



ROCHDALE

GROOMING GANG TRANSCRIPT

2017



Ashafaq Yousaf



Mohammed Sadeer



Joshim Miah



Ittefaq Yousaf



Mohammed Miah



Amitab Ali



Joe Drew Saukuru



Irfam Aslam



The sentencing remarks of Ashafaq Yousaf, Mohammed Sadeer, Joshim Miah, Ittefaq Yousaf, Mohammed Miah, Amitab Ali, Joe Drew Saukuru, and Irfam Aslam

Active from 2004-2016

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About this case

These remarks concern eight defendants, sentenced after three sets of proceedings. The arrests formed part of Operation Doublet, an investigation into historic child sexual offences by Greater Manchester Police, which began in 2012. These defendants form part of a wider group arrested during this operation, all based in Rochdale.

The various offences of rape, inciting a child to commit sexual activity, and sexual assault were committed between 2004 and 2008 by Joshim Miah (7 years), Ashafaq Yousaf (19 years), Ittefaq Yousaf (20 months), Mohammed Sadeer (16 years) and Mohammed Miah (16 years).

The offences of possession, and distribution, of an indecent photograph, Category A image of a child, were committed in 2015 by Ittefaq Yousaf.

The various offences of kidnapping, grievous bodily harm, possession of an offensive weapon, and possession of an imitation firearm were committed in 2016 by Mohammed Sadeer, Amitab Ali (4 years), Irfan Aslam (4 years), and Joe Saukuru (4 years).

The case was heard before HHJ John Potter who noted the “very real psychological harm” that the abuse caused to each victim, consisting at one point of a “brutal attack” that was “sustained and punctuated by violence.”

In being passed between offenders one victim described herself as being “treated like a rag doll.” The youngest victim was 14 when the abuse began, and at points the abuse was filmed.



IN THE CROWN COURT AT MANCHESTER

Case No: T20167356/T20167056

The Court House
Minshull Street
Manchester M1 3FS

Date(s) of hearing: Friday, 17th February 2017

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Before:

HIS HONOUR JUDGE POTTER

R E G I N A

- v -

**ASHAFAQ YOUSAF, MOHAMMED
SADEER, JOSHIM MIAH, ITTEFAQ
YOUSAF, MOHAMMED MIAH,
AMITAB ALI, JOE DREW SAUKURU
AND IRFAN ASLAM**

FOR REPRESENTATION PLEASE SEE PAGE 2

SENTENCING REMARKS

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REPRESENTATION

MISS HLLLAND Q.C. AND MR. USHER appeared on behalf of the Prosecution

MISS K. PIERPOINT appeared on behalf of the defendant **ASHAFAQ YOUSAF**

MISS A. JOHNSON appeared on behalf of the defendant **SADEER**

MR. A. NADIM appeared on behalf of the defendants **J MIAH AND ALI**

MR. S. GARCHA appeared on behalf of the defendant **I YOUSAF**

MR. S. WELFORD appeared on behalf of the defendant **M MIAH**

MR. D. BRUCE appeared on behalf of the defendant **SAUKURU**

MR. M. FIREMAN appeared on behalf of the defendant **ASLAM**

Friday, 17th February 2017

JUDGE POTTER: Sit down, gentlemen, thank you. You may have a seat for the time being, thank you. Each of the eight defendants before me falls to be sentenced within three different sets of proceedings. The first set of proceedings is the consolidated indictment dealing with indictment numbers T20167055, T20167058, T20167056, T20167057 and T20167059. This first set of proceedings concerns five defendants, Joshim Miah, Ashafaq Yousaf, Ittefaq Yousaf, Mohammed Sadeer and Mohammed Miah. Each of you was convicted by a jury following a fully contested trial over which I presided in September to December of last year.

You, Joshim Miah were convicted of count 1 on the indictment, an offence of rape. You, Ashafaq Miah[sic] were convicted of counts 4, 5, 6 and 7 on the indictment, four offences of rape. You, Ittefaq Yousaf were convicted of counts 8 and 9 on the indictment, offences of inciting a child to engage in sexual activity and sexual assault respectively. You, Mohammed Sadeer were convicted upon count 14 on the indictment, an offence of attempted rape and you, Mohammed Miah were convicted of count 13 on the indictment, an offence of rape.

The second set of proceedings is a consolidated indictment dealing with calendar numbers T20167356 and T20167360. The second set of proceedings concerns four defendants, Mohammed Sadeer, Amitab Ali, Irfan Aslam and Joe Saukuru. Not guilty pleas were initially entered by each of you in these proceedings at the plea and trial preparation hearing and a trial date was set. Thereafter, at a number of further case management hearings, acceptable pleas were entered by each of you such that the trial date could be vacated. Each of you pleaded guilty to count 1 on the indictment, an offence of kidnapping, each of you pleaded guilty to count 8 on the indictment, an offence of inflicting grievous bodily harm.

