

**IN THE CROWN COURT AT SOUTHAMPTON**

Southampton Combined Court Centre  
The Courts of Justice  
London Road  
Southampton, Hampshire  
SO15 2XQ

BEFORE:

**HIS HONOUR JUDGE WILLIAM MOUSLEY KC  
THE HONORARY RECORDER OF SOUTHAMPTON**

BETWEEN:

**R**

**PROSECUTION**

**- and -**

**VICKRUM DIGWA  
KIRAN KAUR**

**DEFENDANTS**

**Legal Representation**

Mr Nicholas Lobbenberg King's Counsel (Barrister) on behalf of the Prosecution

Mr Neil Anthony King (Barrister) on behalf of the Prosecution

Mr Jeremy Patrick Wainwright King's Counsel (Barrister) on behalf of the Defendant (Digwa)

Mr Benjamin Hargreaves (Barrister) on behalf of the Defendant (Digwa)

Mr Mark Watson King's Counsel (Barrister) on behalf of the Defendant (Kaur)

**Other Parties Present and their status**

Mr *Sagib Ajile* (Punjabi Interpreter)

**Counsel's Closing Remarks (Prosecution)**

Hearing date: 26 May 2026

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**A** **Mr Lobbenberg:** On 3 December, around 11 o'clock, Vickrum Digwa chose to be on the streets of Southampton with a 21cm knife. He was not at a temple. He had been helping his brother work for Deliveroo. [REDACTED]

**B** [REDACTED]

**C** This is a man who likes weapons. You know he searches for them on his phone. You know he considers a knife an appropriate wedding present for his brother. He described the murder weapon in loving terms, with the ivory handle, its silver inlay. You might think that rather odd, given what he did with that knife on that night, and most importantly, he knows how to use weapons. He's been training with weapons since he was 12 [sic], and the knife, this knife, is a sharp knife with an edge and a point, and Professor Singh, do you remember with his slight Brummy accent, gave evidence. He said this, which was round the Defendant's neck, this

**D** satisfies the religious obligation.

“You don't need two, [says Professor Singh,] and if you are choosing to carry the larger kirpan and not the smaller one, it should be worn discreetly, [under,] under a coat.”

**E**

There's no compulsion to carry more than one. Think about that. There's no compulsion to carry more than one.

**F** Now, Nihang Sikhs celebrate weaponry, but that must be balanced against the law of the country, said the Professor. So it's all well and good to want to be a warrior, but the streets of Southampton are not a battlefield.

**G** The kirpan symbolises honour and dignity, and its religious significance is it's a defensive weapon with a requirement to use it proportionately, unless there is no other way of responding, and importantly this. If you draw a weapon and use it offensively, it is no longer a religious item. There is a distinction between display and unsheathing, and as you have been directed by

**H** His Honour, the good reason to carry such a thing on the streets is for the entirety of the time, so if you unsheathe it and use it as a weapon of offence, that is not a good reason. That is not a religious item. That is quite straightforwardly a weapon.

(pause)

A

**Mr Lobbenberg:** Can we please look at our storyboard?

(pause)

B

**Mr Lobbenberg:** At, we have showed you a lot of video footage of Henry Nowak's last night out, and you may have wondered at the start of the case, when we were showing you this footage, why? You've seen him in the lift going out, looking at himself, tidying himself up.

C

You've seen him at Charlie's Bargain Booze. If you look at our storyboard at page 2, you've seen him in The Hobbit, if we go to page 4, we've seen him outside Jesters, and on page 5 he starts his walk home and we've seen footage of all this and you've heard from witnesses that met him in the, the various establishments.

D

If we go to page 6, we've got his route home and you see footage as he walks along the roads and pavements towards his student accommodation, and then at seven, just prior to [REDACTED]

E

we saw the footage captured outside Number [REDACTED] which is two houses down, and the purpose of all this footage is you see him walk. You see him run. What do you not see? You do not see him stumble, you do not see him weave, and the Defendant in the witness box accepted you never see Henry Nowak stumble, never see him weave, and you know when the toxicologist checked his blood, it was 64 out of 80. Well, 80 is the drink drive limit. So you can say you can be certain Henry was not drunk, and why is that important? Because it demonstrates the first lie of Vickrum Digwa. From the get go.

F

If you look at the video from, taken outside [REDACTED] and compare it to what Vickrum Digwa told you, he says:

G

"He's coming up the road and I can, and he's intoxicated. He's weaving. He's stumbling."

