's address] and at Fairfield - the link, according to Mr Hussain, was his brother, [REDACTED], the missing brother.

**C** He was asked - you'll remember - the link was that that was Sid's best mate and he was asked about whether he was calling [REDACTED] to give evidence about everything that had gone on and his behaviour and his interactions with [Person A1] because, of course, this was very important evidence because his account was how [Person A1] was just a nuisance, and would be turning up at his house, and he didn't want this girl there and so forth, but he said it was his brother who had insisted that she be let into his property (brother [REDACTED]) and so he was asked whether we were going to hear from him. We asked his mother, of course. You will recall they hadn't seen him for years. They just hadn't seen him for years, which seemed **D** really quite strange because when we heard from the next brother who was to give evidence, members of the jury, he'd seen [REDACTED] the day before but yet [REDACTED], it seems, was missing and couldn't give evidence.

**E** There were, we say, just layer upon layer of lies from Mr Hussain. And if you look, members of the jury, we say, at how he dealt with the police in interview you can see that all he was prepared to say back in October 2016 was that he denied the offences. He was not even willing to tell the police at the police station back in 2016 what his connection was as regards [Person A].

**F** He stands behind, we say, advice he says was given by his solicitors, members of the jury, but you can see when you look at the interviews he selects to answer some questions there aren't tricky because they're not about [Person A].

**G** The situation is, is that even when we get to January 2017 and you engage with his interview at that point he was still answering "no comment" in his police interviews despite the fact that by this point [Person A1] had picked him out on an ID parade, and what did he say? He said that: "These were false accusations."

**H** He went on throughout that police interview to say this: "I believe these pictures on my identification have been taken from maybe a social networking site. That's how somebody knows who I am." That's what he was telling police that's how [Person A] knew who he was and yet he was telling you, members of the jury, that she would turn up at his

**A** house and he'd be forced to let her in, members of the jury, again, acting out of the goodness of his heart.

**B** If that was really the situation and you'd been put in that position by some teenage girl would you not be quick to tell the police about it? The fact that he continues with these lies, members of the jury, of absolutely shows to you through - that he had no answer at that stage in his police interview. He wanted time to work out, you might think, how he was going to deal with the evidence.

**C** One on other point as regards Mr Hussain. He said to you all of this was being made up against him. The doctor, the force, his aggression, the sexual activity, he puts all of that he says that [Person A1] makes these really quite wicked lies about him because back then he spoke her about her being a poor parent. And clearly you might think she's borne a grudge about that, but how did he describe it then? He describes, doesn't he, you might think, in his evidence to you about how it was that she had said to him about getting him back, but then had gone on further and had indicated that - sorry - had said about the bad parenting but then had gone on further and indicated that it was the situation that she had actually gone further and spoken about how she was going to get him back in the future.

**D** You might think, members of the jury, that if he really had that memory of someone indicating that they were going to get him in the future he would be very, very quick to mention that when he was interviewed by the police.

**E** Turning on, then, with an eye on the clock, members of the jury, to the case of Zeeshan Ali:

**F** You are dealing, as you know, members of the jury, in the case of Zeeshan Ali with count 22 alone: sexual assault. The least serious offence. "Least serious" does not equal innocence, members of the jury. And we say that [Person A] gave a very clear description of that man touching her sexually. But there is no question about whether she wanted it or not. She described how he felt that she - she saw that the situation was that Zeeshan Eli - Ali felt that he had the right to touch her as she - as he wished. She was, as one of Saeed Akhtar 's girls, a commodity to be touched and used. Zeeshan Ali had not been a regular an attender but he had been attending at Saeed Akhtar 's house.

**G** She described it in this way: "Zeeshan's behaviour was full-on. That was what he expected." She said: "Basically, the way it was, was that people would come and the way they would act as soon as they met them girls, they could be making advances. There was no messing about." And she described it in this way. She mentions him in her video, you might think, almost in passing when she is describing the rape by Sully. There is, therefore, no

**H**

**A** basis for her to lie about him. It was a detail - a truthful detail - of an account that she was giving.

**B** And his defence, it seems - as we've identified - is that there was no doubt in her mind about his identity, but his defence, it seems, is that she has got the wrong man. And that seems to be based on things such as an inability to point out Sully's property even though she was - as she told the police - under the influence. But she knew him. She knew this man as "T." There was no issue about that. She'd met him before. And there's no issue taken about the fact that Zeeshan Ali's nickname was "T."

**C** There is no doubt that he was present, we say, at Sid's in circumstances good enough and for long enough, in good circumstances, to be absolutely certain about his identity and there are a number of reasons why we can clearly say that: not just the fact that she names him; not just the fact that she picks him out on a video identification parade; not just the fact that he was actually at her house after this, as you can see on the timeline. And that's significant because there can be no question about that because she said this in evidence: "It was after what had happened when he came to my house. We didn't talk about what had happened. There was a conversation about Sully and me crying. I don't know how it came about. He said: 'You came downstairs. I couldn't be arsed so serious shit went on. You came downstairs crying.' It was a few months after, as I" - this is the meeting - the subsequent meeting - with Zeeshan Ali after he sexually assaulted her on the occasion of the rape by Sully. "It was a few months after as I was still living at CMS when the rape with Sully happened so there were no problems with the light. I spent enough time around him to be 100 per cent sure of who he is." And, as you know, when they met again on the incident on the timeline then it was the case that he referenced the event with Sully.

**F** That, members of the jury, makes clear that there is there's no mistake, we say, whatsoever, about her - in her mind about the identity of him.

Now, dealing with Kieran Harris:

**G** I'll come back to dealing with count 22, which is the joint offence, the aiding and abetting offence, as regards with Fahim Iqbal. But I'll just deal, please, with that situation, please, before I go on to deal with Fahim Iqbal.

**H** In terms of the identification of Kieran Harris, because that seems to be the issue that is raised on his behalf, she named Kieran as: the man responsible for drugging her; as the man responsible for penetrating her when she thought she was having sexual intercourse with Fahim Iqbal; and the man who - the man who, having drugged her and who having raped her in this circumstances with Fahim Iqbal, recorded her. She used his name "Kieran"

**A** throughout the video with the police over and over again when she described what he did to her. She described how it was that Kieran Harris was - and his behaviour was one of the things that kept her awake at nights.

**B** There is no doubt, we say, that the sexual activities took place with Kieran Harris were clearly non-consensual sexual activity; they were offences of rape; and there is no doubt, we say, whatsoever as to the correctness of the identification of Kieran Harris as the perpetrator.

**C** She had seen him on many occasions over significant periods of time. She picked him out on an identification parade, and you have watched her do that. You have watched the videos of those identification parades and you saw her reaction at that second video interview when she immediately realised that she had messed up and that she had made an error, and after that long day of watching video interview after vid - sorry - after video parade after video parade and seeing many faces she raised then that she had made an error, but that she was confident, we say, when she gave evidence to you about the nature of that error. She was confident that when she picked out Kieran Harris she picked him out as the man responsible for these offences.

**D** You have the images. Some of the images of Kieran Harris she described him as: "Looking like an evil pixie." You have those photographs. Matter for you whether you think that in fact that was quite an accurate description.

**E** You have the image from 2008, don't you, some recent images that were passed to you yesterday of Kieran Harris and you will have noticed there him having denied ever having had a cut through his eyebrow, that actually - because that's how she described him, members of the jury, having that scar through is eyebrow, that fashion back then of having your eyebrow shaved in just one part. Something that you might think would grow back pretty quickly can be changed pretty easily, members of the jury. It's not coincidence, is it? These things when they're found and we obtained them and you will recall that there were images of Mr Harris, not a coincidence that she describes him in that way and that then it is discovered that there are images of him with exactly that specific description.

**F** Now, members of the jury, no doubt you will hear at length about the issues with the identification parade and about how she hasn't described tattoos and gold teeth. But, members of the jury, her evidence to you was absolutely clear about the correctness of her identification as Kieran Harris as the perpetrator. And you will think also that it's not unusual for these particular group of men to have gold teeth and perhaps some tattoos, perhaps you will consider that one of them is even not that noticeable.

**G**

**H**

**A** So, members of the jury, moving on, then, dealing briefly with the evidence on count 22, if I may:

As you know, count 22, members of the jury, is a joint offence that we say that whatever sexual activity had taken place between [Person A1] and Fahim privately does not -  
**B** is not a charge on this indictment, members of the jury. But what we say is this. That when Fahim Iqbal stopped having sexual intercourse with [Person A1] he stopped having that sexual intercourse and was aiding and abetting the rape of [Person A1] by his stealth, members of the jury, you might think, by his stopping having sex and knowing, we say, that Kieran Harris was penetrating [Person A].

**C** Now, there are two fundamental points that we make about this evidence, although, of course, concede what [Person A1] said from the witness box. I'm just going to pause. I really don't have very much longer, but I wonder if I could just check with the Bar?

JUDGE HALL: No, don't worry. Don't worry.

MS MELLY: Thank you very much.

**D** CLOSING SPEECH ON BEHALF OF THE PROSECUTION (Cont'd.)

MS MELLY: This is a case where at least two adult men entered the complainant's home. She consented to sexual intercourse with one of them only. She discovered halfway through that penetration, members of the jury, that there was a different man inside her. She did not consent to sexual activity with Kieran Harris, and Fahim Iqbal, in assisting that offence to  
**E** take place, is guilty of aiding and abetting that rape.