Additionally, you Amitab Ali pleaded guilty to count 3 on the indictment, an offence of possession of an offensive weapon, you Irfan Aslam pleaded guilty to counts 4 and 9

on the indictment, offences of possession of an offensive weapon and possession of an imitation firearm respectively. Your guilty plea to count 9 was entered on a basis accepted by the prosecution, namely that the imitation firearm was a short metal tube which you intended the complainant would believe was a firearm. I will sentence you on

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this count consistent with that basis. The remaining counts on this indictment in respect of each defendant I will order to lie on the file or be marked as pleaded to in the alternative as the prosecution have previously indicated save for count 5 to which I earlier entered a not guilty verdict.

The third set of proceedings has the calendar number S20160256 and concerns you alone, Ittefaq Yousaf. These proceedings were committed for sentence to this court by the Magistrates Court. You entered guilty pleas in these proceedings in the Magistrates Court at the first hearing. You pleaded guilty to two offences, firstly, distributing an indecent photograph, a category A image of a child, and secondly, possession of an indecent photograph, the same category A image of a child.

I now turn to the facts of the three sets of proceedings. The first set of proceedings. These offences involve the sexual abuse of three teenage girls in the Rochdale area of Greater Manchester. Some of the offending took place when your victims were under 16 years of age and thus still children. In the course of these sentencing remarks I have made anonymous references to each victim so as to protect their identity being published. One of the three victims is I believe listening to these sentencing remarks via the remote video link.

Each of your victims gave evidence during the trial in these proceedings. They were each cross-examined by the defence in a manner consistent with the instructions given by each of the defendants who were subsequently convicted. Your victims were variously challenged as having told lies or been mistaken as to the ordeal they had suffered at your hands. Your victims acted bravely and with considerable fortitude in giving their evidence at trial. I recognise their courage in having done so. Their testimony was accepted by the jury against each of you. Your respective convictions within these proceedings could not have occurred without these three young women being able to say in court what you had each done to them. I commend each of the three

young women accordingly.

I have little doubt that each of your victims will have been affected by your abuse of them to some degree, some perhaps more than others. I have read the victim personal statement material provided by two of your victims, the other victim, Person 1, I am told does not wish to provide such material to me. The two statements I have read illustrate

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the very real psychological harm that their authors have suffered as a result of them being sexually abused. They have struggled to come to terms with what was done to them and understandably require support and understanding from others to help with their own survival process. I am sure that, like others in this case who have suffered sexual abuse, Person 1 would also have been significantly harmed by what was done to her and she alluded to how she tried to cope with this in the course of her evidence before me at trial. I am unable to gauge Person 1's current psychological wellbeing in the absence of an up to date VPS however.

The offending against each of your victims took place in the period between June 2004 and June 2008. At the time each of your victims were aged between 14 and 18. Your first victim, Person 2, was sexually abused at different times by four of you, your second victim, Person 1, was sexually abused at different times by two of you, your third victim, Person 3, was sexually abused by you alone, Ittefaq Yousaf.

Count 1 on the indictment relates to you, Joshim Miah. You first met Person 2 when she was 14 years of age in 2004, she having been born on [REDACTED] 1990. During the course of your knowing her you were aged between 20 and 22 years of age. You were a bit of a boy racer in your words and after you struck up a friendship with Person 2 you would take her out in your motor vehicle driving you both around the Rochdale area. On one occasion in the car you made Person 2 perform oral sex upon you indicating that if she did not you would abandon her. Person 2 was aged between 14 and 16 at the time, still a child or very shortly after she had attained her sixteenth birthday. I sentence you on the basis of the latter. During the act itself you held her hair and moved her head up and down forcing her to continue having your penis in her mouth when she indicated that she did not want to, you knowing full well this to be the case. You were exploiting this young woman for the purposes of your own sexual gratification at a venue where you

had taken her in your car for the purpose of doing so, threatening to abandon her if she did not comply.

Count 4 is the first offence you are to be sentenced for, Ashafaq Yousaf. It is an offence of rape upon Person 2. You first met Person 2 outside a takeaway restaurant in Rochdale. You befriended her. At the time she was 14 years of age, you were 17 to 18 years of age. A short time after this first meeting you met her once more and took her to

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an area behind a car parts shop in Rochdale where others were also present. You told those others to leave. You requested oral sex from Person 2, she reluctantly agreed having first said no. During the course of her having your penis in her mouth she said she wished to stop. Your reaction was to continue by holding this child's head and moving it up and down with your penis inside her mouth. You knew she did not consent to this, you continued this abuse until you ejaculated.