H

And the account of a drunken stumble, or later a barge into him, is simply a lie. It's a lie. Why does he miss out in his interview his position in the road? Because this whole account is an invention. One of the features of the inventions of Vickrum Digwa is *they*, story grows in the telling.

(pause)

**A**

**Mr Lobbenberg:** So, first lie, we suggest, Henry's drunk. Now let's consider another. He tells you that there is a precursor to the video that we have scene. Can you believe him? Think about it. He said he was scared and petrified of being attacked which is why he behaved as he did.

**B**

But isn't the proof in how he behaves? And you can see it, can we just look at it one more time, please?

(pause)

**C**

**HHJ Mousley:** Can we connect in, please? *Play it* onto the screens. Sorry, just give us a moment.

(pause)

**D**

**Mr Lobbenberg:** Play it, please.

(beginning of recording playback)

**E**

**Mr Nowak:** *Right*, innit bad man, what bad man. You're a bad man, say you're a bad man, go on.

**Mr Digwa:** I am a bad man.

**F**

**Mr Nowak:** Are you a *bad* --

(end of recording playback)

**G**

**Mr Lobbenberg:** Right.

(beginning of recording playback)

**H**

**Mr Nowak:** *Right*, innit bad man, what bad man. You're a bad man, say you're a bad man, go on.

**Mr Digwa:** I am a bad man.

**A**

**Mr Nowak:** Are you a *bad* --

(end of recording playback)

**B**

**Mr Lobbenberg:** Thank you.

**HHJ Mousley:** *Please.*

**C**

**Mr Lobbenberg:** In that video footage, use your eyes. Is this a man who is scared? Is this a man who's seeking to avoid confrontation? It's nonsense, isn't it? He chooses to seek confrontation. He had passed by. He turns round. He turns round when he could have walked off. He closes the gap. Why close the gap if you're afraid and seeking to avoid confrontation?

**D**

And he said:

"bad man"

**E**

which you might think is one of the few things he told the truth about, and is it an echo of what, of his brother's advice about showing off or trying to be hard?

**F**

I want you to think about the phone. The phone that Henry was holding. Vickrum Digwa took that phone. Why? He stole Henry's phone on the street. Vickrum Digwa says he asked Henry to delete the footage at the time when he, Vickrum Digwa, was holding the phone. That doesn't make sense. You might want to think about when it goes into Vickrum Digwa's pocket.

**G**

"After the incident, I picked the phone up off the floor and put it in my pocket."

**H**

Is that true? Can you go to storyboard page 9?

(pause)

**A**      **Mr Lobbenberg:** Box two is the video. It's five seconds long. So you can see the time the video starts in, at the top. 19.16, so by 19.16.21, that, you know, the phone is in Vickrum Digwa's hand, you can see it on the video, it's grabbed. So if we look at our boxes down the side, our location boxes, if you look at box four you can say by the time the phone is box four, it is in Vickrum Digwa's possession.

**B**      Now, he says it's fallen on the floor. If it's fallen on the floor, it will remain stationary, won't it? But if you see the phone move, you can say it's in his pocket. So let's look and look at the dots, if you turn to page 10. It, the phone is moving. There are two dots, it has moved position. If you go to page 11, the phone is moving, there are three dots, it's moved position. So you can say because there are multiple dots, that phone is moving, and if it's moving, we say it is in his pocket and it is a lie that he picked it up from the floor, and what has happened here is he has taken the phone and pocketed it, and having pocketed it, he has held onto it.

**C**      Why didn't he return the phone to Henry or give it to the police? Isn't the reality that as he accepted in the witness box, he didn't like being videoed. He didn't like what Henry's video footage showed, that snippet that you've looked at, and this was the spark for the altercation, and in the altercation, his turban comes off, and we say he initially describes that as a push taking his turban off. Professor, it becomes, in later telling, it becomes a punch, and Professor Singh tells you they come of quite easily, so it's another example of Vickrum Digwa's tales growing in the telling. What was a bit of pushing, in the initial account, becomes a rain of blows with hair in his eyes and him being dragged around.

**D**      But the biggest lie, ladies and gentlemen, is why he drew his knife. He told you from that witness box:

“Henry Nowak said he was going to kill me. He was going to fuck me up.”