The evidence, it's right to say, from the courtroom was this. That: "[She] remembered him [Fahim] taking his penis out and something happened at the door. But he had not ejaculated. I'm pretty sure he said: 'Be back in one minute.' I thought he was  
**F** coming back. He didn't say, "Get dressed," he didn't say, "I'd finished," and that's why I slouched into my arms and, kind of, waited."

You have the photograph of that small room, members of the jury. She was facing away from that door, on all fours. He withdrew from inside her prior to ejaculation, members of the jury. That was, we say, his - her account of what had happened. And we say,  
**G** members of the jury, that in that situation, him telling her to "wait one minute," it is absolutely obvious, we say, that he was in on what was going on and, therefore, is guilty of the offence.

I remind you now, members of the jury, because it may be that time, in some way, has influenced matters, but let re - me remind you of how she described it ([Person A1]) to the  
**H** police. "At any point ..." she was asked "... were you aware of Fahim leaving the room or

**A** anything?" "No." She shook her head. "I thought it was him," she said, meaning "I thought it was him inside me."

**B** "So, you've been in there, sort of five or 10 minutes," it was put. "You've looked over your shoulder and whilst the sex was still place - taking place you see Kieran?" She nods her head. "Did you see Fahim at all in the room?" she's asked. "Yeah. Next, stood near him." That's her recollection of what took place on that video interview: that she looked around and she saw Kieran inside her and Fahim stood near him. And the officer repeats: "Stood near him?" And she said: "Yeah." So the officer clarifies there: "So, the person having sex with you was Kieran?" Her response: "Yeah. And Fahim were watching." That is the account. That, we say, was the evidence to the police at the time of her video interview.

**C** She said to you, and, again, you may think to her credit, she says: "My reaction was I thought he was there, but ..." she said "... that could be the humiliation." That was her perspective in 2019. But when video interviewed many years before by police she recalls it as "Fahim was watching." When she was pushed on this she said: "I remember Fahim being stood at the bottom of the bed, but ..." she said "... I don't know whether that was immediately or 30 seconds or a minute later."

**D** What's significant, members of the jury, we say, is that her clear account to the police was of Fahim, not just stood somewhere in the room, stood near or next to Kieran and watching.

**E** Members of the jury, you also take into account, we say, his response to Kieran's behaviour. You know that Kieran walks into her home and drags her by the hair and tells her to put something sexy on. "Thank you for stopping that ..." she told the police she'd said to Fahim "... and he responds in this way: 'Oh, it's only because you know my uncle.'" And we know who that is: that is - that is Parvaze Ahmed. "And he said: 'You're lucky, cos Kieran can get very aggressive sometimes. He doesn't keep his temper well.'" That's what Fahim Iqbal said to [Person A] at the time.

**F** And what of the apology and Fahim's behaviour afterwards, members of the jury? If he had nothing to do with this, what on earth was he apologising to her for? If Fahim was, somehow, the victim of Kieran just pushing in and enjoying [Person A] and he hadn't been part of it at all, why was Fahim Iqbal apologising to [Person A]? And what did she say to the police as to the reason why Fahim Iqbal was apologising? She said to the police that: "Fahim Iqbal had said 'Oh, I'm sorry. I didn't know it had upset you'" because that is how little they thought of her.

**G**

**H**

A

That, members of the jury, was the evidence from [Person A1] at the time, and that, we say, members of the jury, is very clear evidence that Fahim Iqbal was well-aware and aided Kieran Harris in the rape of [Person A].

Very briefly, then, to deal with the final defendant:

B

Much fresher in your mind in any event, members of the jury, but we say as regards Mr Usman - a man who used force and aggression to complete his rapes - took advantage of [Person A] in her situation.

C

The evidence from [Person A1] is absolutely clear about the issues of consent that she did not want the sexual activity to take place with Mohammed Usman; that he was one of the men whose behaviour and aggression towards her kept her awake at night.

D

There - members of the jury, a couple of issues seems to have been raised by the defence in this case in relation to Usman. There's some issue about the dates here and about the fact that during this period of time it's right that [Person A1] had a number of different appointments, or pieces of information were being written down on her records during the period of time that Usman was attending.

E

Now, firstly, some of those appointments, it seems, or most of them would have been during the day. They with very professionals, but perhaps that's not the most significant point, because Mr Usman's case is that he would see [Person A] during this period of time. Mr Usman's case is that: "She seemed fit and well when [he] saw her. That there was nothing medical. There was no issue. She wasn't incapacitated. That [he] saw her at parties and that she was dancing."

F

So, members of the jury, perhaps the defence point is this. That if there was some serious medical issue, that [Person A] would have referenced it when she describes the rapes by Mr Usman.

G

Try and engage that just for a moment, members of the jury: firstly, we know that [Person A] had been used sexually by many more men than are in the dock; that this had happened on many occasions; that she was a woman whose life was full of appointments with different social workers; that this was a woman who had ongoing significant issues with her periods from right back when she was at [Location B1] children's home. It doesn't follow, members of the jury, that she's going to reference specific appointments or medical issues when she describes the rapes by Mohammed Usman. And it doesn't really help you, members of the jury, because, as you know, it's not as if he's saying: "Well, I couldn't have been there. I couldn't have been with her then because she was having all these

H

**A** appointments.” He accepts that he is present at her home. So that was the first issue just to deal with.

**B** Secondly, as regards the asthma that he has, and there were multiple questions about his asthma, and appointments, and prescriptions, and so forth. Well, the fact is, as he accepted, he had asthma before, he had asthma during and he had asthma afterwards and it didn’t stop him going to any of the parties, or to her house, or anything like that, or getting drunk, or turning up, or shouting at her house so, a matter for you, members of the jury, how that assists you.

**C** He wanted to come across to you as a meek, clean-living man who lived a non-aggressive lifestyle. He told you how he had - although had a drug dealing past, he was not aggressive. That’s what he was to tell you. When he was pushed over that incident at the end of July 2011, because there’s contemporaneous records that [Person A1] was so perturbed by his presence in her home that she left her own house while she waited for the police to arrive. That this so-called feisty girl, who knew her own mind, was so concerned by **D** Mr Usman’s aggression that she felt that she had to leave her own home and wait for police to attend in order to protect her. She had been threatened by his friends about her jaw being broken. He’d urinated in her house. That’s what he thought of [Person A], and yet he was to tell you when he was pushed, “How do you know you weren’t aggressive?” what was his answer? “Because I’m just not. I’m not an aggressive person. I’m not like that.” **E**

Members of the jury, he has been twice, because he knew of his own issues with aggression, to seek help for his anger management, members of the jury.

**F** Now, whether or not he’d actually been to anger management perhaps isn’t really the issue, although he was to tell you that he’d got that anger management at Alcoholics Anonymous and not the Brave Project, which is where he was referred to in his police notes. The fact is, is that what he wanted to do was create an entirely false and misleading picture in an attempt to pull the wool over your eyes and in an attempt for you to see him as the meek, clean-living man that he tries to present himself to you as.

**G** The fact of the matter is he sought anger management because - and of course that was a factor that [Person A] could not possibly have known, we say, that he was seeking or had sought just the year before anger management - that he was trying to pull the wool over your eyes because what he cannot admit to you is the truth that he used and forced himself upon [Person A] when he wanted to. And, members of the jury, those are the points that we would make in respect of Mr Usman. **H**

**A**

We say to you, members of the jury, that when you analyse with care all of the evidence in this case, members of the jury, it drives you to the inescapable conclusion that these men are guilty of the charges that they face.

**B**

JUDGE HALL: Thank you, Ms Melly. Thank you, ladies and gentlemen. We'll have a break, obviously. Is - is one hour 5 minutes all right for you? 2.15, Mr Moulson?

MR MOULSON: Thank you, your Honour.

JUDGE HALL: I know you'll be all right. OK, ladies and gentlemen, we hope to hear some, or part, or all of the two speeches this afternoon. Thank you very much indeed. See you at 2.15.

**C**

(In the absence of the jury)

[REDACTED]

**D**

[REDACTED]

**E**

[REDACTED]

**F**

[REDACTED]

**G**

[REDACTED]

**H**

[REDACTED]

**A**

[REDACTED]

**B**

[REDACTED]

(Luncheon adjournment)

[REDACTED]

**C**

[REDACTED]

**D**

[REDACTED]

**E**

(In the presence of the jury)

JUDGE HALL: Thanks. OK, yes. All present, good. Thank you.

CLOSING SPEECH ON BEHALF OF THE DEFENDANT SAEED AKHTAR

**F**

MR MOULSON: Ladies and gentlemen, it's nice after six weeks nearly of trial for me to be able to face you. Whether it's nice for you to have to face me, of course, is an entirely different matter. Perhaps it's a good job that we can't have any direct discourse with each other.

**G**

Can I make two promises to you, please, ladies and gentlemen. My address to you on behalf of Saeed Akhtar will be calm and it will retain perspective. And I make those two touchstones my foundations in this case to permit you to make your decisions without emotional blackmail from any source to prey upon your thoughts because I apprehend that his Honour the learned judge, in the early course of next week when he delivers his summing-up and his guidance to you, will be to invite you to consider your verdicts in accordance with your oath, underscored by the fact that you must take a totally emotionless view and return your verdicts on the facts as you find them to be.

