

IN LEEDS CROWN COURT

Case No: T20217358

Courtroom No. 8

The Courthouse
1 Oxford Row
Leeds
LS1 3BG

11.35am – 11.52am
Friday, 27th May 2022

Before:
HIS HONOUR JUDGE MARSON QC

R E G I N A

-v-

ASUK HUSSAIN, NASAR HUSSAIN & RAZIQ KHURAM

MR D M BROOKE appeared on behalf of the PROSECUTION
MR S UTTLEY, MR I S BROOK & MR A TASOU appeared on behalf of the DEFENDANTS

SENTENCE

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SENTENCE

JUDGE MARSON: You can both remain seated. I add, as a preliminary, that I have reminded myself from the many previous trials of this type, of the range of sentences that I have passed, which have been considered by a higher court and remain unaltered. Having said that, I also bear in mind that every case is different and I deal with these defendants on the basis of the convictions by the jury. You can both remain seated.

You have both been convicted of offences of rape of [Person 1]. In your case, Khuram Raziq, seven single counts of rape and a multi-occasion count of at least five offences of rape over a period of about a year or so. And at a time when [Person 1] was 12 years old. Nasar Hussain, you have been convicted of two single counts of rape, and a multi-occasion count of at least 10 offences of rape. Committed over a period of six to seven months, at a time when [Person 1] was about 14 years old. In other words, both of you, at least 12 offences of rape.

[Person 1] has had the courage to put up with the additional torment of the trial, and you have prolonged her ordeal by your cowardly denials of guilt. Having said that, I do not add to your sentence, because there has been a trial. It simply means that I cannot give you the credit which pleas of guilty would have entitled you to.

Before the abuse began, [Person 1] was a happy child, doing well at school; a mummy's girl. She was 12 years old when the grooming began. She got into the company of older Asian men and was supplied with alcohol and cannabis and cigarettes. She spent time in cars, riding about, no doubt, thinking that this was a more exciting way of life. She began to go missing from home and truant from school. It caused her family very great distress.

She had been deliberately targeted because, particularly of her age, and also her vulnerability. It must have been obvious to anyone who saw her that she was a young child attending school. And, in any event, in your case Khuram Raziq, she told you she was 12. She was groomed to such an extent that she believed that each of you were in a boyfriend, girlfriend relationship with her.

[Person 1] herself in her interview said she was 'brainwashed, and could drink and take drugs and smoke. I just thought it was a better life. I thought that people, these guys, cared. Like they cared more than your family. It was like your family did not understand, and you knew best, and these guys were best for you. It was just better being out. better out drinking'. As [Person 1] said before that, she had never been unhappy and did not have a bad childhood.

When each of you was having sex with her, generally in sordid circumstances, up against a wall, or in a car, there was no love, no affection. [Person 1] was simply used for your own sexual gratification. It is clear to me from seeing those three police interviews, and seeing [Person 1] in the witness box, that she has been profoundly affected by what you did. She has spoken eloquently this morning, in reading her victim personal statement. Which, in itself, has taken a significant amount of courage. It is absolutely clear that she has suffered severe psychological harm. Quite simply, her life has been devastated, and it is likely that she will

never fully recover. I can only hope that the conclusion of this trial will, at least, bring some closure.

Neither of you has shown any remorse. In both your cases, your culpability is high. There was a significant element of planning and exploitative behaviour. You, Khuram Raziq, were 21 at the time you first came across [Person 1]. You were a pizza driver, and you took her out in your vehicle, often late at night. You provided her with alcohol and cannabis, grooming her for sex. You used drugs and alcohol, and grooming behaviour, to facilitate the rapes. I accept, of course, that there was no force or threats. But having been groomed, she did not give free and genuine consent and you knew it.

[Person 1] spoke to [Person 2][?], and as a result of her, she began to meet Asian men. It was the first time she had ever touched alcohol or a cigarette or drugs. She perfectly, understandably, described that as the end of her childhood, 'I was not to know that I was in this position and then from there, it just escalated. There were numerous men, and then I was introduced to Khuram'. She described how you would take her out on deliveries and she would be given drink. And then you took her virginity on an alley, whilst she leant against a wall. It hurt, and she bled. Thereafter, you had regular sexual intercourse with her, at a time when she was under the influence of alcohol and drugs. On occasions, others would drop [Person 1] off at the snooker centre, acquainted by other Asian men who wanted sexual favours, and where cannabis was supplied.

I pause here to say that although, of course, [Person 1] may have been abused by others who contributed to the severe psychological harm, you bear your responsibility, each of you, for your contribution in that.

