



JUDICIARY OF
ENGLAND AND WALES

CENTRAL CRIMINAL COURT

26 APRIL 2012

HIS HONOUR JUDGE CHRISTOPHER MOSS QC

THE QUEEN -V- VICTORIA OSOTEKU

SENTENCING REMARKS

On the 25th March 2010 at about 5.15 pm, during the evening rush hour, in the presence and sight of many horrified commuters, Sofyen Belamoudden, a fifteen year old boy, was attacked in the ticket hall of the District and Circle Line at Victoria Station by a pack of teenagers. The attack lasted some 12 seconds and was captured on CCTV. He was stabbed with knives, battered with other weapons, kicked with shod feet. When those 12 seconds were over Sofyen was left fatally wounded – with no less than nine stab wounds to his body - as his attackers made their escape.

You have been convicted of the manslaughter of the deceased. Additionally, you stand convicted on count 1 of the indictment of conspiracy to cause grievous bodily harm.

The dreadful events of that day had their roots in an altercation on the previous day at Victoria Station in the course of which one of your fellow students at the St Charles Catholic 6th Form College in Ladbroke Grove, Melvin Mensah, received a bloody nose. That night there was considerable text and facebook communication between some students at your college and also with members of what I will call the opposing group, referred to as the West London boys. The evidence reveals that you were in contact with Raheem Keane, of the opposing group, on that evening.

It is also clear from the evidence in the trial that the expected violent confrontation was the talk of the college on the following day. The evidence from Stephanie Omniuni was that you in particular were talking about it. Her initial evidence was that you told others in the canteen that the West London boys had said someone was going to die that day. She said you said you had heard it on the telephone the night before. In cross examination she said that

you had told her that in the girls' changing room. Whatever the accuracy of her evidence (which you strongly disputed at trial), I have no doubt that you travelled to Victoria on that afternoon expecting the sort of violent confrontation which in fact took place and prepared to play your part in it. She also gave evidence to the effect that the following day you were gloating at college over what had occurred.

Your group gathered in Terminus Place outside the Grosvenor Hotel. When challenged by members of the opposing group you all joined the mass charge across the bus lanes of Terminus Place. You were amongst the first to follow Samson Odegbune, as he led the charge armed with his samurai sword. You joined the group of killers who set upon Sofyen Belamoudden as he lay helpless and defenceless upon the floor of the ticket hall, having pursued him down the stairs as he fell, in the sight of those many horrified onlookers who had been going about their lawful business at the height, as I have said, of the rush hour. You were seen to deliver the final kick to the body of Sofyen as you were the last of the group to run away from the scene of the attack. You claimed at trial that this was a nudge of the foot to see if he was alright. However, run away you did, not waiting to tend to the fatally wounded victim. True you returned some minutes later and spoke to a person in authority at the scene. However, you did not wait to tell anybody what you had witnessed, but again made yourself scarce, no doubt having realised by then, if not before, that Sofyen was mortally wounded.

It was also the prosecution's case against you that you intentionally purchased or assisted in the purchase of a block of knives and/or distributed or assisted in the distribution of such knives realising that some harm, albeit short of grievous bodily harm, might be caused to another by the use of those knives or any of them. The murder of Sofyen was assisted by one or more of the knives purchased at Argos in Shepherd's Bush on that very lunch time. It was said by the Crown that you intentionally purchased or assisted in the purchase, or distributed or assisted in the distribution of such a knife or knives realising at least that some harm might be caused to another by their use. At trial you strongly denied that you had played any part in the purchase of the block of knives from Argos. You claimed that you were present at Argos with Femi Oderinwale for a very short time, that you had gone to Shepherd's Bush to purchase your lunch from McDonald's, and that that is what you in fact did.

Of course, I do not know whether the jury convicted you of manslaughter on the basis of the purchase of the knives or on the basis of your actions at the scene of the attack or both. However, I am bound to say that I find the Crown's case so far as the purchase of the knives is concerned compelling and for my part I reject your explanation of your actions in the ticket hall, in particular concerning the kick to the person of the deceased.

The killing of Sofyen Belamoudden took place in dreadful circumstances in a public place as I have already described. You played your part in his death as set out above and stand convicted of his manslaughter. His death occurred following a conspiracy to which you were a significant party.

I take into account the positive matters that I have read about you in your pre-sentence report and in the testimonial provided on your behalf and I have considered carefully all that has been advanced on your behalf by Mr Boyce. I take into account the impeccable way you conducted yourself while on trial for many months before this court. I take into account your youth at the time of the commission of these offences. Although the oldest of the defendants, you were just 18 years old. Despite all those factors you played a pivotal role in the events of and leading up to that day and must take a substantial share of the responsibility for them.

In view of what I have heard and read, I do not feel the need to invoke the dangerousness provisions which would lead to an indeterminate sentence in your case. I will accordingly pass determinate sentences of detention in a Young Offender Institution. You will have credit for 425 days spent in custody or subject to curfew. You will serve half of your sentence before you may be considered for release upon licence.

I see no reason to treat you any differently to those already sentenced for manslaughter and conspiracy in this case. On count 2 of this indictment, for manslaughter, you will be detained in a young offender institution for 12 years. On count 1, you will serve a concurrent sentence of 8 years in a young offender institution.

I make no order for defence costs; you have not the means to pay them.
You may go with the dock officer.