Count 5 is a second offence of rape upon the same victim, Person 2, by you, Ashafaq Yousaf. This offence took place after an incident at a petrol station where you had bumped into Person 2 and were abusive to her before pouring petrol over her. Notwithstanding that incident and your earlier sexual abuse of Person 2, you and Person 2 then continued to have some level of contact with each other and some time after the first incident in count 4 and what later happened at the petrol station, you were to take Person 2 to a house to which you had access together with your friend Mohammed Sadeer and his then girlfriend NH, the [REDACTED] of Person 2. Person 2 was by now 16 years of age, you were 19 to 20 years of age. You knew that Person 2 had drunk alcohol. By the time she was in the house she was very drunk.

Mr. Sadeer and NH went upstairs leaving you alone with Person 2. You then took advantage of her condition and vulnerability by making it clear to her that you expected her to have vaginal sexual intercourse with you whether she consented or not. She was incapable of giving any proper consent to what was to follow. You were well aware of this. You raped her on the sofa, vaginal intercourse as you had demanded. Counts 4 and 5 are acts committed by you, Mr. Yousaf, where you abused a young female, treating her as simply an object to satisfy your own wish, selfish wish for sexual gratification.

Count 6 is a further example of this, Mr. Yousaf, another offence of rape, this time

towards a second victim, Person 1, and this time characterised by appalling acts of violence. You knew your victim Person 1 by having met her first in [REDACTED] Park in Rochdale, a park at the time much frequented by young people who attended the nearby High School. Person 1 was one such pupil. You were 5 years older than her. Aged 14, Person 1 was aware of your reputation as a bit of a bully when she first met you. It appears that you were unpleasant to her when you first met, unpleasantness that continued in exchanges via text traffic in the weeks that followed. Person 1 decided to

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put a stop to it and to confront you about your behaviour. This was in February 2006. She met you at the park and challenged you. Your response to this was to become angry with her, pulling her forcefully by her hair into an archway in the park. She was initially able to escape when you heard others walking by and she broke free from your grip. She ran away but you ran too, catching up with her. You then dragged this 14 year old child into a secluded area in the park and vaginally raped her, ejaculating inside her as you did. Person 1 had not previously had sexual intercourse.

This was a brutal attack on a child which was sustained and punctuated by violence towards her simply it seems because you viewed her as having the temerity to stand up to your bullying of her. Your violence towards Person 1 and your sexual abuse of her was to continue with a further attack upon her a few months later in June 2006. This is the offence of rape in count 7. It took place once more in [REDACTED] Park.

Person 1 went to the park after school on 28th June 2006. She intended to meet with friends which was not unusual. You were present in the park and were again verbally abusive to her. She walked away intending to leave. You followed her, grabbed her by the arm and once more forcibly took her to a secluded area in the park behind some arches. You then violently orally raped her holding her tightly as she tried to break free and forcing your penis into her mouth before ejaculating. When she continued to struggle and fight back, you added to her humiliation after the attack by head butting her. She fell to the floor where you punched and kicked her as she lay defenceless and in distress on the ground. This attack to the knowledge of Person 1 was witnessed by others. Person 1's friend, Person 4 – no relation – saw the rape in progress and the beating that you administered to Person 1 in the aftermath. Person 1 gave evidence that that attack was

filmed by a friend of yours watching and standing nearby using his mobile phone.

Following one of the attacks you engaged in text conversations with your victim. You were concerned she may be pregnant and told her in abusive terms that she should go to a doctor to discover if this was the case. The content of the text traffic you sent to Person 1 bears testimony to how you objectivised her, not as a 14 year old girl with whom you shared a relationship as you dishonestly claimed at trial, but as a person, a 14

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year old child, that you sought to dominate by force to obtain your own selfish sexual gratification.

Count 8 is a further act of sexual abuse towards Person 1 committed by you, Ittefaq Yousaf. You are the brother of your co-accused Ashafaq Yousaf. You are younger than him and also knew Person 1, indeed you went to school with her and initially enjoyed not a close but something of a friendly relationship with her. Shortly after her fifteenth birthday, Person 1 was again in [REDACTED] Park. You were also present. You too were 15 years of age. You approached her with others nearby, you took your penis out of your trousers and asked her to suck it. She declined this encouragement to engage in sexual activity and walked away.

Count 9 is a second act of abuse by you, Ittefaq Yousaf towards the third victim in this case, Person 3, your second victim. Person 3 was at the time a friend of Person 1, would often meet her in [REDACTED] Park. In the summer of 2006 you on one occasion met Person 3 in the park. Person 3 was 13 or 14 years of age, you as I have already noted were 15 years of age. You were on friendly terms with Person 3. She asked you if you knew where Person 1 was. On the subterfuge and pretext of finding Person 1 you then took Person 3 to a secluded part of the park surrounded by trees and bushes where you were to sexually assault her. You tried to kiss her and she resisted, you were well aware that she wanted nothing sexual to happen between you. You pushed her to the floor, she feared you may attack her further, you took your erect penis from your trousers and masturbated in front of her, an act that caused her to become increasingly frightened as to what was to happen next. You were disturbed by others nearby. You laughed at her as she lay on the ground and then walked away.

