

Birmingham Crown Court

His Honour Judge Farrer

20 June 2025

R v Wasif Hussain and Nabela Tabassum sentencing remarks

1. On 27 March 2025 you were convicted by a jury of attempting to murder Arifa Nazmin. It is important that you, your lawyers and the public understand the factual basis upon which I sentence you and I will therefore set out in some detail the evidence that I am sure of.
2. Wasif Hussain, by way of background, your mother committed suicide in 2016 when you were aged 7. You weren't aware of how she died but it seems that you blamed your father (Mohammed Hussain,) because he left your mother and then begun a relationship with Arifa Nazmin, shortly before her death. As you grew up, you had a difficult relationship with him which you described to the jury as being love/hate. You appear to have had a better relationship with Arifa Nazmin who had become your stepmother and who, as you told the jury, loved you.
3. The dynamic in the house changed in December 2023 as a result of two events. First, your siblings who undoubtably provided you with emotional support, left the house, probably because they wished to distance themselves from your father. Second, you married Nabela Tabassum who you had met a few months earlier on-line. She then moved into the family home on 7 January 2024.
4. These events marked a profound change in the way you, Wasif, related to your father and your stepmother. You now viewed your father's behaviour

as being controlling and you and Ms Tabassum began to avoid your parents, including eating separately and spending long periods out of the house. This seems to have led to resentment on both sides and your father installed CCTV cameras inside the house in order to see what was going on.

5. Nabela Tabassum, there seems to have been very little communication between you and Mrs Nazmin. She believed that you were being distant and unhelpful but you seem to have believed that she was deliberately excluding you. Mrs Nazmin's belief that you weren't helping in the house, caused her and Mohammed Hussain to make complaints to your parents. That led them to berate you and only increased the resentment and anger that you both you and Wasif felt towards Arifa Nazmin and Mohammed Hussain.
6. It seems to have been this background of increasing resentment and frustration that led to you planning together to kill Arifa Nazmin. There is one other feature that may have played a part in this decision which is that both of you are well below average in terms of your intelligence and I accept that you are both immature. Wasif, you are also autistic and suffer from ADHD. These limitations may have impacted upon your ability to find alternative solutions, such as leaving the house or seeking help from your siblings.
7. Ultimately, none of this begins to excuse your actions and I have no doubt that you were both well aware that what you embarked upon was seriously wrong. Having heard the evidence, I have no doubt that the plan to kill Arifa Nazmin was initially thought up by you, Wasif Hussain. I accept that you, Ms Tabassum, were in love with him and emotionally dominated by him. In those circumstances, you agreed to assist him.

8. The plan was to kill Mrs Nazmin by hitting her with a hammer and then strangling her and if necessary, stabbing her. You then planned to leave the area and travel to Bolton.
9. Nabela Tabassum, you told the police that the scheme included burning Mrs Nazmin's body to ashes in the back garden of the family home and then concealing your actions by destroying the CCTV and burning down the house. Wasif Hussain, the CCTV recorded you speaking about burning a body during the actual attack. These things serve to demonstrate that many aspects of your plan were wholly unrealistic. Nabela Tabassum, you also told the police that the plan included killing Mohammed Hussain when he returned home. That confession was never reflected in any charge and I therefore disregard it.
10. Wasif Hussain, you were thinking about murder as early as 9 January 2024 when you went online and searched for, "Hitman to shoot someone." The final plan was agreed between you on the 27 January. In this respect, at 9 PM that day, you both went into the One-stop store in Kings Norton and after reading the labels, you bought an aerosol which warned that it was highly flammable. Whilst this would undoubtedly have been ineffective, you planned to use it to burn your victim's body.
11. Nabela Tabassum, on the morning of 29 January, Mohammed Hussain spoke to your parents about your behaviour and that led to your mother phoning you. In the course of that call, you told your mother that you were considering suicide. That was not in fact the position and you said it for effect but your mother took it seriously and relayed the information to Mohammed Hussain.

That caused him to go to the police and seek advice upon ejecting both of you from the house. Neither of you were aware of that visit, but it provides some insight into the levels of tension within the family home.