**H**

A

Can I ask rhetorically one favour in return. That in the course of your deliberations you simply balance all as an individual when you when you're considering a fact, as a team of 12 committed jurors, as you absolutely have been - of course, not one of you has missed a minute.

B

Perspective on behalf of Saeed Akhtar: one count of rape; two single incidents, now - as late as this morning - corrected by the Crown, of allegedly inciting [Person A1] to perform favours in return for drugs, money, drinks. But, ladies and gentlemen, I hope the structure of this address that Mr Shakoor and I have adopted is helpful to you. So, some short points of introduction, followed by 10 points we think may be worthy of your consideration and then some short concluding remarks.

C

Towards the end of my address to you I shall deal with, I hope, on behalf of all counsel who ally themselves with it the issue of compensation to enable their addresses to be shorter to you. In essence really that's why I go first, because I cross-examined [Person A1] about that issue of compensation, and you'll receive some more agreed facts about that issue towards the conclusion of my address, so in overall terms we're trying to make things shorter and more focussed for you.

D

Short points of introduction, ladies and gentlemen:

E

It was maybe three or four months ago now that you received your summons through the letterbox. It's a relief, isn't it, to find that that document headed "Attend Court," in rather pre-emptory terms, as you read through it becomes: "Thankfully, it's jury service. I haven't missed my council tax. I'm not overdue paying a bill." And thoughts then turn, we apprehend, to: "What sort of case will I get? What sort of decisions will I be required to make?" Well, six weeks allegations of this type, it could not be more serious and more demanding of an analytical approach.

F

Secondly, it's an adversarial system. Ms Melly and on others are adversaries in this case. Any observations which you think are critical of the prosecution case are not, of course, personal to her, or any other representative of the prosecution case. But as males are on this - are involved in this trial I am going to say this. If it was you or a male relative - son, brother, husband, uncle - and a barrister on his behalf simply ducked an issue because it involved criticism or you had to make an unpalatable point, where would we be?

G

And so, ladies and gentlemen, my third point. This address will not contain any manipulation of you, no hysteria. Hysteria and manip - manipulation cloud thinking, they give you emotionally-based judgments and nothing more. Analysis of the facts.

H

**A** And so point one of our 10, ladies and gentlemen: “The foundations of my decision.” Your touchstones, ladies and gentlemen, is your oath to give a true verdict according to the evidence, not about how I feel. Don’t fall for manipulation. Let me illustrate one point which emphasises how strong your cold hearts must be about this case.

**B** There were 16 visits by the police, as we know, to [Sid's address] and on none of them did they find any cocaine. Imagine the power for the prosecution with a find of cocaine on one more of those visits. Not a line, not a gram, not a kilo, not two kilos in a nearly football-shaped bag when apparently the two girls they were looking for, at least one of them was standing on it.

**C** And so if the prosecution, ladies and gentlemen, would be entitled to the power of the find of cocaine, given the 16 visits - which we welcome in this case because we’re trying to prove a negative - and not find at all, isn’t that, when you balance all, equally fair to take into account? A lack of evidence can be as powerful as a find. Follow, of course, the directions of his Honour.

**D** To be unsure is a perfectly acceptable state of mind. “If I’m not, I will be prepared to say so. To convict, of course, “if I am not sure” is wholly impermissible and against your oath and against his Honour’s guidance, and I use his Honour’s guidance on this point as the independent referee. “Mr Moulson, for the defence, you’re bound to say that,” but I’m simply anticipating what I apprehend his Honour, as the independent referee, will tell you.

**E** I will ignore the emotional overlay, powerfully intense though it is. I’ll look for support one way or the other. And when I talk of “balance,” what about that drugs point? Which way does that take you?

**F** The police surely if they’d found cocaine would have made arrests. It would have been produced in evidence. I’ll return to that, ladies and gentlemen, in due course.

Point 2, age and lies:

As a fact it didn’t take [Person A] long to lie about her age. She lied about her age to Bash. She lied about her age to Saeed Akhtar, saying, even according to her, that she was 18.

**G** Let’s pause because they’re not the only people to whom she lied. What’s the purpose of a lie? Well, lying about age is calculated, isn’t it? The purpose of a lie is for some perceived advantage to the liar. What was her advantage?

**H** She was found, wasn’t she, with [Person EE] in the cupboard and the police took them away. You’re in a police car, bad things are happening to you at this address. You are in a perfect place of safety.

**A** There appears to have been some misunderstanding with the Police National Computer check about ages, and then they're returned to [Sid's address]. And I won't take you to it now, ladies and gentlemen, but the entry in the timeline refers "Misspers" ("missing people" - "missing persons," forgive me) want to return."

**B** And then there was some conversation, wasn't there, in house when the girls were returned in front of the police to that address: "Officer, you've got it - you've got it so wrong. I'm only 16. I'm only 17. I'm - I'm not 18." But that continued. It was allowed to continue, so there was a lie in front of the police.

**C** A police officer turns up to your house and says, "This girl is 18." is your belief about her age, bearing in mind she's told you she is, is your belief a reasonable one if a police officer is telling you that or an unreasonable one? Where does the balance lie? So that's that Bash (Mr Akhtar) and the police.

**D** And then she lied to [REDACTED] about her age. [REDACTED] thought she was 18 or 19. Four lies all about the same thing, all calculated. Where does the balanced view take you? Surely there's room for doubt, is there not?

**E** You've got the notice of the harbourer's warning, ladies and gentlemen, in Mr Akhtar's section in your jury bundle, and when the officer attends to give him that in November of 2010 Mr Akhtar says: "Oh yes, there've been previous incidents with her," or words to that effect. The deceitfulness to Akhtar, it doesn't say "Mr Akhtar had never heard of her" or "she'd never been at his house," but it does give her true date of birth.

**F** Any visits to [Sid's address] after the issue of that harbourer's warning? None. So, what passed between her and Mr Akhtar after that? And it's there in black and white on a document which contains different information than the police visit earlier had given to him. So, did he act properly when he knew her true age because it was written black and white? Where does the balance of that conduct take

you when Mr Akhtar is accused by the Crown because, as he says on advice, he didn't answer any questions, but there is full cooperation with the officer delivering that notice: "Oh yes, I know about her."?"

**G** What does the deceitful arch-criminal do? "Well, she's not here. She's never been here. I don't know what you're talking about." It was far from that, wasn't it? When we balance all, ladies and gentlemen, where this taking us?

**H** Another fundamental overarching issue you might to begin to consider, ladies and gentlemen, is expectation over evidence, and what I mean by that - and it applies to a number of the points I'm going to come to, if I may - if all these things are happening at [Sid's address] and [Person A1] and [Person EE] - for that's the occasion I'm going to do - in a police

**A** car being taken away from [Sid's address], what would your expectation be about the conduct of those individuals? “Thankfully you’re here, officer. It’s been an absolute nightmare. I’m now safe. I can go back free from [Sid's address].” Not “Misspers want to return,” as is in black and white on the timeline supplied by the prosecution. You expectation is they’d want to go if all these things were happening. The evidence is they wanted to go back and they didn’t correct a lie so that they could stay there. Expectation over evidence is an important feature of our address to you, ladies and gentlemen.

**B** 3. the rape (a single count), a single count of unwanted physical interaction between Mr Akhtar and [Person A] according to her in her video interviews:

**C** His defence is there was never any physical interaction. She says it happened. That is not, ladies and gentlemen, the end of it. It is, however, is it not, as an allegation word-on-word? And it’s word-on-word because there were no eyewitnesses to it - not uncommon, of course, in allegations of rape.

**D** There was no injury. There was no pregnancy. I’ll return to the question of whether there was an immediate complaint or not in a moment. There’s no forensic evidence that it happened. [Person A1] wasn’t kidnapped. She wasn’t forced at knife or gunpoint. She wasn’t threatened in any way.

**E** Now, all those observations, ladies and gentlemen, are in fact truisms, but, rightly, they’re rather in the old-fashioned category, aren’t they, because, as a society and as a matter of law we have, rightly, moved on. Of course it’s ridiculous to say there must be injury before you can prove rape, of course, but as a fact there wasn’t.

**F** But, of course, the law has now moved on, ladies and gentlemen, and I apprehend that reference will be made by his Honour to the Sexual Offences Act of 2003 and you will receive guidance on this point.

**G** And that law, relatively recent and welcome, has certain provisions in it, and I’m just going to touch upon some of them because it’s a more modern exposition of the law than the injury factor, the forensic factor, matters of that kind, because it makes these observations. If there is a use there’s a use of violence against - and I’ll use the male on the female example because that’s the more common one, of course - “if there’s the use of violence against the complainant or a defendant (an accused) causes the complainant to fear of immediate violence,” then really in essence the law says: “Well, she can’t have consented.” None of that here from [Person A1]’s own words: no violence or fear of violence.

**H** Similarly, “to fear that violence would be used.” None of that here. “Unlawfully detained.” None of that here. “She was asleep or otherwise unconscious.” None of that

**A** here. “Physical disability rendering the female unable to communicate a lack of consent.” None of that here. “A person had administered or caused to be taken by the complainant (the girl) without the complainant’s consent a substance which was, when administered or taken, was capable of causing or enabling the complainant to be stupefied or overpowered.”