Count 13 is an offence of rape committed by you, Mohammed Miah, upon Person 2. On 18th April 2007 when Person 2 was 16 years of age you took her with two others to a beach in North Wales where you vaginally raped her. At the time you were 31 years of age, almost twice the age of your victim. You had only met her the day before by her [REDACTED] NH who was friends with a friend of yours and it was the four of you who were to drive to Wales arriving at night. En route alcohol was purchased by you, Mohammed Miah, and given to Person 2. At the beach Person 2 was told that she had to leave the car which had become stuck in the sand and have sexual intercourse with you. She did not

wish to do this but your demands were persistent. You made it clear to her that unless she complied she would be left in Wales without any immediate prospect of being returned home to Greater Manchester. She went with you on to the beach away from the car and you raped her. During this act she became distressed and walked away from you.

Initially you and others refused to allow her back into the car but you eventually relented and your victim was left to endure the remainder of the night in the car with you marooned on the beach until the car was towed out in the morning. You then remained in Wales where you were then working, your victim was returned home by your friend in the car whereupon she told those responsible for her care that she had been raped.

Count 14 is an offence of attempted rape of Person 2 by you, Mohammed Sadeer. It took place when she Person 2 was between 16 and 18 years of age. On the day of the offence Person 2 had been provided with a significant quantity of alcohol by you, Mr. Sadeer, and others and became extremely drunk. She was taken by you with at least three other men to a house in the Hamer area of Rochdale. So drunk was she on arrival that she was unable to stand up and was assisted into the house before being taken upstairs to a bedroom. In the bedroom she was anally raped in turn by between two and four different men.

She describes being degraded like this, in her words “treated like a rag doll”, as each of her abusers passed her to the next so they could rape her, demanding that it was their turn to have a go. She was crying and in pain. She was totally unable to consent to or stop her appalling ordeal that was happening. She is unable to recall with clarity the identity of more than two of her attackers neither of whom I accept were you,

Mohammed Sadeer, but you were present in that house throughout and I am sure that you were well aware of the monstrous and truly dreadful ordeal that Person 2 had had to endure. Once the anal rapes had ended, Person 2 was left crying on a bed in no doubt considerable pain. She was just a little over 16 years of age at the time, you were 18 to 20 years of age.

You then approached this highly vulnerable young woman, in that position, shortly after having suffered that ordeal and attempted to rape her again. You took your penis from your trousers, moved towards her on the bed and requested oral sex from her. She made it clear that she did not want this and then was physically sick upon you. Person 2

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was taken from the house shortly afterwards, her use for you and your friends having come to an end. All forms of sexual offending are extremely serious. The facts of count 14 as the jury found them to be reflects in my judgment sexual offending at the highest end of the scale for an offence of attempted rape. They are truly shocking.

I turn to guidelines. Consistent with the sexual offences guidelines issued by the Sentencing Council, I categorise each of these offences as follows. Count 1 I categorise as a 2B offence, the starting point for which is 8 years. There is the aggravating feature of the location of the offence, an area Person 2 was taken to, near to her home town and where she was told she would be abandoned unless she complied and the age and her particular vulnerability at the time, such vulnerability apparent from other factors of Person 2 beyond simply her age at the time. Count 4 is also a 2B offence, vulnerable victim given her age, same starting point is 8 years, aggravated by ejaculation. Count 5 is a 2A offence, level A culpability because there was a significant degree of planning, Person 2 being taken to a particular house for the purposes of sexual activity, that house being one which you, Mr. Yousaf, had access to with your friend Mohammed Sadeer and there had been a previous act of violence towards your victim, the petrol throwing incident at the garage prior thereto. The starting point is 10 years. I do not add any further aggravating factors as I view the location as part of the planning and there is no evidence of ejaculation. This is however a second offence involving the same victim.

Count 6 is a 2B offence, category 2 harm because of the use of violence during a sustained incident, the starting point is 8 years. There is the additional aggravating

feature of ejaculation. Count 7 is a 2A offence, category 2 harm because of the use of violence during the sustained incident together with humiliation after the attack. There is also evidence that the attack was filmed. The starting point is 10 years. There are the additional aggravating features of ejaculation and the presence of others. This is of course the second attack upon the same victim.

Count 8 is a category 1B offence, category 1 harm because the child here was being incited to take part in penile penetration of her mouth, an act which in fact did not occur.