**E**      We suggest that was never said, and you can be sure it was never said because why, if it had been said, would you not tell the 999 Operator the most important thing as to why you acted? And when the Defendant was asked that, his response to you:

**F**      “I don't know.”

A

He didn't tell the police at the scene who were asking him. He didn't tell his brother. He didn't mention it in the van when he was telling his brother what happened, or in the interview. If this had been at the forefront of his mind, seared into his memory, which is what he agreed with me that it had been, you'd have told somebody, wouldn't you?

B

"He said he was going to kill me, it was awful. You wouldn't believe, he said he was going to fuck me up. That's why I acted like this."

C

And instead, he didn't even put the threat to kill in his defence case statement. Came for the first time out of his mouth in the witness box. Reason, ladies and gentlemen, because it's made up. Because if it had happened, he'd have told somebody, wouldn't he? He'd have told somebody at the scene, he'd have told his, somebody in the van, he'd have told, said it in interview. He was being interviewed for murder. So this is the very reason he drew his weapon. He didn't say, and you are entitled to think very carefully about that.

D

Next, Paki. Can we look please, I'd like to look at this just so we're all really clear. Can you please go to tab 7, page 2?

E

(pause)

**Mr Lobbenberg:** Just below on the page you see 01.03, Gurpreet says:

F

"Do you want to speak to my brother? OK."

G

And then Vickrum starts speaking to the operator. This is during the 999 call. If, if Henry Nowak had called Vickrum Digwa a Paki, that is an offensive term that would have been, again, at the forefront of his mind. Look at the way this call develops. He explains, if we turn over the page to three, I'm not going to take you through them because we've read it a couple of times already. Forgive me for taking it, to it again, but if you look at the top, he's speaking to the Operator going down to 01.46, and he doesn't mention Paki at all, and then at the bottom of the page, if you look at 02.16 and go three lines up, he finally mentions Paki when Gurpreet prompts him. He says:

H

"Did he racially say anything to you?"

“Yeah, he called me a Paki as well.”

**A**

“Called him Paki,”

Gurpreet says to the Operator. So why, why is that not at the forefront of his mind? And if you look at tab 6, page 5 at 3.01 ...

**B**

(pause)

**Mr Lobbenberg:** Gurpreet’s talking, he says:

**C**

“He’s verbally attacked my brother.”

Henry Nowak says:

**D**

“I didn’t”

and shakes his head. So even as Henry is dying, he says:

**E**

“I didn’t.”

He said:

**F**

“I’m not a racist.”

And that:

**G**

“I’m not a racist”

was heard by [Witness 6], one of the witnesses that was read to you, and as he lay dying, Henry denied that he was the attacker, and of [Witness 13], again, read to you, was his girlfriend and she was mixed race and said Henry Nowak was proud of her heritage and is a man of good character. So we say Paki, we say this, be really clear, drunk is a lie:

**H**

“going to kill me”

**A** is a lie, and we say Paki is a lie, and the consequence and purpose of these lies are significant. Why he tells them? Because he is seeking to hide what he has done, and racism was his trump card to try and make sure he was believed that what he had done was lawful, and we say that was a wicked lie about a dying man, and it's a wicked lie about a dead man to you now.

**B** (pause)

**Mr Lobbenberg:** *And* even if you think anything has been said, it is still no justification or proportionate for the violence that ensued. Let's think about the use of the knife. Henry Nowak was an unarmed young man with a phone. He had no weapons. Vickrum Digwa chose to *new*, use the knife that he was carrying, a knife that he was skilled in the use of, and he stabbed him, and it must have been plain that he had hurt him because he would have seen blood. Blood on Henry, blood on his blade. But the real story of this case and the central feature that you will need to think about in retirement is behind tab 3.

**D** (pause)

**Mr Lobbenberg:** The plain and obvious story is told to you by the pathology. We invite you to consider a number of issues. Firstly, the number of wounds. There are five wounds. Secondly, their place.

**E** (pause)

**F** **Mr Lobbenberg:** There's a wound to the face. There's a wound to the chest. There's a wound to the groin, and there's two wounds to the rear. Then you need to think about the depth. The depth of these wounds. What we describe as the wound track. This knife has gone 8cm into Henry. The wound at the rear, 5cm into Henry, and significantly, there are no defence wounds on Henry's hands.

**G** So let's just go, quickly look at our body maps again and remind ourselves of some of the most important features. Can I start with body map page 2 which shows the chest wound? The most important feature for your consideration, I suggest, is the entry orientation of that wound. Remember the pathologist telling you it's horizontal? So the knife's gone in that way. You

**H**

might need to think about that when you come to think about the explanation given by the Defendant as to how it happened.