In October 2003, when [Person 1] was reported missing, you having sneaked her into your home, raped her. Subsequently, she was found by the police and interviewed, and cannabis was found in your car. [Person 1] told the police in that interview that you had had sexual intercourse with her on a number of occasions, and that you knew her age. So damaged was she, that at that time, she still believed that you were boyfriend and girlfriend, and that you had affection for her. She said that she consented to sex, not knowing what that meant. She told the police that she still wanted to speak to you and see you. And she would not engage with the prosecution. So damaged was she, by what had happened to her, even by then. Because of that, no further action was taken. Even then, having been interviewed and released on bail, you continued to meet [Person 1] and to have sexual intercourse with her. You were seen with her on at least three occasions by the police, on two of those occasions it was late at night, or in the early hours of the morning. There was [Person 1] smell of cannabis, and on one occasion, alcohol was in the car. None of that deterred you, and you continued to rape her. As [Person 1] told the police, you would take her on deliveries, drop her off at a petrol station where she would wait and then you would come back and pick her up. Late at night, so you thought nobody would see her. And then you used her for sex. As [Person 1] said, at the end of the night when you had finished, 'we'd go park up somewhere,

drink more and have sex’.

This was a campaign of rape over a period of 12 months. Each of these offences, for reasons we have discussed and which are accepted by both advocates, these offences fall into Category 2A of the guidelines. In your case, Khuram Raziq, 13-year starting point with a range of 11 to 17 years for a single offence. There were aggravating factors, not only where sex took place, but also in your own home at a time when she was missing and as a consequence, was placed in emergency foster care. And on occasions there was ejaculation. In your favour I bear in mind that you have no relevant convictions. Your convictions are not an aggravating factor. You have not been charged with or, indeed, suspected of any sexual offences in the meantime.

The fact that there has been a substantial delay, on one hand, is of no relevance, because cases like this very often come to light many, many years later. And are prosecuted many years later because of the nature of the offending and the effect it has on the victim. However, you are entitled to have me take into account your behaviour in those intervening years, the fact that you have not committed any further offences. This will, of course be your first custodial sentence. And I accept that others will be affected. I have borne in mind the references which I have read, and everything which has been said on your behalf.

In each of your cases, the sentences I impose, you will serve two thirds of those sentences before being released on licence. If, during the course of the licence period, you reoffend, or breach the terms of your licence you will be liable to be recalled to custody. Having regard to the age of the offences, there are no orders for surcharge or a collection order. Your notification period in both cases will be without limit of time.

In your case, Khuram Raziq, will you stand up please? The sentence on counts one to seven is 17 years’ imprisonment. On count eight, it would have been 24 years, but having regard to your mitigation, I shall reduce that to 22 years. Those sentences will run concurrently with each other, making a total of 22 years’ imprisonment in all. There will be an order for an extended period of licence of 12 months, as you are an offender of particular concern under Sections 265 and 278 of the sentencing code. And you may go down.

Nasar Hussain, you were 26 or 27 years old at the time and [Person 1] was about 14. You had been having sex with another underage girl, [Person 2]. You can sit down; it is all right. I make it clear that I have not added to your sentence in relation to that, as there were no charges. It is background to how you met [Person 1]. It was [Person 2] who introduced you to [Person 1]. [Person 1] spoke of how she had been drinking, smoking and taking drugs with older men in the park in Batley. You were a taxi driver who lived nearby. And as [Person 1] said, ‘you had been sleeping with the other girl before me and it was like I was fresh meat, as such’. How right those words were. It is right to say you did not give her drugs, and that you gave her alcohol, but not in large amounts. Although, on a number of occasions, [Person 1]’s evidence was, which I accept, that she was significantly affected by drugs and alcohol, which she had previously been given.

She said she had been drinking vodka on that occasion, the first time it escalated to sexual intercourse with you. And, generally, you would supply her with larger, which you would buy and share. Again, she thought you were her boyfriend because, 'you were having sex with her', and she thought you loved her. Nothing could be further from the truth. You are not being judged for your moral behaviour; you were married with a child at the time. You no doubt saw A, simply as some vessel for your own sexual gratification.

On occasion, there was no contraception, and you ejaculated. As [Person 1] said, 'a lot of men had slept with [Person 2], like Khuram has slept with her before, and Nasar had slept with her before, then he moved onto me. It was like I was a new toy to play with'. In those months, you played your part in her degradation and humiliation. In your case, these Category 2A offences, have a starting point of 10 years and nine to 13 is the range for a single offence. She was particularly vulnerable, by that stage she had become extensively damaged. She was targeted and groomed. As with your co accused, there was significant planning. Over a period of six even months. Again, this could be said to be a campaign of rape.

Would you stand up, please? On counts 11 and 12, the sentence is 13 years' imprisonment. On count 13, it would have been 20 years, but bearing in mind your mitigation, I shall reduce that to 18 years. Those sentences will run concurrently with each other, making a total of 18 years' imprisonment in all. And you may go down.

End of sentence.

Transcript from a recording by Acolad UK Ltd
291-299 Borough High Street, London SE1 1JG
Tel: 020 7269 0370
legal@ubiquis.com

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