The starting point is 1 year. Count 9 I find to be on the border of 1 and 2B. There is significant psychological harm evidenced by the content of the VPS from Person 3. There is some element of this being a sustained incident in that the victim was taken over

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a period of time by subterfuge to a secluded area concealed by bushes and trees where more than one act took place, an assault followed by a display of masturbation. Additionally, there is some level of humiliation, the victim being laughed at as she displayed fear as to what was to happen to her before the offender walked away having been disturbed. The starting point for a 2B offence is 1 year, the starting point for a 1B offence is 2½ years. Given how I have approached level of harm, I do not use location of offence as an additional aggravating factor nor do I view there to be any other aggravating factors present as outlined in the guidelines regarding this particular offence.

Count 13 is a 2A offence, harm at level 2 because your victim was particularly vulnerable, Mr. Miah, given the location of the offence and her being told she must have sexual intercourse or face the consequences of not being returned home. There is culpability at level A because there is a significant degree of planning, your victim being driven to Wales for the purpose of sexual activity and alcohol being provided to the victim to facilitate the offence. The starting point is 10 years. I do not view the location of the offence as an aggravating factor given how I have assessed harm and culpability. There is no evidence of ejaculation.

Count 14 is an offence of attempt rape but had it been the full offence would have been characterised as a 2A offence. There is level 2 harm because this was a prolonged incident with additional degradation. This is level A culpability because there is significant planning here, the victim being taken to the house for the purpose of sexual

activity. Additionally, alcohol was used to facilitate the offence and the offender acted with others in my judgment to commit the offence. The starting point, had this been an offence of rape would be 10 years within a category range of 9 to 13 years. I have already explained why I view this offence at the highest point of the category range albeit that I must make some allowance for this being an attempt and not the complete offence. There is the additional aggravating feature present here, the specific targeting of a vulnerable victim, a 16 year old young woman who had just been raped by up to four others and was crying and in pain. Given how I have approached harm and culpability in relation to count 14, I do not view location, timing or the presence of others as additional aggravating features however.

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I turn now to the second set of proceedings. Each of these offences took place on the same day, 10th July last year. It follows that at the time Mohammed Sadeer you were on bail in relation to the first set of proceedings that I have just outlined. The offences involve the same victim, Person 5. Prior to 10th July it seems a dispute had arisen between Person 5 and you, Mohammed Sadeer. In April 2016 there was an exchange between you outside a takeaway restaurant in Rochdale in which threats were made by you. Further incidents took place in May and June 2016 and on the night of the 9th and 10th July when Person 5 had been at Yates's Wine Lodge in Rochdale town centre.

Against this background Person 5 went to work at a [REDACTED] owned by his mother during the day of 10th July. At 2:30 p.m. a Ford Mondeo motor vehicle drove on to the forecourt of the [REDACTED]. Person 5 attended the vehicle. In the vehicle were you, Irfan Aslam and you Amitab Ali. You were there in my judgment for the planned purpose of taking Person 5 against his will with a view to him receiving a punishment beating. As he approached the vehicle, Person 5 was shown by you, Irfan Aslam, a short metal tube that you intended Person 5 to believe was a firearm. Person 5 clearly fearing for his safety, backed away from the vehicle, only for you Amitab Ali to jump out of the driver's side of the vehicle, grab your victim and manhandle him into the rear of the car slamming the door shut on him. You returned to the vehicle and attacked your victim punching him to the head as you Irfan Aslam made it plain to him what was intended to take place, shouting "Now you motherfucker, you're going to get it now".

Your victim was driven from the scene. He tried but was unable to escape from the vehicle as the doors were locked and the windows closed. The vehicle was driven to a pre-arranged meeting point I find a few streets away. At that meeting point lying in wait were you, Mohammed Sadeer and you, Joe Saukuru and a third male who is not before this court. Attempts were immediately made to drag Person 5 from the rear of the vehicle by you, Mr. Saukuru and the third male. Person 5 was being punched and kicked as this was taking place by each of you. Eventually, he was dragged out and placed on the floor whilst the beating of him continued. He was told he was to be killed and he feared for his life.

At one point you, Amitab Ali, produced a shillelagh, a two foot wooden stick and used it to beat Person 5 about his head whilst the others held him down. You too Irfan

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Aslam armed yourself with a weapon, a shillelagh. Person 5 was beaten so forcefully with the use of a weapon that others lost their grip upon him and he was able to break free and run off. He was told as he ran that he “better not grass”. He ran back to the [REDACTED] where he reported the attack upon him. The police were called and attended at the [REDACTED], Person 5 was taken to hospital. He had sustained significant injury to his head, back, right elbow and left knee. He was placed in a neck brace, x-rayed and sent for a CT scan. Fortunately, these enquiries revealed that he had not suffered any broken bones in the attack but his injuries amounted to grievous bodily harm and have been photographed, photographs that I have seen as per exhibit RM1. There is no victim personal statement provided to me from Person 5.