A

Over the page, ladies and gentlemen, this gives you the 8cm wound track going through into his lung and then cutting that substantial vein, causing him to bleed. Over the page, we have the wounds to the rear on the upper right leg. Two. The top one, 5cm penetration. The bottom one, three and a half. Then we have the, over the page, the pin, the knifepoint injury on the groin which we know goes through, remember, all these wounds are caused cutting through clothing. You've seen the clothing, I'm not going to show it you again, it's unpleasant to look at, isn't it? It's gone through his jumper into his chest, it's gone through his, his trousers, through his Calvin Kleins into his groin and his back. You've got to think about that, and can we please just look at the last injury if we go through to our, *in*, showing of the face, we have the injury to the face, the cut caused to the face.

B

C

D

E

Now, and if you look at the hands, his hands, right and left. They've got no defensive injuries on and they've got no injuries that are consistent with punching, with him using his hands as a weapon. You need to think about the explanation provided by the Defendant. He has no explanation to how the face was cut or the groin. He says he didn't feel the knife go through the jumper, the shirt, and 8cm into the body. What he can't explain, do you remember I said the orientation of that wound on the chest is important? Do you remember the Defendant demonstrating how he pushed, how he said he pushed, and *a*, I gave him the ruler to be the knife. What, how was the ruler orientated as he demonstrated it to you? This way. This way. But the wound isn't this way. The wound is that way.

F

You can say for sure, that the explanation the Defendant gave you as to pushing and a vertically held knife penetrating this man's chest did not happen, because the wound goes in that way.

G

(pause)

**Mr Lobbenberg:** And he can't explain the length of the wound track. Ladies and gentlemen, you have probably all carved a Sunday roast. You know what a knife feels like when it meets flesh. It is different from having it waving in the air.

H

(pause)

**Mr Lobbenberg:** Count 4, the manslaughter, only comes into play if you believe Vickrum Digwa's account of how this fatal wound was caused. We say that is an absurdity. We say you can be certain he meant it.

he Prosecution case is that he, being skilled with a knife, has targeted Henry's face, cutting him, and when he cut his face with that knife, he would have seen the flesh open and Henry bleed. He targeted his chest, driving that blade through the jumper 8cm into the body. He targeted his groin and he did so in such a way that he did it so quickly that Henry had no time to defend himself, because otherwise he'd have put his hands up and hand defence wounds, and we suggest Henry then turned to flee and the attack continued to the rear, and the account that he first, that the Defendant gave you, that he first struck him in the leg and then pushed him is absurd, because if he had done that, Henry would have been on notice that the Defendant had a knife, and you'd have thought he would have been defending himself very carefully in front of himself.

So we invite you to reject the account of the Defendant that he struck, that he struck the leg first. That he pushed and didn't mean to stab him in the chest. This is three deliberate, targeted strikes to the front and two to the rear, and it's nonsense that he didn't know he'd used a knife or that he'd injured Henry, because he'd used a knife five times upon him, and you can be certain, can't you, if you take a knife and drive it into someone's body 8cm, you intend to cause them really serious harm. What else can you mean? And if you needed confirmation of what he did, you have it in the conversation with his brother in the van, the covert recorded conversation where his brother asks him where he has, what he has done, and he describes not two strikes to the leg and an accident with a knife, he describes three strikes to the front, doesn't he? Three strikes to the front in the van. He knows full well what he's done, he's just not saying it to the police and he's not saying it to you.

The van exposes the reality. His account to you as to how the injury was caused is a lie. If he had struck him in the leg first, if he had, why not tell his brother that? This is a case where the red mists have descended and he has repeatedly stabbed an unarmed young man on the street.

(pause)

**Mr Lobbenberg:** Excuse me. Now ...

(pause)

**A**

**Mr Lobbenberg:** Vickrum Digwa told you:

“A Sikh knows when a Sikh has been attacked.”

**B**

That’s nonsense. The family that arrive know what they have been told and what they can see, and it’s worth thinking about how do they arrive?

(pause)

**C**

**Mr Lobbenberg:** [Witness 12], across the road, describes it as really, really aggressive, carnal, animalistic tone that made him feel, gave him like a pit in his stomach listening to it. You can hear the words used. Henry’s called a cunt. This Defendant, I think, calls him a prick.