**B** We specifically asked her about the circumstances of this allegation. They were downstairs. Her account: she voluntary - and we made this plain - had taken alcohol and drugs, but she was no in way stupefied. She gave an account of this, didn’t she? They went upstairs without force or violence. In the act force or violence was not used. She said she “pretended to be asleep, but he kept waking me up. I said ‘Yes.’” A reasonable belief in consent by the male or wholly unreasonable? Where does the balance take you?

**C** And so from the old-fashioned criteria to the more modern criteria, ladies and gentlemen, we do invite you to the view that there is doubt as to whether even if this did take place there was not - as the law permits - a defendant to believe that there was reluctant consent on behalf of the female.

**D** But there is a further angle to this, ladies and gentlemen, and we touch again on this expectation over evidence. If this was truly rape, would your victim visit you, on her account and the account of other, four or five times after this event? Would she write in her telephone book “Sid, best mate”? Would she keep the telephone number?

**E** To whom did she complain at the time? She said she complained to [REDACTED]. [REDACTED] said that: “She said ([Person A1] said): ‘I slept with Sid.’” Not: “He raped me,” or “he forced me,” or “I was disgusted.”

**F** [Social worker 5], one of the care workers: “She said she’d slept with Sid and seemed quite happy or proud about it.” Expectation over evidence: “I’ve just been raped. I’m gonna visit him. I’m gonna put him in my phonebook as ‘Best mate.’ And even though I’ve said I’ve complained, I haven’t, or there’s doubt about it, and I’m gonna tell someone I’m pleased.”

**G** It’s uncomfortable to hear it. But we only have one address to you, ladies and gentlemen. The prosecution have two - that’s the way it works. There’s no complaint about it. But it’s the first time we’ve had an opportunity as a defence team to present our thoughts on this, and so we urge you to consider whether or not there is room for doubt.

As point 4 let’s just go into a bit more detail, if me way, of the observations of [Social worker 5] and [REDACTED]

**H** [Social worker 5] worked at CMS in 2010: “Support for the girls, I did become the key worker for [Person A1] later on in her stay. She was quite open about talking about Sid. No

**A** instruction of ‘Sid through fear,’ ‘Don’t speak about me,’ ‘Don’t tell anybody where you’re going.’ [Person A1] said he’d said - sex with Sid once. She was happy. She thought a lot about him and she was happy about it. [Person A1] never said that she’d been sent out to work as a prostitute, or to get drugs for him.” Balanced against the fact she was open about all this, in the thoughts of a professional care worker, where is the complaint?

**B** And we have another area of expectation over evidence, don’t we, ladies and gentlemen: the call on the 2<sup>nd</sup> of October when [Person A1] was in the street one night. Detective Constable Dawn Jackson: “‘Sid will help me.’ And then in call to Sid: ‘But no, I won’t.’” Is that to whom you turn when you’ve been raped or sent out to be a prostitute?

**C** This expectation over evidence is important.

Incitement, ladies and gentlemen, point 5:

Well, [Person A1] says - the prosecution seem to accept as late as this morning: “It’s on two occasions that this has happened.” One rape and two occasions where she says she’s been sent out to get drugs. Well, it’s word-on-word. There’s only her allegation. No witnesses to the conversation. Bhindi hasn’t made his presence felt in the trial, because that’s one of the people to whom she went. She can’t name the other and give no detail about it, and whether or not one should face an allegation in those terms, well, it’s a matter for you.

**D** She claims that Mr Akhtar incited her, in what we assume now is the second of these occasions, to have sex but she didn’t actually do it. Forgive me, I thought the very essence of this case was that [Person A1] was groomed beyond the state of being able to exercise free choice and just did like a lapdog what Mr Akhtar and the others prevailed upon her to do. So do we have this position, Ms Melly: “He told me to become - to go and do a sexual favour for some drugs. My will was so overborne that I just did what they said, but I didn’t actually do what he told me to do.”

**E** If this will is so overborne and you’re such a lapdog to these defendants, why didn’t you? What happens when you don’t come back with any cocaine, because that’s it is prosecution theory? I can’t test really this second one because she just said “it happened on another occasion.” What did you do when you came back, [Person A1], and there were no drugs? We thought you just did everything they said, but there you are, in the face of a request, exercising free choice.”

**F** The Bhindi incident:

“[Person A1] was on the phone to him.” She had a telephone. She had options. She walked to this place, didn’t she, or got a taxi, forgive me? Couldn’t she have got dropped off elsewhere?

**G**

**H**

**A** Ever a complaint to anyone before these videos about being incited to be a prostitute?  
“I don’t wanna go and do that. I’m just get the taxi back to the care home. I don’t wanna do that. I’ll get the taxi to the police station. I don’t wanna do that. I’ll just disappear back to the care home, where they have locked doors that I can stay behind unless I exercise the choice to leave.”

**B** In considering this fifth point let’s go back the [Social worker 5], her key worker at this time. “She was intelligent. She was open and truthful. I wouldn’t say she tried to hide any of it. She never complained about being sent out to work as a prostitute.”

Where does the balance of all this take us?

**C** 6, ladies and gentlemen, agreed facts:

**D** It was said with considerable emphasis this morning, wasn’t it, by the Crown that there was - “there were 16 visits by the police” in a way designed to make you feel that that was suspicious and that the [Person A1] always must have been there. But when you’re trying to prove a negative that that house wasn’t full of drugs all the time and other people brought it on occasions, you’d welcome it, wouldn’t you? You’d welcome now that you’re on trial for your representative to be able to say as an agreed fact with the prosecution that: “On no time that the police attended were there any drugs”? I’ve touched upon this point in my - at the very start of my opening so I can take it shortly. You have our point on this.

**E** There were drugs there all the time. What’s your expectation? The police have been there 16 times in those dates prescribed by the agreed facts and never found any. Expectation over evidence: where does the balance lie?

**F** And then we have this blandishment this morning, don’t we, from the Crown: “A wider role by Mr Akhtar than prescribed by the counts.” Really? You reduced one this morning to a single count and you’re now saying, out of thin air, whilst dealing with people’s futures that there’s “a wider role,” hence I’m taking time over this drugs matter, because actually what you had, what the prosecution team have had, of since 2014 allegations of drug supply. There are 25 counts on this indictment across them. Anything about drug supply?

**G** Anything about possession of “two kilos of cocaine”? That’s [Person A1]’s word. Where is it? What’s the matter? Haven’t you had enough time to put it on the indictment? That’s your allegation of grooming, or part of it. What’s the matter? Are you concerned that the police didn’t find any, ever, so that’s why it’s have not there?” What shall we have, ladies and gentlemen: barrister ducks issue because it disagrees head-on on with the prosecution?

**H** That would never work, would it? Put it on the indictment. This is the second trial. Do something about it if you’re so convinced about it.

A

7, ladies and gentlemen, some numbers:

Well, 100 per cent of the time the police didn't find any cocaine. 75 per cent of the time (because they find [Person A1] there four times out of 16) they find that - they don't find her there. 75 per cent of the time she's not there. 25 counts. Zero counts of supply of cocaine. Zero counts of possession with intent to supply. One harbourer's warning. Then zero visits to [Sid's address] by [Person A1]. Four/five the number of visits [Person A1] is said by her and a combination of [REDACTED] to have made to Mr Akhtar after the alleged rape. Expectation versus evidence, ladies and gentlemen.

B

8, [Person A1]'s personality:

C

Climbing through windows to get out of that care home: "I'm being groomed. Bad things are happening to me. I'm being told that may be happening to me but I'm going to gonna climb through the windows to get out. I'm gonna circumvent fire alarm systems to get out." And bearing in mind this case is all about manipulation: "What are you doing, [Person A1], when you're saying to your care workers 'I'm just going to nip out for a cigarette' with the full intention of not coming back that night? Manipulative behaviour?

D

In her third interview - page 14 in case anybody wants a reference about this - she describes "kicking off" with the police and the staff and social services at the care home to get what she wanted. Well, when she didn't want to do something, like she didn't want to have sex to get the drugs - a matter which we've just alluded - she didn't do it. She's an intelligent girl. She's told us she won a place at university when she was in her early teenage years.

E

What about others who knew her best? [Person B]: "[Person A1] was a loud character. She'd certainly stand up for herself. She'd fall out with staff. If she was un - treated unfairly she would let them know. We were friends. She confided in me at the time." No complaint to her about Sid raping her or being forced into prostitution.

F

[Person B]: "She ([Person A1]) told me she was going to make a complaint cos she'd seen the Rotherham story."

G

[REDACTED] ([Person B1]'s key worker): "[Person A1] was quite vocal. She would stand up for herself."

[Social worker 1] (another one of her key workers): "[Person A1] would be verbally aggressive, loud, argumentative, and make her feelings known."

H

Now, [Person A1] is trying to align herself - forgive me - in 2014 in those videos she was trying to align herself with being akin to those girls who sustained the abuse in Rotherham.

**A** So, could this girl be forced, or coerced, or groomed into something she did not want to do, bearing in mind the evidence from her key workers and from her close friend? “She would make her feelings known. If she didn’t wanna to do something, she wouldn’t do it.”

9. her will being suborned:

**B** “Rendered powerless as a person of any fortitude,” that’s what the prosecution are saying. “I didn’t have a thought process strong enough. I wasn’t strong enough to complain. I didn’t realise what was happening.”