12. Just after midday on 29 January, you both went into Poundland where you purchased 2 animal masks which you planned to wear during the attack.
13. Wasif Hussain, later that afternoon you exchanged messages with a friend in Bolton, saying that your father had been causing problems and suggesting that you would be coming to Bolton in the next couple of days.
14. The two of you arrived back at the family home just after 7 PM. You couldn't get in because acting on the instructions of Mohammed Hussain, Arifa Nazmin had deliberately left the key in the lock. You stood outside and Wasif Hussain, you can be heard saying, "we should have done it yesterday." That was obviously a reference to your plan to commit murder. Having failed to get in, you (Nabela Tabassum) phoned Mohammed Hussain and he then called Mrs Nazmin and told her to open the front door. She did so and then she returned back upstairs.
15. You both went into the kitchen and then you (Wasif Hussain) went upstairs. From down in the kitchen, you (Nabela Tabassum)) sent Wasif a photograph showing a dirty dish. You did that because it was an example of poor washing-up by Arifa Nazmin, in circumstances where that was one of her criticisms of you. Wasif messaged you back including saying, "enough, needs to be shown." Wasif Hussain, you then came downstairs but only for about a minute and you both then went back upstairs together. You were then

upstairs for 9 minutes during which time you changed your clothes and finalised your plans.

16. You then came back down and went into the kitchen which remained in darkness. At some stage, you (Wasif Hussain) armed yourself with a hammer and a knife which were usually kept in kitchen drawers. You then put on your face masks and waited in a bedroom which runs off the kitchen.
17. Just before 7:50 PM, Arifa Nazmin came downstairs and went into the kitchen. She turned the light on and opened the door to the bedroom and saw the 2 of you in the room. She saw you wearing face masks but assumed that you were making a video for social media and therefore went back in the kitchen where she began preparing some food.
18. In those circumstances, you (Wasif Hussain) entered the kitchen holding the hammer and struck her forcefully from behind and to her head. You did not render her unconscious as you probably hoped and instead, she began to scream and struggle. You dropped the hammer and punched her repeatedly to the face and then tried to strangle her initially using 2 hands and then with your forearm. This was a sustained attempt and you were telling her that you were going to kill her and demanding that she apologise for what she'd done. Mrs Nazmin was struggling and begging Ms Tabassum for help. She managed to move towards the kitchen door whereupon, you, Nabela Tabassum, closed the door to prevent her escaping and then pushed her away from the door and back into the kitchen. Mrs Nazmin was then bundled to the ground and you (Wasif Hussain) sat on her stomach and you (Nabela Tabassum) sat on her legs and restrained her hands. Wasif Hussain, you were accusing Mrs Nazmin of having wronged you and destroyed your mental

health. The CCTV in the house recorded you saying, “we need to finish her off, we need to finish her now. Get the knife. Get it out of my pocket.”

19. Nabela Tabassum, you then took the knife out of your husband’s pocket and handed it to him. Mrs Nazmin believes that you then told Wasif to kill her. That was not picked up on the CCTV and I cannot be sure that you made this comment. That, however, is of little consequence because the jury were nonetheless sure that you intended that Mrs Nazmin should be killed.

20. Wasif Hussain, you then used the knife and repeatedly sought to stab Mrs Nazmin to the stomach. You were largely unsuccessful because she was wearing several layers of clothing and because she managed to deflect at least one blow with her hand. Realising that the knife wasn’t proving effective, you then sought to strangle Mrs Nazmin again. She was still begging for you to stop and eventually you did so, perhaps because you became tired but also perhaps because you realised the enormity of what you were doing.

21. There followed a conversation in which Mrs Nazmin continued to beg for her life and your emotions (Wasif Hussain) swung between being apologetic and accusing Mrs Nazmin and your father, of having wronged you. Eventually, she persuaded you that she wouldn’t inform the police and would explain her injuries as being an accident. In those circumstances, you allowed her to leave the room whereupon she locked herself in her bedroom and phoned her husband and the police.

22. You realised that she had done so, and you both left the house, bought train tickets and travelled to Manchester and then Bolton. You were arrested in Bolton in the early hours of the following morning.