**D**

(pause)

**Mr Lobbenberg:** And Gurpreet’s 999 call is entirely informed by what he’s told. Can you just look at tab 9?

**E**

(pause)

**Mr Lobbenberg:** And go to page 2.

**F**

(pause)

**Mr Lobbenberg:** And go three Digwas down. So this, at the moment, is Gurpreet speaking, and he says this:

**G**

“He’s also recorded some shit as well on his phone.”

**H**

Now you know from our storyboard that at the time of the confrontation and the recording, Gurpreet was still sitting in the car, so when he says that, that demonstrates that must be something told to him. Told to him by Vickrum. So when you come to consider what Gurpreet

says, you need to consider who was the source of the information? Gurpreet repeatedly says to the Operator:

A

“No weapons.”

No weapons, and we’ll come back to that, and if you look at tab 7, page 1, Vickrum explains why Henry can’t stand up. Even on his account, he stabbed him in the legs, but he says:

B

“He’s drunk. [He says,] he’s pretending.”

I suggest, we suggest a Sikh knows what a Sikh has been told, and a Sikh knows what they can see, and Vickrum Digwa is being very careful to not tell people things.

C

Henry runs away. He’s been stabbed five times and he runs away, and you know, can you look at tab 4?

D

(pause)

**Mr Lobbenberg:** This is the schematic, you can see the actual, of the blood trail. He’s bleeding. He’s running away bleeding because he doesn’t want to be hurt, and he climbs, and he’s wearing one shoe. People are calling him a cunt, and what does Vickrum Digwa do? He makes a video. He makes a video of Henry running away, and then he lies. Lies at the scene, he lies to Henry. Henry says, we don’t need to turn this up but I’ll give you the reference, it’s tab 6, page 4, 02.35, 02.35, Henry says:

E

F

“You stabbed me”

and Vickrum denies it. It’s just a lie, isn’t it? He knew full well he’d stabbed him, even on his own case. On our case he, he stabbed him five times, and as Henry lies dying saying:

G

“You stabbed me.”

He says:

H

“No, I didn’t.”

**A** That is the barefaced lie this man tells, and he lies to the police, and the sort of man he is, he says in the witness box, he says:

“I was scared and frightened on the inside.”

**B** But he expresses that fear by lying to try to protect himself. We suggest by the time Henry is sitting on that wall, on the car and on the collapsing next to the wall, he knows Henry’s seriously injured because he has caused it. But even so, he gives two different lies. He told you in the witness box:

**C** “I only knew about the chest wound at the police station.”

But in his defence case statement, he said:

**D** “Oh, when, I knew about it when Dad came on scene and there was blood on his shirt.”

**E** And he then said:

“Oh, I don’t know why I said that.”

**F** That’s because he’s making it up. He’s making it up and he gets his lies all tangled up, and because the reality was he plunged that blade into Henry, blade horizontal, 8cm into his body, and then he has the temerity to deny that he stabbed him. He says he’s pretending, says he’s not stabbed, says he’s acting, when Henry is bleeding on the ground, unable to sit up, Henry is dying, and as Annabel Davis, another one of those bystanders that was read to you said, she said:

**G** “Why was no one helping him?”

**H** Why didn’t Vickrum Digwa immediately call for an ambulance? Even when Henry said he is dying repeatedly? This Defendant led the charge saying:

“He’s drunk, that’s why he can’t walk”

**A** when even on his case he stabbed him twice in the legs, and when we asked him about this he said:

“Ah, I was worried, didn’t realise *he had* fatally wounded. No idea he was injured in the chest, I was lightly more concerned,”

**B** was his words. Slightly more concerned. That’s nonsense, isn’t it? Would you be slightly more concerned if you’d stabbed somebody five times and they were dying in front of you? They claimed to [Police Constable 5] that he had called an ambulance, but that didn’t happen.

**C** The 999 call, the Officer in the Case gave evidence, was only for police. It was the police that called the ambulance. Vickrum Digwa had his own phone, it stayed firmly in his pocket, and the reason, you might think, is this. He knew any medical attention would reveal the stab wounds, and he preferred to try to save himself rather than to try to save Henry.