After the attack it seems attempts may have been made to frustrate the police enquiry by witnesses being told not to release CCTV footage of the offence to the police. Person 5's family also received sinister telephone calls and visits in an attempt to persuade them not to assist in the enquiry. These efforts proved in vain and so it was the police were able to examine CCTV material and with the assistance of witnesses identify those involved. Identification procedures were also carried out. Each of the defendants were arrested. They made no clear admissions in interview and in due course as I said earlier entered not guilty pleas to the indictment changing their pleas to guilty at a later stage as I have already said at a pre trial hearing albeit in a piecemeal fashion. Their respective

guilty pleas in my judgment attract 20% credit. I do not feel able in the circumstances to differentiate between the amount of credit to be given to each defendant. Pleas were accepted by the prosecution as a package.

So far as guidelines are concerned, there are none for counts 1, 3, 4 and 5. I have however considered the authorities in Banks on Sentencing at paragraph 258 on pages 2385 to 2393. Count 8 I view as a category 1 offence within the assault guidelines. This was a sustained assault upon Person 5 which was premeditated and carried out by a group of offenders with the use of weapons. The starting point is 3 years.

The third set of proceedings. These concern you alone, Ittefaq Yousaf. On 20th May 2015 you were arrested in the course of the first set of proceedings that I have outlined. Seized from you on arrest were a number of mobile phones. They were subject to examination. One of them, a black iPod 4, the police found on it a video file which

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depicted the sexual abuse of a child aged between 9 and 12 who was engaged in penetrative sexual activity with an animal. This is a category A image. On 9th March 2015 the phone was used by you to distribute these images of child abuse to two other devices. You were subsequently interviewed by the police about this offending. You told the police that you had not viewed the images in detail but that you thought these images of child abuse were daft and funny and in terms you were happy to share them with others. The guideline suggests that the starting point for possession of this material is 12 months, distribution 3 years. I do bear in mind that the material did not form part of a large library of such images and amounted to one video clip.

I now turn to your respective antecedent histories. Joshim Miah, you have no previous convictions. Ittefaq Yousaf you too have no previous convictions. Ashafaq Yousaf you have previous convictions recorded against you mainly to do with driving motor vehicles, drug dealing and dishonesty. You have no sexual offences on your record, you have no offences recorded against you which create the assumption that you are a dangerous offender. Mohammed Sadeer, you have numerous convictions recorded against you for drug dealing, in relation to use of motor vehicles, driving offences and offence of dishonesty, you have weapon offences recorded against you and offences involving violent behaviour and harm caused to others. These offences make worse the

offences I am to sentence you for today. However, you too have no offences recorded against you which create the assumption that you are a dangerous offender.

Mohammed Miah, you have a dreadful record of sexual offending against children and young women. I accept that at the time of this offence you had no convictions recorded against you. Some of your sexual offending thus post-dates the offence for which you fall to be sentenced today. Those offences which pre-date the offence I am to sentence you for clearly aggravate the offence I am now to sentence. I am not entirely sure that is right, Mr. Usher.

MR. USHER: No, I was struggling with the same.

JUDGE POTTER: Could you just check. At the time of the commission of the offence in count 13 was the defendant in fact of good character, please, if you would not mind just checking that.

MR. USHER: Yes, he was.

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JUDGE POTTER: Very well. Mr. Welford, I will sentence him on that basis. Thank you.

You have previously been sentenced, Mohammed Miah, as a dangerous offender within the dangerousness provisions, most recently by me in relation to proceedings over which I presided last year. My assessment then of you as a dangerous offender remains the same today particularly as you pleaded not guilty in these proceedings and displayed as little remorse to your victim in this case as you have to most of your victims in each of your other offences. It follows that I will be sentencing you once more as a dangerous offender within the statutory criteria today.

Amitab Ali, you have a long antecedent history disclosing offences involving dishonesty, drug production and unlawfully using motor vehicles. You have some previous convictions for violence and disorderly behaviour. These latter convictions aggravate the offences I sentence you for today. However, you have no offences recorded against you which create the assumption that you are a dangerous offender. Joe Saukuru, you have a very long history of previous convictions mainly in relation to offences of dishonesty and using or driving motor vehicles unlawfully. You have some drug related offending recorded against you but no offences of violence although you do have a conviction for arson. You too have no offences recorded against you which create the

assumption that you are a dangerous offender. Finally, you, Irfan Aslam, you have a history of offending since 2005, your offending relates to drug offences, offences of dishonesty and using motor vehicles unlawfully. You have no violent offending on your record. Additionally, you have no offences recorded against you which create the assumption that you are a dangerous offender.

