



MR JUSTICE WALL

IN THE CROWN COURT AT PRESTON

R -V- SAADAOU, HUSSEIN & SAADAOU

SENTENCING REMARKS

Introduction

1. Walid Saadaoui and Bilel Saadaoui. You can both remain seated until I tell you to stand.
2. *I note that Amar Hussein has refused to come into court today as he refused to attend for most of the trial. He has instructed his counsel to advance no mitigation. His cowardice in remaining in his cell rather than coming to court to face up to what he has done is a true sign of his character: brave enough to plan to threaten an unarmed group with an AK47 but not sufficiently courageous to face up to what he did. I shall address him as if he were here. He will then be able to read these remarks if he ever feels brave enough to do so.*
3. Walid Saadaoui and Amar Hussein, you have both been convicted of making preparations for carrying out an act of terrorism. You, Bilel Saadaoui, have been convicted of an offence of failing to disclose information about acts of terrorism. I shall first deal with you, Walid Saadaoui and Amar Hussein, and then move on to sentence you, Bilel Saadaoui.

Walid Saadaoui and Amar Hussein

4. I need to make findings of fact based on the jury's verdicts so that I can properly assess the level of your culpability. In doing so I bear in mind that I should interpret the jury verdicts in

the way most favourable to you unless I am sure that a less favourable interpretation has been proved to the criminal standard on the evidence. The findings I make are based on the evidence I heard during your three-month trial.

5. I first identify the nature of the terrorist act you planned to commit. I am sure that you intended to use AK47 Kalashnikov automatic weapons to launch a deadly attack on the streets of Manchester. You intended to wait for the Jewish community of the city to organise a march, fire indiscriminately into the crowd of marchers and then make your escape. You intended to source some imitation paramedic uniforms, hijack one of the ambulances you expected to be called to the scene of your atrocity, and drive away. You would then go the Cheetham Hill area of the city. It is an area at the heart of the Manchester Jewish eruv. It is replete with Jewish schools, nurseries, schuls and businesses. There you intended to carry on your deadly attack until you yourselves were killed and, in your eyes, became martyrs for your faith, or until you could escape again and make your way to an army base where you could kill members of the armed forces.
6. Next, I consider the likely effects of your actions had you been able to carry out this plan. I am sure that it would have led to the deaths of many people and serious injury to very many more. Your plan envisaged you and two other people discharging four AK47s into a large crowd of marchers who would be unarmed and defenceless and then doing it again in an urban area where the people on the streets would be equally defenceless. The nature of the AK47 is such that each would have been able to discharge a full magazine of thirty or more bullets in a matter of seconds. One hundred and twenty bullets could have been discharged before any reloading was required. You planned to have spare magazines available so that you could reload at will. You were to take with you two loaded handguns so that each of you could provide cover to the others while the magazines for the AK47s were being changed. Your attack would certainly have led to the deaths of people of all ages.
7. Beyond the immediate physical effects of your actions, those who hear about plans like this and realise that there are people in our society like yourselves dedicated to carrying them out, are made to feel uneasy and unsafe on the streets. That is obviously true of Jewish people in Manchester for whom the danger was most real but extends to anyone in society who values their well-being and security. This is another aspect of the harm you risked, and indeed intended, by acting as you did.

8. In considering the level of the harm likely to be caused, I have read the impact statements provided to me. The extent of the potential harm to which they refer is obvious from a consideration of the evidence from trial about your planned actions. Of course, you cannot be blamed for all of the fears the Jewish community currently have for their safety, but it would be contrary to common sense to think that the public hearing about plans such as yours against the background of others behaving in similar ways in Britain and elsewhere does not add significantly to those fears.
9. I next consider your motivation for preparing to act in this way. You are antisemitic. You intended to target the Jewish community. Your conversations and postings make it clear how deep seated your hatred is for Jewish people.
10. However, your motivation for planning this terrible attack ran deeper than that. I am sure that you were both fervent supporters of ISIS. You saw anyone who did not hold similar views to your own as an enemy. You spoke in condemnatory terms of Christians (whom you, Walid Saadaoui, referred to as Crusaders), the police, any Muslim who did not share your extremist views and was, in your opinions, an apostate to the religion, and, in your case Amar Hussein, the Government of this country. You were both more than happy that anyone in any of those groups should get killed as part of your attack.
11. How far advanced were you in the planning the attack? You thought yourselves very advanced. By the time of your arrests, you believed that you had imported from Europe via Dover two working AK47s, a handgun and copious ammunition. You believed that the remaining 2 AK47s and a further handgun along with more ammunition would be delivered to you within a month. You had a safe house at which the firearms could be stored before they were used. While that house was sourced by Farouk so that your activity in it might be monitored, you, Walid Saadaoui, had a key to that house, had furnished it to the sparse extent necessary for its intended use, and had located a hiding place for the weapons within it. You were arrested while meeting with Farouk at which meeting you intended to take possession of the firearms and then drive them to the house and hide them.
12. You had both carried out surveillance at the port of Dover to see how best to import the AK47s from the continent and had both been in Dover on the day of your arrest to oversee that importation.