23. Mrs Nazmin was inevitably injured as a result of this sustained attack but fortunately those injuries were not life-threatening. She suffered a 5 cm laceration to the webbing between her thumb and index finger on her right hand, caused when she deflected the knife. She had a 2 cm laceration to her scalp caused by the hammer and a 3 cm laceration to her left shoulder which was caused when one of the blows with the knife penetrated her clothing. She also suffered reddening to her neck and bruising to her face.

24. Mrs Nazmin has made two victim personal statements dated 5 June 2024 and 12 May 2025. She still suffers from headaches and is conscious of the scar on her left arm. She has also suffered significant psychological harm, including experiencing flashbacks and a sense of panic when people come to her door. Sadly, she felt unable to remain in her home and felt compelled to move house.

25. Having set out what you did, I will now consider the sentencing guideline which requires me to consider your culpability, meaning your blame worthiness and the harm that you caused.

26. Wasif Hussain, I'm going to begin by thinking about your case. I have already observed that neuro diversity and low intellectual ability may have played a part in what you did but equally, I have concluded that you knew that your actions were seriously wrong. You didn't commit this offence on the spur of the moment. Instead you planned it over several days and persuaded your wife to help you. Your brother-in-law has written to me suggesting that your intellectual limitations are profound and that your understanding of the world is vastly different from a typical adult. You told

the jury that your lawyers had obtained a psychological report upon you but no such report has been served. In these circumstances, and having seen you give evidence, I am unable to accept that your autism and intellectual difficulties substantially reduced your culpability. I therefore conclude that this was a premeditated attack involving significant planning such that it falls into a category known as high culpability or culpability B.

27. That conclusion does not mean that your autism and intellectual limitations are irrelevant and I will consider them a little later when I think about things that make what you did less serious.

28. Mrs Nazmin suffered significant physical and psychological injury. The prosecution have suggested that it falls somewhere in between category 2 harm and category 3 harm. I agree and I will therefore place this offence into harm category 3 and then treat the extent of the injuries as an aggravating feature. A culpability B: harm category 3 offence has a starting point of 20 years custody with a category range of between 15-25 years.

29. Nabela Tabassum, I'm now going to consider culpability and harm in your case.

30. I have the benefit of a psychological report, an intermediary report and information from your primary school and children's social care. In January 2024 you were just 18 years of age and I have no doubt that you were immature and functioned at a significantly younger age. You have a significant learning difficulty which led to you receiving one-to-one assistance at school and has caused your former head teacher to describe you as a young woman with the cognitive ability of a child. Your full-scale IQ



has been assessed at 66 which places you into the bottom 1% of the population although your psychologist (Dr Gregory) believes that your level of functioning may be slightly higher than that.

31. You undoubtedly have communication difficulties including difficulties with reasoning, comprehension, memory and processing speed. Significantly, an assessment of your personality revealed both avoidant and dependent traits. This means that you struggle with relationships and can switch from appearing cooperative to then becoming resentful and angry. It also means that you seek relationships with people that you believe can care for you and lead you.

32. The attempted murder sentencing guideline specifically refers to offenders with a learning disability. The NICE guideline suggests that a learning disability arises where someone has an IQ of under 70 together with a significant impairment of social or adaptive functioning. The International classification of diseases version 11 would suggest that your IQ puts you in what they call a “mild disorder of intellectual development.” On balance, I conclude that you do have a learning disability albeit one towards the milder end of the scale.

33. I need to consider whether your difficulties played a part in your decision to assist Wasif in murdering Arifa Nazmin. When thinking about this, I’m helped by a guideline which specifically deals with sentencing offenders with mental disorders and developmental disorders. I conclude that your difficulties did play a significant role both because they affected your ability to exercise appropriate judgement and also because they led to you being

vulnerable and impressionable which in turn played a part in how and why you agreed to your husband's plan to commit murder.