**C** In the time with which we’re concerned, ladies and gentlemen, she telephoned the police, or contacted the police, or made complaint to the police on numerous occasions, and you have them in the agreed facts and I shall go through them briefly: January 2009, complained of assault; July 2010, compliant of rape from ex-boyfriend (AC); October 2010 complained about stalking; January - sorry - November 2010, complained of threats being made by an ex-boyfriend; February 2011, complained of theft of a bag; March 2011, assault and criminal damage; July 2011, again assault and criminal damage; August 2011, criminal damage; October 2011, criminal damage again; June 2013, complained of noise.

**D** From rape through to noise she was prepared to make complaints to the police. Where was an officer on the first time, or the second time, or the tenth time: “A lot’s been happening to me and I need to tell you about it”? Not once.

**E** Further opportunity to complain:

Every time she went and saw the care staff, every time she had a medical check, multiple appointments with health professionals, every time she saw anyone in a position of authority.

So, ladies and gentlemen, my point 10, the claim for compensation:

**F** In a moment, we’ll hand out, with the agreement of all parties and, of course, his Honour the learned judge, a document which I’ll go through, as I say, on behalf of all those who align themselves with this issue of compensation.

**G** But the prosecution describe it as this: “A last-ditch attempt to throw some final muck at [Person A1] and [Person B1].” Well, it’s not for us to prove innocence; it’s for you to make the jury sure of guilt.

Ms Melly implores you to absolutely ignore the issue of compensation before giving you a speech about the chronology of failure by our authorities, care workers, police, anyone in the way of this.

**H** Well, DC Riley doesn’t think there’s been a failure by the authorities, does she, because I asked her about two examples of police support that [Person A1] got when she’d

**A** made some of those complaints to which I've referred and the police went to her and took video recordings and tried to speak the witnesses, so that's not a failure of [Person A1].

So, with your Honour's leave, may I cause to be hand - handed out to the ladies and gentlemen of the jury, please, the document headed "Compensation Agreed Facts"? I'm very grateful. There's a copy for your Honour. Thank you, Mrs Beckley.

**B** Ladies and gentlemen, ultimately could these go in section 16 but could you just keep them out for the moment, please, and I'll go through the documents with you?

I think this is the last document you're to receive, ladies and gentlemen, and, looking at the clock, I might hit the quarter past 3 deadline. Can we just go through it, if we may?  
**C** I'm sorry. Thank you very much.

So, ladies and gentlemen, really this is a - a further document on the basis of the agreed facts you already have. You know the background to how those agreed facts come before you. We've set out, we hope in helpful - a helpful timeline, as it were, the relevant issues about the issue of compensation.

**D** 12<sup>th</sup> of July 2013: "DC Taylor and PC Gatenby visited [Person A] in relation to the Kellerabbey investigation. Evidence from the police that [Person A1] didn't want to complain. She disputes that and has made a complaint about the police."

If I can adopt some of Mr Iqbal's cross-examination: "One hour free rein to discuss with us what she wanted to say. No pressure of time. She was given all the time she needed. She could tell you in as much detail as she wanted." No mention of rape by Mr Akhtar. There was mention of "psychosis," there was mention of "100" down to "30" within an hour. But let's hold that thought there, ladies and gentlemen, the 12<sup>th</sup> of July 2013.

The next we have about this (paragraph 2) the 8<sup>th</sup> of December that year: "[Person A] complained of sexual assault against an unknown male. The police log of [Person A]'s complaint was checked and there is no record of her enquiring whether the police would be following up on the allegations she had made to DC Taylor and PC Gatenby."

**F** So, where does the balance lie in terms of [Person A1] and the police?

The police say [Person A1] didn't want it followed up. There she is complaining some months later - five months later - about an assault and there's no record of her enquiring whether the police would be following up the allegations. Where does the balance lie? But the proximity of dates in the ongoing paragraphs, ladies and gentlemen, we say are highly relevant to your considerations.

**H**

A

“3. 27<sup>th</sup> of August the Daily Mail published a story with headline: ‘Child victims of Rotherham sex abuse scandal could be in line for compensation totalling £140m, says the solicitor representing them.’”

B

4. The next day [Person A] sent an email to joeinwood@bbclooknorth regarding her allegations of grooming in the Bradford area.

5. On the 4<sup>th</sup> of September 2014, West Yorkshire Police received an email from BBC Look North in relation to [Person A1]’s allegations.

C

6. The next day - the 5<sup>th</sup> of September ...” paragraph 6 “... DC Dawson visited [Person A1] at her home address and she agreed to provide video interviews at later date in relation to her allegations.

7. That same day, [Person A] told - told Lynn Thompson [Health visitor] that Look North have put her in touch with a solicitor and that she ‘could win approximately £150,000 if it goes to court.’

D

8. 11<sup>th</sup> of September 2014, Switalskis slota - Solicitors sent a letter to [Person A] confirming they acted on her behalf on a private basis but will not recover their costs until the conclusion of the case.” Switalskis Solicitor - Solicitors appear to be acting for her.

E

“17<sup>th</sup> of September 2014 (paragraph 9), [Person A] had a meeting with Switalskis Solicitors. Notes were taken by the solicitors. The solicitors then drafted a witness statement on her behalf based on those notes. During the course of the meetings Switalskis Solicitors asked [Person A] to provide her identity documents to assist in making an application for Legal Aid.

10. On the 23<sup>rd</sup> of September 2014, [Person A] gave her first video interview,” so after solicitors first video interview.

F

“11. 17<sup>th</sup> of November 2014, DC Dawson and DC Riley visited [Person A] and DC Dawson introduced DC Riley to her. On the same date, [Person A] was in contact with [REDACTED]

[REDACTED] from Switalskis Solicitors, about her compensation claim. It is recorded that:

G

‘[Person A] spoke to [REDACTED], of Switalskis Solicitors, stating that she had been advised to delay any compensation and/or Criminal Injuries Compensation Authority claim until after the trial had concluded to avoid the risk of being accused of only doing it for the money.’”

H

Ladies and gentlemen, pausing for a moment, you heard me cross-examine Detective Constable Riley when she referred to in number of contacts between this time and I think we got - we asked her to stop counting when she got to February and it was about 20, here we are to March.

A

Paragraph 12: “3<sup>rd</sup> of March 2015, [Person A] telephoned [REDACTED], at Switalskis Solicitors. [Person A] spoke to [REDACTED], of Switalskis Solicitors, and stated that she had been advised by DC Riley: ‘It would be preferable not to make claims as it would make her look bad and only in it for the money.’”

B

Pausing there, this case is about manipulation, ladies and gentlemen. If the case had finished without any of this being brought to your attention and a day later you found out that an officer had told a witness not to make a claim for compensation because it would look bad (when it was the intention, we say, of [Person A] because she contacted solicitors about it to make a claim for compensation) would feel you’d been able to give fair consideration to that issue, or not? Whether you find them guilty or not, do you feel that you would have been able to give fair consideration to this issue?

C

“13. 1<sup>st</sup> of April 2015: Switalskis Solicitors sent a letter of claim on behalf of [Person A] to Bradford Metropolitan District Council stating that they’d ‘been instructed to pursue a claim for compensation in respect of failures of care resulting in physical and sexual abuse and exploitation being suffered. We consider your negligence has resulted in the claimant ([Person A1]) suffering physical and sexual abuse and exploitation and that you are liable to compensate the claimant for injury, loss and damage.’

D

14. 10<sup>th</sup> of November 2015, [Person A] was in contact with her solicitor at Switalskis. She stated that: ‘The Rotherham girls were going to get £100,000’ and asked how much she would get. She was told that: ‘She should not get ahead of herself, as there had been no charges or convictions yet, no records obtained and no expert report.’” Is [Person A1] interested in compensation, or not?

E

“15<sup>th</sup> - 15. On the 25<sup>th</sup> of April 2016, Switalskis Solicitors asked [Person A] to provide documents that she’d not yet provided so that they could apply for Legal Aid, which they indicated was really important for progressing matters.

F

16. 14<sup>th</sup> of June 2016, [Person A] was in telephone contact with Switalskis Solicitors. Switalskis file note of that conversation records that: ‘[Person A] had still not provided her bank statements or benefit information.’

G

26<sup>th</sup> of April that same year, Bradford Metropolitan District Council’s solicitors (BLM) sent a letter to [Person A]’s solicitors (Switalskis) denying liability.

18. On the 2<sup>nd</sup> of May 2017, Switalskis Solicitors wrote to [Person A]. The letter stated that they had not heard from her for some time.

H

19. On or around the 4<sup>th</sup> of May 2017, Bradford Council’s solicitors (BLM) closed their file ...” you’ll recall [REDACTED] was cross-examined about a statement he gave to

**A** them in connection with this "... as they'd not heard from Mr - from Switalskis Solicitors for more than 12 months.

20. On the 9<sup>th</sup> of August 2017, Switalskis Solicitors telephoned [Person A]. Switalskis' fine note of that conversation records that: '[Person A1] was again asked to send her documents so that the solicitors could progress matters.'

**B**

21. 14<sup>th</sup> of September 2017, [Person A] was in telephone contact with Switalskis Solicitors. She stated that had the compensation she received would be used to pay off a debt. In relation to making criminal injuries compen - in making - making a Criminal Injuries Compensation Authority claim she said she was waiting for court to finish.

**C** [REDACTED]

**D** [REDACTED]

**E** [REDACTED]

25. On the 16<sup>th</sup> of January 2019, Switalskis Solicitors sent a letter to Bradford Crown Court indicating that they were representing [Person B] and [Person A] in compensation cases.