13. In addition, you, Walid Saadaoui, had carried out a reconnaissance mission to the Cheetham Hill area of Manchester, and had joined a Jewish Facebook group so that you could find out when the Jewish Community next intended to organise a march so that you could attack the marchers. You had tried to get fit. You had secreted money so that it could be used to provide for your family after your death. You had made a will. You had made arrangements for your wife to learn to drive so that she could achieve some level of independence after your death. You had sold your home and business in Norfolk and moved to the Northwest so that you could die debt free, and so that your wife might be closer to family who could support her once you had gone. You had been to see your mother in North Africa for what you said would be “one last time”. You sold your songbirds to whom you were clearly deeply attached. You did not begin to plan to carry out a terrorist attack shortly before your arrest; your planning had started at the latest with the sale of your home and business in East Anglia between March and May 2023 by which time you were already disseminating radical posts and had adopted as your profile picture an image of a man called Aba’oud who masterminded the Paris terror attack of November 2015.

14. I conclude that you were very close to being ready to carry out your plan. The date of execution was entirely dependent on the decision of the Jewish Community as to when they intended to organise their next march in Manchester.

15. I am fortified in that conclusion because you had a backup plan. Had Farouk been genuinely importing working firearms into this country on the day of your arrest and been stopped while trying to do so, you planned that Farouk should escape from the port by opening fire on border security staff. You, Walid Saadaoui, told him to keep the handgun close at hand for just such an eventuality. He would then bring the AK47s to you just outside Dover where you would assemble them. Your backup plan then envisaged you starting to use them in a terror attack then and there. That backup plan involved you both being ready, willing and able to start committing a terrorist crime on the very day of your arrest.

16. Before determining your sentences, I make several ancillary orders. First, I make a Deprivation Order under s153 Sentencing Act 2020 against all defendants for all of the items listed on the Schedule provided to me by the Prosecution. Second, I record that the surcharge should be applied to the sentence of each defendant in the appropriate amount. Third, I make an order under s23A Terrorism Act 2000 in respect of the £310 recovered from Amar Hussein and the money Farouk was given by Walid Sadaoui to help fund terrorism. I

decline to make such an order in respect of the money found at Walid Saadaoui's home. I have found that this was money he had saved to benefit his family after his death and not to fund terrorism. Therefore, it does not fall within s23A or s153 Sentencing Act. I make no order in respect of that money which I am told by the Prosecution will be the subject matter of further proceedings

17. I must now determine your culpability and the harm caused by your actions by reference to the appropriate Sentencing Council definitive guideline. The prosecution urge that I assess harm and culpability on the basis of the harm you intended and the harm that would likely have been caused had the firearms you obtained been fully functioning as you believed them to be. The defence accept that I should judge your culpability in this way but, when considering harm, conclude that deaths were unlikely to have occurred given the involvement in the plan of Farouk, the undercover officer, and the guns obtained being decommissioned and incapable of firing. I am persuaded that I should adopt the prosecution approach to assessing harm and culpability. First, as a general principle, s63 Sentencing Act 2020 provides that "[w]here a court is considering the seriousness of any offence, it must consider (a) the offender's culpability in committing the offence, and (b) any harm which the offence (i) caused, **(ii) was intended to cause**, or (iii) might foreseeably have been caused. Second, the guideline makes specific provision for circumstances such as these. It reads, "Culpability. Where an undercover LEA is involved in the preparations for the terrorist activity, the culpability of the offender is not affected by the LEA's involvement. Harm. In any case that involves LEA, the court should **identify the category of harm on the basis of the harm that the offender intended** and the viability of the plan". I intend to assess harm and culpability in line with the Act and the guideline. I will consider what, if any, reduction in sentence is appropriate to reflect Farouk's role at stage 2 of the process.

18. I am sure that you, Walid Saadaoui, played a leading role in this plot. I have read the transcripts of your dealings with Farouk. It is clear from them that you were directing most of the planning. That was the evidence of Farouk, whose evidence was clearly accepted by the jury. You recruited Amar Hussein. The occasions on which Farouk appeared to take the lead were those in which he was trying to ensure that you sourced the weapons from him and not from elsewhere or was trying to make sure that he had control over the safe house so that your activities there could be monitored. He took such lead as he did only to do what was needed to make sure that you did not carry out the attack behind his back with

functioning firearms such as those you had already tried to source from Sweden and elsewhere.