Now I turn to mitigation. Dealing first with you, Ashafaq Yousaf. I apply the principle of totality. You are currently serving a sentence of incarceration regarding other matters and of course I sentence you for more than one offence today. I have considered the contents of your pre sentence report, I have considered the references that you provided to me, I have considered everything that Miss Pierpoint said on your behalf this morning. I do not sentence you as a dangerous offender for the following reasons. Firstly, the age of the offences I am to sentence you for, secondly no previous convictions for sexual offending, thirdly the lengthy determinate sentence I am about to impose upon you is sufficient for rehabilitative work in my judgment to be undertaken

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both whilst you are in custody and thereafter on licence, fourth, I must apply the principle of totality as I have said given the sentence you are currently serving and have been serving for some time and finally, I note the assessment within the pre sentence report as to dangerousness.

Mohammed Sadeer, mitigation I apply in your case is as follows. Totality, the content of the pre sentence report, everything Miss Johnson has said on your behalf. Notwithstanding the assessment in the pre sentence report I do not sentence you within the dangerousness provisions. I do not do so because firstly of the age of the sexual offence I am sentencing you for, second, the lack of previous offences of a sexual nature on your record, thirdly, I have already made in your and indeed the other defendants' cases within the first set of proceedings a sexual harm prevention order which will restrict your liberty and reduce the risk of your offending hereinafter, finally, the determinate sentence I am to impose upon you is sufficient to allow rehabilitative work to be undertaken whilst you are in custody and thereafter whilst you are released on licence.

Joshim Miah, your mitigation is as follows. You have a lack of previous convictions,

I have considered the content of the pre sentence report and the character evidence advanced by you during the course of the trial. I have reminded myself of that. I have listened carefully to everything said on your behalf by Mr. Nadim. The mitigation that is available to you leads me to the view that you should not be sentenced within the dangerousness provisions.

Ittefaq Yousaf, you are to be sentenced in relation to three separate offences in relation to three different victims. One victim I accept is via the indirect abuse of him by you downloading the abuse of him. I must apply and I do the principle of totality, I note your lack of antecedent history. In particular, I will apply in relation to the two offences within the first set of proceedings that I have outlined the guidelines relevant to sentencing offenders who at the time were 15 as you were years of age. I have considered the pre sentence report, I have considered everything that Mr. Garcha said on your behalf.

Mohammed Miah, the only true mitigation in your case is the principle of totality. I will of course consider carefully everything else that Mr. Welford said on your behalf.

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Amitab Ali, I have listened carefully to everything said on your behalf. I note you are to be sentenced realistically without the support of a pre sentence report, you and your learned advocate accepting that an immediate custodial sentence is inevitable. I have already outlined how you will get credit for your plea. The same provision applies by way of mitigation to you, Mr. Saukuru. Everything said on your behalf, realistic not asking for a pre sentence report, credit for plea and the same applies indeed to you, Mr. Aslam, everything said on your behalf, no pre sentence report, realistic attitude therefore to proceedings, the references that were made – I have uploaded on to the DCS system and those matters that Mr. Fireman raised together with credit for plea.

I turn to sentence. Joshim Miah, please will you stand up. Within the first set of proceedings the sentence I impose upon you will be one of 7 years incarceration. You will serve half of that in custody and the remaining half on licence. Just make sure you comply with your licence conditions, do not offend whilst you are on licence. If you do not comply with your licence conditions or you do offend whilst on licence, you may be recalled. I make a sexual harm prevention order in the terms previously outlined until

further order. You must sign on the sex offenders' register for life. I make the remaining ancillary orders that follow from your conviction within these proceedings and each and every day that have spent in custody in these proceedings will count towards the sentence I have imposed upon you, those correct amount of days to be calculated by the prison authorities. 7 years, please go downstairs.

Stand up Ashafaq Yousaf please. On count 4 the sentence I impose upon you will be one of 8 years; on count 5 a concurrent sentence of 9 years; on count 6 a sentence of 8 years; on count 7 a sentence of 10 years. The sentence of 10 years will run consecutively to the concurrent sentences I have just imposed upon you, making a total in your case of 19 years. You will serve half of that time in custody, the remaining part on licence. Do not breach your licence conditions or offend whilst on licence or you will be recalled. I too make in your case a sexual harm prevention order I outlined earlier, you will sign the sex offenders' register for the rest of your life, I make appropriate ancillary orders consistent with the convictions recorded against you in these proceedings. If there are any days to count towards the sentence I have just imposed

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upon you they can be calculated by the prison authorities. 19 years, go downstairs please.

Ittefaq Yousaf, please would you stand up. On count 8 bearing in mind particularly your age at the time of that offence, the sentence I impose upon you will be 6 months imprisonment; on count 9, bearing in particular in mind the age at the time of that offence, the sentence I impose upon you will be 12 months consecutive; in relation to the committal for sentence matter, there will be a one month consecutive sentence in respect of each of the two matters making a total sentence of 20 months. You will serve half of that period in custody, the remaining half on licence. Whilst you are on licence you must comply with your conditions of licence and not re-offend. If you do re-offend, you may be recalled to custody once more.

MR. USHER: Your Honour, forgive me. I think you said 6 months for count 8.