**D** But what does he do? He chooses, chooses to get rid of his knife. His precious knife, his special thing. He removes the belt and the scabbard and the knife, and it’s just a coincidence that he does this at the time the police have been called by his brother. The same coincidence that his hair happens to be down when the police arrive, and he tells his mum to take it, and she takes

**E** it and she goes back to the house, and the knife doesn’t return.

Now, you need to think. Think about it. Why, what must she know? Firstly, the knife is Vickrum’s special thing. He wears it all the time. He’s very keen to you, to know that he wears

**F** his special thing all the time. Why is he asking to take it off him? Why have they taken it back to the house? It’s plain and obvious there is a young man who is in a very bad way, who’s bleeding on the ground, who’s very unwell. He has a wound to his face and blood around his mouth. There’s blood on her husband’s shirt from the chest wound. You can see on the video

**G** that she’s present. So why does she take his special knife away, and why doesn’t she bring it back, the special knife, if it’s so religiously significant? Why does it end up in the pile of weapons that we see at tab 2, 13 and 14. Just turn it up, please. Tab 2, 13 and 14.

**H** (pause)

**A** **Mr Lobbenberg:** So that's the pile of weapons in the bedroom. So, let's think about why Mrs Kaur is silent, she's silent in interview, *her* prepared statements say very little, and she hasn't given evidence, and you are entitled to think about that.

**B** The answer we say is very simply. She has no answer to her actions that do not incriminate her son and her. That's why she hasn't gone in the witness box. Anything she says will demonstrate her son's guilt and her guilt, because for what reason would she take this knife away except because it needed to disappear before the police came? Why didn't she bring it back if he wears it all the time? Why does she say nothing? Because nothing she says will help the cause.

**C** What you need to think about is his explanation. He says:

**D** "I gave the knife to my mum because I was going to be looking for religious bits and bobs on the ground, and I didn't want my knife to touch the ground because that would be wrong."

But you can be certain that's not what he did. If you go to tab 6, page 3, the bottom of tab 6, page 3 ...

**E** (pause)

**Mr Lobbenberg:** We can trace this through. So ...

**F** (pause)

**Mr Lobbenberg:** Excuse me, managed to turn up the wrong tab. Tab 6, page 3, at the bottom:

**G** "I'm calling the police."

**H** Two lines up from the bottom. Over the page, middle of the page, 02.21, in Punjabi to his mum we then have that's the taking of the weapon away, middle of the page, and then what happens? What does Vickrum Digwa do? And you can see it. You can see it on the video. You can see exactly what he does. He takes the, the phone, and he does the close ups of Henry bleeding on the ground. I'm not going to show you that image again. I'm certain you all remember it.

A He puts the video, just thinking about this, in the face of the man he knows he has stabbed. He's not looking for religious items, he's videoing a dying man, and when he had no explanation as to why he did this, why would you do that? It is dominant gloating over a man you have stabbed.

(pause)

B **Mr Lobbenberg:** The police arrive, and in tab 10, tab 10 is harrowing, I suggest. Don't turn it up, I'm not going to go through it again with you. You can do it when you retire, I'm just going to summarise it because we know what's there.

C Henry is saying:

"I can't breathe."

D Henry's saying he's been stabbed and said so, and that's denied, and at that time Vickrum Digwa knew what he had done, and whilst that was going on, he chose, chose to remain silent. He didn't say anything that would have, to help Henry or put the police on notice about what had happened. Instead, he just hid behind his own narrative, and in tab 11, he talks to [Police Constable 5] and he tells the same lies. Accusations of a drunken, racist attack. No mention to the police at the scene of the threats to fuck him up or threats to kill, the matters that were seared into his memory, but never mentioned, and there ultimately he's arrested, and at tab 11 page 6 he says, he has the temerity to say:

F "Why am I getting arrested?"

The hutzpah of that. He stabbed a man five times and he asked the police:

G "Why am I getting arrested?"

(pause)

H **Mr Lobbenberg:** But the ultimate confirmation is what he says in the van, and I will, am going to ask you to look at some of these, please. Tab 13, please.

(pause)

**A**                    **Mr Lobbenberg:** We've already dealt with ...

(pause)

**B**                    **Mr Lobbenberg:** Tab 13 and can we start with the, page 8 please, first?

(pause)

**Mr Lobbenberg:** His brother says, this is at 31.12:

**C**                    "You should have hit him or beaten him up. Why did you use the kirpan?"

And Vickrum says:

**D**                    "I am a fool. Idiot."

Can we go to page 2?