**F** [REDACTED]

**G** And so, ladies and gentlemen, that is the chronology about the compensation. The Crown say: "You can absolutely ignore it." The defence say: "You may, and should, if you wish, bearing in mind what has been said, what has been documented in those agreed facts from start, middle and end reveals that that is important information for you.

Ladies and gentlemen, less than five minutes to go.

Expectation versus evidence: "Best mate" four or five visits after the rape; told her social worker she was happy; told [REDACTED] she'd slept with him; no find of drugs; making of harbourer's warning, no contact; apparently destroying and manipulating

**H**

**A** telephones when on other occasion she's upstairs in her room by herself telephoning people saying where she is; not doing what they tell her to do when it's contended that her will is so overborne by this campaign of grooming that she's no longer capable of independent decision-making but yet she calls the police to complain about incidents from rape through to noisy neighbours; to compare herself with the Rotherham girls, who were locked in boots of cars, locked in buildings, and worse. Fair? The chronology of compensation. It's a failure by everyone. Everything is everyone else's fault.

**B** Well, ladies and gentlemen, your approach to this case is, of course, entirely a matter for you, but I conclude with this thought.

**C** If you were holding the purse strings on this compensation, if you had that money available in front of you - and I won't go into emotional blackmail about alternative uses of those funds - but would you surely, surely, hand on heart, give to [Person A1] that money because you are sure of every allegation she makes? We respectfully submit that when you balance all, when you take into account the concept of expectation over evidence, there is certainly room for doubt. Thank you very much indeed.

**D** JUDGE HALL: Thank you, Mr Moulson. Now, can we just have a comfort break, ladies and gentlemen? It's always good to have a break before we move on, if we do. OK, just five minutes for every - anybody who needs a stretch, to have a you know what before they do anything.

**E** (In the absence of the jury)

[REDACTED]

**F** [REDACTED]

**G** [REDACTED]

**H** [REDACTED]



**A**

[REDACTED]

**B**

[REDACTED]

**C**

[REDACTED]

**D**

[REDACTED]

**E**

(Short adjournment)

(In the presence of the jury)

**F**

JUDGE HALL: Thank you. Mr Iqbal is very happy to address you now. Mr Moulson has covered certain of the topics. He will take the time he needs, but I don't think he'll be even - even covering all the points too long. All right, thank you.

**G**

CLOSING SPEECH ON BEHALF OF THE DEFENDANT BASHARAT IQBAL KHALIQ  
MR IQBAL: Well, ladies and gentlemen, we're on the home straight, you'll be pleased to know, at least for today day. And, as Mr Moulson has already said, after weeks and weeks of having glancing looks at each other as you leave and come into court, this is the only

**H**

opportunity that I actually have to direct my comments to you rather than to witnesses. And so it is a privilege to address you, and I'm going to address you for a little while - hopefully not much longer than the usual court day - in relation to the six counts that my client faces. And then you look at that you'll be thinking: "Well, where on earth should we start when we start considering counts 1 to 6 (five counts of rape and one count of sexual assault by penetration)?"

**A**

Well, in the submissions I'm about to make to you I - I'm not going to be making any demands of you. It's not my job to stand here and say to you: "Oh, I demand that you find [this]," or "I demand that you find [that] from the evidence." That's not my job.

**B**

You're the judges of facts (you 12). Not even his Honour plays any role in the finding of facts. That you, on the finding of facts, that you will be involved in this due course, you and you alone, are involved in that. But what I hope to do is place certain aspects of the evidence before you which calls for reflection upon what Ms Melly, Queen's Counsel, said to you this morning and serious questions to be asked about the way in which the Crown pursues this case against Basharat Khaliq.

**C**

Now, I hope that these areas will be helpful to you. That's certainly my aim. Whether they are or not, whether I've been successful or not is a matter for you to judge. I'm not going to trawl through the evidence, either, because his Honour will summarise the salient aspects of it to you in due course and it would be tedious and repetitive for me to do that same activity.

**D**

I'm going to go through certain aspects in, essentially, five broad headings, so that you can perhaps, if you think it worthy, take a note or two just to remind yourselves of the points that I've made to you today.

**E**

I'm going touch upon the law. But if I get anything wrong about the law, then his Honour will soon correct me when he sums the case up to you.

**F**

Well, where do you start? When you've got this mass of evidence over the last five or six weeks that you've been listening to and sometime next week you'll all retire into a deliberating room and have to start your task of sorting through that evidence, where on earth to start?

**G**

Well, the place to start is the place that everyone has mentioned thus far. Ms Melly appears for the Crown and she prosecutes this case so she must prove guilt. It's not for Mr Khaliq, in the dock, to prove his innocence.

And how do they prove it? Well, how can the prosecution prove guilt? Well, it's straightforward, you might think. When you retire and you consider the evidence in his case, when you've considered it all and reflected on it, if you come to the conclusion "I am sure that Mr Khaliq is guilty of the offence of rape or assault of by penetration," whichever count you're considering, then it's your duty to convict him. That is because you must be faithful to your oath or the affirmation that you took weeks ago.

**H**

But if you come to the conclusion: "Well, when I look at that evidence he's probably guilty," "possibly guilty," "I'm not sure either way," "possibly not guilty," "probably not

**A** guilty,” “well, I’m sure he’s not guilty,” those are, I suppose, various states of mind that you might experience when you retire and you have to be at one end of that extreme to convict and you might sit there and think: “Well, that’s a bit unfair, isn’t it? It’s a bit unfair on the prosecution team. Why do they have to prove it beyond a reasonable doubt ...” as it used to be called “... but so that you’re sure?” Well, that’s his right. Just as it would be your right and my right - heaven forbid - should a prosecutor somewhere point the finger at you or me and say: “Well, we say you are guilty of this offence.” “Innocent until proven guilty,” isn’t that a phrase that we all use in day-to-day language: “Innocent until proven guilty.”

**B**

**C** And when each one of you took your oath or affirmation it was to deliver that verdict on each count according to the evidence. Not according to sympathy for one person over another, antipathy to one person over another.

**D** Your job here, why you are performing this important public duty, why you’ve taken weeks off from your personal and working lives to be here is to bring common sense, fair play to these proceedings. It’s to look at the evidence and judge one of your peers, Basharat Khaliq, what you make of him, what you make of his case and what you make of the prosecution case against him coming to sensible conclusions, depending on which evidence you accept, and coming to a conclusion about which evidence you can safely reject.

**E** This court is not a court of morals and, to be fair to the prosecution, they haven’t tried to make it into a court of morals. But I have to address this. I’m not an apologist for Mr Khaliq. [REDACTED]

[REDACTED]

**F** [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**G** [REDACTED]

**H** In addition, as has been said quite properly, you must consider his case separately. You are not jurors in one trial. This isn’t a trial that’s going on in this courtroom. It is 10 trials that are going on in this courtroom all running side-by-side for obvious reason: it makes administrative sense for them all to be tried together because the evidence comes from two complainants: one from [Person A], in respect of all of them, and [Person B] in respect of my

**A** client alone. So, when you come to convict or acquit a defendant you acquit for convict that defendant.

**B** And the use of the phrase this morning again and again “they did [this],” “they did [that]” will not help you in that regard. You look at what each individual did, and in that regard Basharat Khaliq’s case is - despite Mr Melly’s protestations - unique because the evidence is he knew none of those nine other men in that dock at the time that he is said to have committed these offences.

**C** So, consider the evidence for him and against him, quite properly, and consider the evidence for and against him on each count separately.

**D** Well, what about this phrase “grooming” and this phrase that’s used in the media frequently “grooming gang” or “grooming gangs”? It’s an easy phrase to use. It’s a loose phrase to use and, for Basharat Khaliq, it’s a wholly inaccurate phrase to use, because one thing is the clear: in his case he has no association with any of the other nine men. Yes, they all sit there together - and, of course, they have sat there together for weeks now - but at the time that he is supposed to have been involved in this offending he had no links to any of them.

**E** It’s not suggested that he has any links to [Sid's address]. He never went there. There is no allegations in his case that he plied [Person B1] or [Person A1] with alcohol, or with drugs, or with gifts, or with threats of force to make any of them do anything they didn’t want to do.

**F** So you must look at his case for what it is. But one thing it is not is membership of any kind of gang at all.

**G** Having said that, nothing that I say is designed to undermine at all the need for justice and the seriousness of the allegations that are made in this case.

**H** Let’s just have a look at the indictment, please, very briefly. If you have that - it’s at the first divider of the jury bundle - you’ll see that Basharat Khaliq faces five counts of rape. His Honour directed you to them. Three of them his Honour directed you should write “(specimen count)” next to, and his Honour will direct you about that. But for these purposes five offences of rape are alleged against him and it’s the prosecution that chooses those charges. It is solely within the prosecution’s power to decide which offences to indict on this document called an “indictment.”

**H** It’s not Basharat Khaliq’s decision. It’s not even [Person B]’s decision. As you’ll remember, the prosecution made that abundantly clear to her at a pre-trial meeting where they

**A**

said: "It's for to us decide what offences Basharat Khaliq will dis - will face. You play no role in that."

**B**

So, the prosecution selected those charges, you may think, tactically. This is the second time this case has been listed for trial. You are aware of that because we have referred from time to time evidence that was given at an earlier trial.