JUDGE POTTER: Yes.

MR. USHER: 12 months for count 9, one month consecutive for---

JUDGE POTTER: On each of the other two, that makes 20.

MR. USHER: Forgive me.

JUDGE POTTER: Thank you. Mr. Usher, would you just check the notification requirement for that sentence please if you would not mind. I think it is 5 years but I might be wrong, it might be 10. In any event, I make the other ancillary orders that flow from the convictions within these proceedings of the offences for which you have been convicted of and I have earlier made the sexual harm prevention order in your case. 10 years notification on the sex offenders' register. Please go downstairs.

MR. GARCHA: Sorry to interrupt your Honour.

JUDGE POTTER: Sorry, the days, I beg your pardon, you are going to tell me about days to count?

MR. GARCHA: That and I am sure it has not affected your Honour's sentence but so that the defendant and his family, I think your Honour said that Person 3 was 13 or 14 when in fact I think she was 14 or 15

JUDGE POTTER: It has not affected sentence.

MR. GARCHA: I thought that but it is better for the record---

JUDGE POTTER: Thank you very much.

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MR. GARCHA: ---and for my lay client and his family to know that because I would not want them to think that your Honour was wrong in the sentence because of that matter.

JUDGE POTTER: Thank you Mr. Garcha. Days to count to be calculated by the prison authorities towards the sentence I have just imposed. Thank you very much. Mohammed Sadeer, please will you stand up. On count 14 the appropriate sentence in my judgment following trial is 12 years; in relation to the second set of proceedings, the appropriate sentence in relation to count 1 would have been 5 years following trial, reducing that sentence by 20% you will receive a 4 year sentence on count 1; you will receive a concurrent sentence of 2 years on count 8. Those two sentences, a total of 4 years, will run consecutive to the 12 years I have just imposed upon you in relation to count 14 in the first set of proceedings, a total therefore of 16 years. You will serve half of that period in custody, the remaining half on licence. Make sure please you abide by your licence when you are on

licence, do not offend, if you do not abide by your licence or you do offend you may be recalled. I make the sexual harm prevention order I have already outlined in your case, you will be subject to the requirements of the sexual offenders' register for the rest of your life and I make the appropriate ancillary orders as well. Each and every day that you have spent in custody will count towards the sentence I have just imposed upon you to be calculated by the prison authorities. 16 years, please go downstairs Mr. Sadeer.

Amitab Ali, please would you stand up. Within the second set of proceedings on count 1 the sentence of 5 years is reduced by 20% to 4 years, there will be a concurrent sentence on count 3 of 12 months and 2 years concurrent on count 8. Total therefore 4 years, serve half in custody, the same conditions apply in relation to do not breach your licence. You will have each and every day you have spent in custody in these proceedings to count towards the sentence I have just imposed upon you. 4 years, please go downstairs. There is the victim surcharge in that case.

THE CLERK OF THE COURT: Also there is the barring notice [inaudible].

JUDGE POTTER: There is a barring notice for that sort of offence.

UNIDENTIFIED SPEAKER: Count 8 was?

JUDGE POTTER: What?

UNIDENTIFIED SPEAKER: Count 8?

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JUDGE POTTER: 2 years.

UNIDENTIFIED SPEAKER: Thank you.

JUDGE POTTER: Irfan Aslam, please would you stand up. In relation to count 1 it would have been 5 years after trial, that is reduced to 4 following your guilty plea, there will be concurrent sentences of 12 months on count 4, 3 years concurrent on count 9 and 2 years concurrent on count 8. Total of 4 years. The same provisions apply to you as to your co-accused. Each day you have spent in custody will count towards the sentence I have imposed upon you. Barring notice applies and you must pay the victim surcharge as your co-accused must as well. 4 years, please go downstairs.

Mr. Saukuru, would you be kind enough to stand up please. Count 1, 5 years will be reduced to 4 years giving you credit for your plea, there will be a concurrent sentence of 2 years on count 8, therefore a total of 4 years. Exactly the same applies to you as I

have already explained in relation to your co-accused. You may go downstairs, thank you.

Now in these proceedings, I asked earlier on for the names of those in the police enquiry---

MR. USHER: Your Honour, forgive me for interrupting, have you dealt with Mr.

Mohammed Miah?

JUDGE POTTER: I beg your pardon, I have not, sorry, forgive me. Thank you. Stand up, Mr. Miah. The sentence on count 13 will be a custodial sentence in total of 16 years made up of 12 years plus a 4 year period of extended licence, that sentence to run concurrent with your current sentence reflecting the principle of totality. The other orders that I am compelled to make in fact I already made in other proceedings last year but they apply equally now. Thank you, you may go downstairs. Thank you, Mr. Usher.

Marten Walsh Cherer hereby certifies that the above is an accurate and complete record of the proceedings or part thereof.

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