**E**                    (pause)

**Mr Lobbenberg:** At 10.03.13, and the last thing from Gurpreet in the box above:

**F**                    "You should not have done it."

Vickrum says:

**G**                    "It was my fault or mistake."

And if we go to page 4 ...

**H**                    (pause)

**Mr Lobbenberg:** 10.07.07, Gurpreet says:

“You should have pushed.”

**A**

He says:

“Hm.”

**B**

And he then says at 10.07.11:

“He did. My hair came undone.”

**C**

So he’s saying Henry pushed, his hair came undone, and then can we last look please at page 3?

(pause)

**D**

**Mr Lobbenberg:** At the top, the camera point. He says:

“Yes, that’s right.”

**E**

“Any cameras there?”

“[Indistinct.] If there is one, can’t say anything.”

**F**

Why can’t he say anything if there’d been a camera there? And then lastly *at* page 10 ...

(pause)

**G**

**Mr Lobbenberg:** 12.38:

“Do not show off or try to act all hard.”

**H**

And we’ve already looked at the three strikes point, and then *we*, he’s interviewed, so he’s interviewed after the van on the 7<sup>th</sup> and accepted the importance of the prepared statement and this is a very important part of the process. He’d been in custody a number of days, he had the benefit of a solicitor, this was his chance to tell the police what had happened having gone no

comment throughout those interviews, and he doesn't mention lots of things. If you go to His Honour's directions, page 8 ...

A

(pause)

**Mr Lobbenberg:** His Honour has usefully set them out in A to E. Judge's directions page 8, A to E. Sorry for jumping about. You might want to think why are all these important things not in the interview. Page 8, are we, are we all there? Of the directions. Everyone found it? There's so many bits of paper, it's quite tricky, isn't it, I know. I don't know where you've put the directions because I think they're freestanding, we didn't have them in, put them in the file. If you can't see them, you can share.

B

C

(pause)

**Mr Lobbenberg:** So, there's a list. All these things he doesn't mention to the police in his interview, and the important features of this case, things that you might think if they were true they'd be seared into his memory, they would be something he'd be keen to put in his prepared statement, are things that he doesn't say.

D

Why doesn't he say that Henry was stumbling and weaving across the pavement? Why doesn't he say that he moved into the road and Henry barged into him? Why doesn't he give the very important threat that happened to him, that Henry had threatened to fuck him up and kill him? Why don't you tell that to the police when you're being interviewed for murder and you're *stating* to say it was self defence? Why don't you give your explanation that in fact what you were doing is just pushing him away after he'd stabbed him twice in the leg? He doesn't bother with that and he doesn't bother with the, the, after the, he'd been pushed away the incident ended.

E

F

All these things he doesn't tell the police because he's making them up. He hadn't thought of them by then. It's as simple as that. These are all lies that he makes up and tells you, and we invite you to take the proper inference that he's making it up and in the DCS he, in the defence case statement he doesn't mention the threat to kill. First time we heard about it was in the witness box. The story keeps on growing and Vickrum Digwa keeps on lying.

G

H

(pause)

**A**        **Mr Lobbenberg:** This is really a case about choices. Vickrum Digwa chooses to carry a sharp knife on the streets of Southampton. There is no religious obligation for him to do so. He starts a confrontation, turns round, closes the gap, takes the phone, chooses to put it in his pocket, caused the altercation by taking the phone.

**B**        He chose to draw that knife, using it as an offensive weapon. He chose to strike, taking Henry by surprise. You know he is skilled with weapons. He chose to strike Henry three times to the front in three different target areas. One at the top, one in the middle, one at the bottom. That was his choice.

**C**        (pause)

**D**        **Mr Lobbenberg:** He chose to drive that knife 8cm into his body. It is a horizontal wound and he continued to strike as Henry fled. 5cm into the leg. He chose to make a video of Henry as he ran away, climbing over the fence. He chose not to call the ambulance. He chose to get rid of the knife. He chose to make a video of Henry close up as he lay dying, and he chose to put down his hair when the police came. He chose to lie to the Operator on the 999 call. He chose to lie to the police at the scene. He chose to lie to the police in interview. He chose to lie to you, the jury.

**E**        This is not a case about Sikhism. This is not a case about racism. It is murder.

**F**        

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The Transcription Agency hereby certifies that the above is an accurate and complete recording of the proceedings or part thereof.

**G**        The Transcription Agency, 24-28 High Street, Hythe, Kent, CT21 5AT  
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**H**