**C**

The prosecution have continued to place before you counts 1 to 5 (rape), nothing else. Well, that was their tactical decision. They have decided not to place before you an alternative offence that is available in law. I've made reference to it during this trial: sexual activity with a child.

**D**

[REDACTED]

**E**

[REDACTED]

**F**

[REDACTED]

**G**

So, these are serious charges. All I can properly ask of you is, as Mr Moulson has already said in a different way, all I ask is that you deal in his case, with a man with no previous convictions, with the two cautions that have been mentioned, in that way and with that degree of care that you would expect - no, I wrong, not expect - but demand if you were sitting weren't sitting you were sitting in the public gallery, over there, watching your loved one sitting in the dock facing trial before 12 people on a jury that you did not know. That's all I can properly. Ask and I know that you will be diligent because each one of you has shown diligence during the trial, attending each and every day, taking notes at appropriate times and asking questions when necessary.

**H**

**A**

So, look at what the witnesses say, how they say what they say, and decide which evidence you accept and which evidence you reject, bearing in mind that this is the first time that Mr Khaliq gave evidence in a formal environment like, this with people dressed in funny clothes like this, asking him questions, in a place where he and others, to be fair to them, were finding it difficult even to raise their voice sufficiently to be heard in a courtroom like this. Someone who was cross-examined skilfully by experienced Queen's Counsel about all relevant issues, you take all of those factors into account, please - it's your role in all of this - and apply common sense.

**B**

**C**

One other issue, before we go into the nitty-gritty of what this trial is about, delay: His Honour will, again, direct you about delay. Years have passed, haven't they, since these events? It's a decade ago when the indictment period starts - over the decade (2008) - and memories fade. Memories fade for everyone. Let's not be choosy about this: they fade for prosecution witnesses, they fade for defendants, and so it makes it all the more difficult for people to recall their precise movements at any particular time.

**D**

It's perhaps easier where social service staff made notes at the time of what had gone on that day, but if I was seriously to ask you "Well, what were you doing on the 12<sup>th</sup> of February of 2008 at about 7.30 pm?" unless it was particularly memorable to you - unless England had beaten Germany 5-1 or something - would you really remember? Would you? It would be impossible, wouldn't it? Well, take that into account.

**E**

But also, because years have elapsed, there's another relevant factor for you, isn't there? All of the opportunities that [Person B1] and [Person A1] had to complain that weren't taken.

**F**

[REDACTED]

**G**

Well, events between about 2008 and 2011. What I'm going to ask you to consider is just this question: what would you expect to see in this case if Mr Khaliq is guilty of each of these allegations levelled against him by the Crown? And I'm going to deal with the [Person B] counts and the [Person A] counts separately.

**H**

But before I start, I'm going to make a concession. There are two main areas, you might think, factually where Basharat Khaliq did not accept the evidence of [Person B1] or [Person

A

A1]: firstly, is the issue of [REDACTED]  
[REDACTED] and, secondly, the Plaza Hotel visit. He says there was no such visit.

B

Those are important issues for you to consider. But what if you come to the conclusion that: “Well, we believe [Person B1] on those two aspects of the case. We believe her and we believe [Person A1] in respect of the Plaza Hotel incident that there was a visit there”?

Well, where does that leave you about considering Basharat Khaliq’s case? Well, if you’re sure that [Person A1] and [Person B1] are right about those issues, that [Person B1] [REDACTED] that’s

C

not the end of your deliberations. That’s merely the end of the start of your deliberations, most probably.

D

It doesn’t mean - as his Honour will direct you in due course - that if you conclude Mr Khaliq lied to you about those two issues “therefore we can make the quantum leap to come to the conclusion that we can’t accept anything he says” because - as his Honour will direct you - sometimes people do tell lies in amidst the truth, for all sorts of reasons. And one thing that I suspect all of us can agree on is there are very few offences, even offences of serious violence, perhaps even murder, that attract the sort of stigma in society that sexual offences involving children aged under 16 years invoke.

E

So, if you conclude that Basharat Khaliq has not been wholly truthful upon those two issues, consider them, for what they’re worth, by all means, but principally in these submissions to you I’m going to proceed on the basis that that’s what you do conclude. I make that concession. I’m not accepting it because Basharat Khaliq accepts it - doesn’t - and it’s something for you to consider, but what I’m saying is: “Well, hang on. Let’s just assume that that’s what you conclude. Let’s have a look at the case with that background.”

F

[REDACTED] The issue for [Person A1] is whether there was any sexual incident at all at the Plaza Hotel, and so the areas I’m going to consider with you are simply these. Firstly, counts 1 to 5, consent and the relationship between Mr Khaliq and [Person B1]; number 2, count 6 and the Plaza Hotel; topic 3, Basharat Khaliq’s character; number, 4 his evidence, very briefly; and then, fifthly, some concluding comments. So let us examine these five broad areas.

G

Number 1, counts 1 to 5 and [Person B1]:

H

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



















A

In all the circumstances here there has been some influence - I don't say any malevolent influence - but what about [Person A1]'s influence? Is it really a coincidence that [Person A1] ends up instructing [REDACTED] Switalskis Solicitors to claim compensation and [Person B] has approached the same firm? Is that sheer coincidence?

B

[REDACTED]

C

So let's turn, please, to count 6. I estimate probably another 15 to 20 minutes, your Honour. Is your Honour content and are the jury content to - to finish this?

JUDGE HALL: I'm happy, but only if you are.

MR IQBAL: Thank you.

D

JUDGE HALL: Off you go.

MR IQBAL: So count 6:

DEFENCE CLOSING SPEECH ON BEHALF OF BASHARAT IQBAL KHALIQ (Cont'd.)

E

MR IQBAL: Now, you've heard much about [Person A] from Mr Moulson, Queen's Counsel. That's why he went first, because he took the lead in cross-examining that witness, so I'm not going to repeat what was said to you by him. I ask that you take those matters into account about her credibility, her believability generally, but on any view you might think that she's an entirely different character to [Person B], completely different: she was able to assert herself; she was programs aggressive on occasions, you might feel, back then; she would certainly tell people what she thought; and if anyone had wronged her, she was the sort of girl, you might think, that would let everyone know and sing it from the rooftops.

F

So, count 6 is a standalone count: it has nothing at all to do with all of the other counts on the indictment that relate to her. And let's proceed on the basis, as I've said and conceded already, let us proceed on the basis that you're sure that there was a visit to the Plaza Hotel.

G

If there was, let's just see what it is that [Person A1] - that [Person A] asserts.

Firstly, she said that this incident that she now complains of at the Plaza Hotel was "the start of all of this." What she seemed to be saying was that that was the incident that was the earliest in time and it led on to all of the other allegations that are on this indictment, all right.

H

A

Well, if that's right - if that's right - you might think that it would be pretty memorable that this girl went to a hotel, was sexually assaulted in that way and that that was the start of all of this sexual misconduct towards her that she now complains of. Even the smaller details of it, you might think, would be pretty memorable to her in those circumstances.

B

Well, let's just have a look very briefly - I know that Mr Moulson's been through a lot of this chronology; I'm not going to go through all of it, but just these two dates.

C

The 12<sup>th</sup> of July of 2013 is, obviously, important. An hour and 5 minutes of detailed conversations with two police officers (Officers Taylor and Gatenby), the whole point being for [Person A1] to outline to them - I accept not in huge detail - but at least to outline to them the names of people, what those people are supposed to have done, and where those events are supposed to have taken place. And what we know is this. There is mention of Bash in this way, as you know: "[Person B]-Bash" and that is the only reference to "Bash" during that one hour and five minutes that's been recorded - the only mention.

D

And remember she says: "Well, this - this is the trigger. Going to the Plaza Hotel, this is what triggered all of it. This was the start of it all." No mention. Not: "Well, actually, I'll tell you about the first time. It was Bash, actually." The Bash that she remembered and mentioned to the police officers as having some sort of link to [Person B1], no mention of Bash doing anything to her. She mentioned multiple have people. Many people - I think I went through a list when I was cross-examining - probably a dozen or more names of people who were supposed to have done A, B or C to her, but nothing about "Bash." Was that just an oversight? Had she just forgotten in the heat of the moment during that hour and five minutes?

E

F

Well, complaints were eventually made to the police, but by August of 2014 - a year or so later - she was speaking to Look North. Solicitors were then instructed. The compensation claim was being investigated and the compensation was being sought. And on the 17<sup>th</sup> of September of 2014 there was a meeting between her and her solicitor (██████████).

G

It was between 11.30 am and 3.00 pm, so it was four hours. Four hours where she's speaking to her solicitor - who's taking handwritten notes - of what [Person A1] is telling her solicitor is alleged to have happened. She's speaking to a solicitor. It must be obvious that she's there telling as much detail as she possibly can. And more than that; those notes were then sent out to her, after they'd been typed up, so that she could add, delete or amend anything that she wanted, and she did. She made amendments. She accepted that. So

H

**A** she read through it all time all and said: “Oh, no, that’s not right. This is the proper word for [that]. No, I’ll delete [that] word. I’ll add [this],” whatever the amendments were.

**B** So, what do we know about what she was saying to ██████████ then? During the meeting she spoke about meeting Bash for the first time at the cash point. She’d not forgotten about Bash and she’d not forgotten about these events.

She spoke about hotels that men allegedly took her to. She mentioned the Park Hotel and the Plaza Hotel so she hadn’t forgotten about the Plaza Hotel. But she didn’t mention Bash and she didn’t mention Bash doing anything to her anywhere, whether in the Plaza Hotel or elsewhere.