34. Turning to consider your culpability within the guideline, you knew that you were agreeing to do something very wrong and you took part in planning an attempt to murder which was to include the use of both a hammer and a knife. That is feature of high culpability otherwise known as culpability B. As against that, your intellectual difficulties mean that your responsibility was substantially reduced by learning disability. That is feature indicative of lesser culpability otherwise known as culpability D. Balancing these features, I conclude that your case best fits in between category B and category D and I therefore place it into medium culpability, or culpability C.

35. Harm falls into category 3 for the same reasons that I have explained to your husband. A culpability C: harm category 3 offence has a starting point of 10 years with a range of between 7-15 years custody.

36. I must next consider whether there are aggravating features which require upwards movement from the starting points that I have identified in each of your cases. In this respect, I identify 4 such features. First, you attacked Mrs Nazmin in her own home and following the attack she felt compelled to leave her home. Location is therefore an aggravating feature. Second, Mrs Nazmin's 2-year-old child was in the house and following the attack, the child saw her mother's injuries. Third, there was a plan, albeit an unworkable one, to burn the body after the offence. Fourth, as I have already explained, the extent of Mrs Nazmin's injuries and in particular her psychological injuries are a further aggravating feature.

37. I must next consider whether there are any mitigating features which permit me to reduce your sentence. I will consider you separately.

38. Wasif Hussain, you committed this offence in circumstances where you believed you were being treated oppressively and to an extent this may have been justified. I treat your sense of being wronged as amounting to some mitigation. You are now 21 years of age. At the relevant time you were 20 and I accept that you were immature to a significant extent. I do not accept that your neuro diversity and your intellectual difficulties substantially reduced your responsibility but I do accept that they had a part to play in your behaviour in the sense that they compromised your ability to think about other ways of resolving your difficulties with your father and step-mother. In my judgement, these features justify a reduction in your sentence of one third. In addition, you are of previous good character and I accept that before committing this offence, you were a law abiding young man who was actively seeking a job and looking forward to starting a life with your new wife. Finally, I accept that there is a real prospect of rehabilitation in your case and that the inevitable sentence of imprisonment will be extremely difficult for you.

39. Nabela Tabbasum, I have already taken account of your vulnerability and intellectual difficulties in categorising your case as I have. In addition, you were only 18 at the relevant time and I accept that you were and are immature. There is inevitably some overlap between your immaturity and your general vulnerability but nonetheless I conclude that this feature justifies a further significant reduction in your sentence. There is also mitigation to be found in the fact that you played a less important role than your husband and it was him and not you that actually attacked Arifa

Nazmin. Finally, you are a woman of previous good character and I accept that a sentence of detention will be extremely difficult for you.

40. The length of the inevitable sentences in this case and the nature of the offence you committed mean that I have to consider whether you are dangerous offenders, which means I must think about whether you pose a significant risk of causing serious harm in the future. In my judgement neither of you satisfy this test. This was an offence committed against a particular background by 2 young, immature individuals who are unlikely to ever commit serious offences of violence again.

41. Turning now to the appropriate sentence. Wasif Hussain, the starting point as indicated by the guideline is a sentence of 20 years. In my judgement, the available mitigation significantly outweighs the aggravating features I have identified and I conclude that the appropriate sentence in your case is one of 15 years imprisonment.

42. In your case Nabela Tabassum, the starting point is 10 years. The same aggravating features apply to you and they lead me to significantly increase that starting point. The mitigating features in your case slightly outweigh those aggravating features such that I conclude the appropriate sentence in your case is one of 9 years detention. Counsel who represented you on 21 May submitted that a proper approach to sentence would be to start in culpability B and then reduce what would otherwise be the appropriate sentence by 50% to reflect your age, vulnerability and intellectual limitation. This is not the approach I have ultimately adopted but had I done so, it would have led me to the same final sentence.

43. You will each have to serve two thirds of your sentence. The time you have spent in custody awaiting your trial and sentence, will count towards that period. You will then be released on licence. If you breach the terms of your licence, you will be returned to custody.

44. Count 2 will lie upon the file on the ordinary terms.

45. I make a restraining order in the terms of the draft at section T: document 16 on the digital system. That order will be until further order of the court.

46. The surcharge will be applied as appropriate.