**C** And then when those notes went out to her - so, let’s give her the benefit of the doubt that in these said two important meetings she’d forgotten about this important event that triggered all of these instances of alleged sexual misconduct - when she was reviewing the material and making amendments she didn’t amend it to say: “Oh, I forgot to do about Bash in the Plaza Hotel.”

**D** So, why? We accept that years passed, but she had no problem, it appears, recollecting all of these other incidents that form the basis of the charges against many of these men in the dock, so why had she forgotten completely about that?

**E** And what about then if we just consider for a moment what the actual evidence as between [Person B1] and [Person A1] is about the Plaza Hotel and just draw out some inconsistencies so that you can consider whether this is logical or not.

**F** If a sexual assault occurred there and it was memorable, “[Person A1] was a feisty dark, she was able to tell people what she wanted,” as [Person B1] herself said, “[Person A1] was, on occasions, physically and verbally aggressive. She would stand up for herself. She was a strong character.”

Now, remember that the evidence suggest - you might think uncontroversially - that Bash and [Person A1] that didn’t really get on. [Person A1] that accepts that. [Person B1] accepts that. Certainly they didn’t get on as well as [Person B1] and Bash did. So let’s have a look at their evidence generally on a few different brief areas.

**G** First of all, alcohol:

**H** What was [Person A1] saying to the police in her video interview about this? First of all, she said: “When I was drinking really bad I can’t remember stuff properly. It were all a bit of a blur because I just drinking a lot.” In evidence she said: “At the time it was a bit of a blur but it’s not a blur in my memory.” What on earth does that mean? “It was bit of a blur

A

at the time but it's not a blur in my memory" but she forgot to say it to all of those professional people that she'd been speaking to over the years before now.

B

But [Person B1] says: "Well, I don't recall whether we were drinking alcohol or not. But we weren't drunk. We were coherent," certainly coherent enough that it didn't affect her memory. So, what was the position? Were those two girls drunk and incoherent, or sober and coherent, or where does the truth lie?

C

Secondly, it's common ground between [Person B1] and [Person A1] that all three of them were fully clothed. [Person A1] says she, looking from the foot of the bed upwards, that [Person A1] was on the left, Bash was on the in the middle and [Person B1] was on the right. [Person B1] gets the order differently: Bash was on the left, [Person A1] was in the middle, [Person B1] was on the left. It's a small point, you might think, but is it a small point?

D

I mean, if she is there being sexually assaulted with a man placing his finger or fingers into her vagina, can she not recall whether that man was on her left or her right? Is that really what this comes to?

E

[Person A1] says that Bash had tried it on with [Person B1] and [Person B1] had said "no" but [Person B1] says nothing of the sort occurred. Well, why does [Person A1] say that, then? How could she have got that wrong? That should be memorable, shouldn't it, to her? Why these discrepancies? What sort of a picture of alleged sexual misconduct was [Person A1] trying to paint there? [Person A1] says: "Immediately after the alleged sexual assault that [Person B1] wanted to leave and [they] left." But [Person B1] says: "No. We stayed for there for hours afterwards wards. Hours after I came out of the toilet we stayed in that hotel room, and there was nothing said between us of any unusual nature in those hours. And only then did we go back home." So, how can both be correct about that?

F

[Person B1] says that: "Everything was quite normal during those hours at the hotel." Is that really how you'd expect [Person A1] to behave? It's common ground that [Person A1] said nothing to Bash or [Person B1] in the hotel. Well, if we give her the benefit of the doubt there, was it because she was scared, or reluctant, or embarrassed to say anything in front of Bash? Well, we know that these two girls were close at the time. You they would speak about things such as boyfriends, sexual experiences and so on. When they got back to their home and Bash wasn't there, it's common ground that [Person A] didn't say anything then either, nothing. Why not?

H

**A**

When did she tell - when did she tell [Person B1]? [Person B1] says: "It was later that same day." [Person A1] says: "It was some weeks later when [Person B1] was about to go out with Bash." How can both be correct about that?

**B**

And what was the picture that [Person A1] was trying to convey? Was she trying to convey a picture that: "Well, I had to tell [Person B1] then because she was about to enter into a relationship with him and I that had tell her that '[This] is what he'd done to me.'" How does that fit in with what [Person B1] is saying that: "No, we weren't in a sexual relationship, or any relationship at time, and she told me later that same day that we'd come home."

**C**

And what was it that she was complaining about? Well, her complaint to you now is that: "He placed his finger or fingers inside her vagina." "Inside." What was she saying to her best friend at the time? "He tried to put his fingers in [her]." Why the differences? This isn't just me picking on the odd slight word here that would have been better than another word. This is straightforward language. Why those differences?

**D**

You can expect some inconsistencies in any account. If the 12 of you saw a fight going on there outside what I now know is a casino, if we saw a fight out there, 10 people fighting and the police turned up now and took witness statements from all of you and you were all honest people - which you are - there would be inconsistencies between you: one of you would have seen the man with the red top on with a hockey stick; and somebody else would have missed him; and somebody would have seen the kick to the head; and somebody else would have missed it; somebody would have seen the Ford Fiesta car that was trying to run someone; but somebody was concentrating on something else. But you wouldn't get the essentials wrong: that it was a Thursday afternoon; that it was February; that you were looking at; it was about half past 4 in the afternoon; you were at Bradford Crown Court and so on. You would get those wrong, so ask yourselves why there are these inconsistencies and discrepancies here if what she says is safe and reliable.

**E**

**F**

**G**

Or is there something else at play here; something about dynamics; something about her best friend getting with closer to Bash and further away from her? That's also common ground, isn't it?

**H**

So, what is it that was going on here that led to this? And the fact that she failed to mention this at any stage in those earlier individuals casts real doubt on the reliability of what she now says. We say to you that no safe conviction could ever result from those facts. So, that's my analysis of the prosecution case. I only have two brief areas to deal with now.

A

The first is let's just consider the man in the dock. Who is he? Well, his character you know about. You know the full picture about him. You know he's never been convicted of a criminal offence in his life, never been convicted of any criminal offence so these proceedings are the first court proceedings that he has ever been involved in.

B

But he has two cautions recorded against him: one in 2003 when [REDACTED], he said, scraped a car and initially he said to the police, "Well, she'd not been the driver" but then he said, "Yes, I told them she was the driver" and so he was cautioned for obstructing a police constable in the exercise sides of his duties.

And, secondly, battery in April of 2010. [REDACTED]

C

[REDACTED] Wherever the truth lies between those two, I hope that you would accept from me that, firstly, it had nothing to do with sexual activity at the time; secondly, it seems to be some kind of tiff between the two because she wanted to know what was on his phone and he clearly didn't want her to know because, presumably, it would have something [REDACTED] there.

D

However, it's important: there are no sexual offences recorded against him in his life; there are no offences of serious violence recorded against him in his life; no offences involving illicit drugs recorded against him in his life.

E

You've heard he worked hard during his adult life. Further education, schooling and so on, and that he suffered depression. And he said in evidence that he's not working at the moment because of that depression.

F

When you consider his evidence you will, of course, treat it in the same way as the rest of the evidence. It's no different just because he comes from the dock to give evidence, as opposed to coming from the public foyer to give evidence - that's just the geography of the court.

Treat it in the same way as the rest of the evidence. But when you consider the assertions made by him and the account given by him to you, at least you know that that is the background from which he comes.

G

So, character is an important factor - perhaps a very important factor - to weigh in the balance, and we ask you to weigh it in the balance in his favour.

And his evidence was straightforward. [REDACTED]

H

[REDACTED]

A

[REDACTED]

B

[REDACTED]

C

[REDACTED]

D

[REDACTED]

E

Matters of credibility and believability are for you to consider of course, but I ask that you look at the case (his case) carefully. [REDACTED] and if you conclude he's not been forthright about the Plaza Hotel with you, look beyond that, please. Look at all of the rest of the evidence.

F

[REDACTED] And when you look at all of that in the round, in a difficult case which has often not been easy to follow, in our respectful submission to you, you will come to the conclusion, we hope, looking at that in the round, that you could never conclude that you are sure of guilt, and if you cannot be sure of guilt the only proper and safe verdict on each count is "Not guilty."

G

JUDGE HALL: Thank you, Mr Iqbal. Ladies and gentlemen, many thanks to you. But we have clearly made some progress in important matters discussed - you will bear them in mind.

H

But please now leave us. Have a good rest, clear your minds, fresh air, come back 10 o'clock, OK, and you know we're moving on to Ms Batts, thank you, Mr Frieze, Mr Bell. They will be, or may be - I don't know - shorter. I just don't know. It's for them to decide.

**A**

But we won't sit too long tomorrow. It's been a hard week, OK. But let's see what we can achieve. 10 o'clock. Thanks a lot. OK.

(In the absence of the jury)

**B**

[REDACTED]

**C**

[REDACTED]

**D**

[REDACTED]

**E**

[REDACTED]

**F**

[REDACTED]

**G**

[REDACTED]

**H**

[REDACTED]

**A**

[REDACTED]

**B**

[REDACTED]

**C**

[REDACTED]

**D**

[REDACTED]

**E**

[REDACTED]

**F**

[REDACTED]

**G**

[REDACTED]

(The court adjourned at 4.46 pm to 10.00 am the following day)

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**H**

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