19. I reject entirely any suggestion that you acted as you did because you were entrapped by Farouk into doing so. You told Farouk, for instance, that you had already investigated sourcing weapons from Sweden before you met Farouk. You went on to meet others with a view to sourcing arms while you were involved with Farouk – identifying a drug dealer who put you in touch with a potential supplier. Your dealings with Farouk were a part of your planning for terrorism. They were not the entirety of it and were not the origins of your desire to carry out such actions. The viability of your plans did not depend entirely on Farouk although much of the evidence in this case was centred on your relationship with him.
20. I also reject the suggestion that you were compelled to act as you did in response to pressure and threats placed upon you by an ISIS commander called Al-Maslaki. There is no evidence save for your own discredited evidence that he ever met you or placed any pressure on you. In any event, I am sure on the evidence of his family and the investigating police officers that he was dead before you started to develop this plot. I accept that you were in contact with people from ISIS. On your own admission, you were vetted by them on-line over a number of days. I am sure that this occurred and that they were seeking to support you in your extremist plans and not force you to act against your will.
21. You, Amar Hussein, played a significant, rather than a leading, role. You were recruited by Walid Saadaoui. You were to be one of the gunmen. You went on the reconnaissance mission to Dover in March and returned to help oversee the importation of the firearms on 8 May. Despite being determinedly antisemitic and committed to terrorist action, you did not engage in much of the remainder of the planning. It is clear from some of the evidence that you were at times deliberately kept out of the planning loop by Walid Saadaoui. However, I have no doubt that you knew exactly what was going on. You went to Dover on 8 May believing that, if Farouk was stopped at the port, he might start firing and you would then become involved in a terror attack that day. I reject any idea that you might not have been aware of this part of the plan. Taking you on that trip had you not known what might happen, would have been foolhardy and would potentially have endangered the viability of this back-up plan.

22. Overall, I have concluded that the preparations for a terrorist attack were almost complete and that, but for your arrests and the fact that Farouk was an undercover operative (which I shall factor into the sentence as far as is appropriate at a later stage), the activity was very likely to have been carried out. This places your culpability, Walid Saadaoui, into category A, and yours, Amar Hussein, into category B.
23. This is clearly a harm category 1 case; it is a case in which “multiple deaths were risked and very likely to be caused”. Had you been successful in carrying out your plans, this would likely have been one of the deadliest terrorist attacks ever carried out on British soil.
24. The starting point for each of you identified in the guideline is a sentence of life imprisonment. I need to consider whether such a sentence is necessary in your case. That involves me in determining whether “there is a significant risk to members of the public of serious harm occasioned by the commission by [either or both of you] of a further specified offence”. I am sure that this test is met in each of your cases. You were both prepared to commit an atrocity on the streets of Manchester with a firearm in which very many people would have been killed and injured. You had no care for your potential victims. You were prepared to die for your cause. You each hold deep seated beliefs which you are prepared to act on. There is no indication that the threat you pose to the public is less now than it was at the time of your arrests nor that the risk will necessarily diminish with the passage of time.
25. I am equally sure that the seriousness of the offence you committed is such as to justify the imposition of a sentence of life imprisonment. I therefore conclude that you can only properly be dealt with by imposing such sentences on you.
26. I should make clear at this stage what that means. It means that you can be detained in custody for the rest of your lives. I shall set the minimum term you must each serve. That is the term you must serve in its entirety before you can apply to the Parole Board for release. It will then be for the Parole Board to determine whether it is ever safe to release you. If they never reach that conclusion, you will never be released from prison. The life sentence means that, even if you are at some stage released, you can be recalled to prison at any time should you breach the terms of your licence or act in a way which causes concern.

27. The other effect of a life sentence in these circumstances is that you will both be subject to the notification requirements under s53 Counter Terrorism Act 2008 for a period of thirty years. That period will not start to run unless and until you are released from custody.
28. *I record now that I decline to make a forfeiture order under s23A Terrorism Act 2000 or a deprivation order under s153 Sentencing Act 2020 in respect of the money you, Walid Saasaoui, had secreted in a safe in your garden. I cannot be sure that it was intended to be used to fund terrorism. Rather, I take the view that it was money you had hidden in order to provide for your family after your death. In that way it has a tangential connection to your terrorist activities, but it was not to be used for terrorist purposes and cannot be the subject matter of these orders.*
29. The minimum terms I set must both punish you for what you have done and act as a deterrent to others who are tempted to commit acts of wickedness such as you planned.
30. Walid Saadaoui, the starting point in the guideline is that the minimum term should be one of 35 years. There are five factors aggravating the seriousness of your offending which I then need to factor into the sentence. They are:
- (1) the antisemitic motivation for acting as you did;
 - (2) your frequent communications with other extremists from ISIS;
 - (3) your sharing of extremist material with the aim of encouraging others to behave as you were behaving;
 - (4) your use of technology and techniques to avoid detection, by which I mean such things as your use of numerous different telephones and social media names, your use of Telegram for secrecy, and your making up a code so that anyone who accessed your on-line conversations might think you were talking about song birds and not weapons; and
 - (5) your recruitment of Amar Hussein.

31. I must consider in your favour that you are 38 years old and of previous good character. I ignore for these purposes your apparent admission in evidence that you committed benefit fraud by hiding assets from the authorities. I also note that you have spent your time in custody to good effect have read the documents presented to me. But mitigation of this sort can have little impact on the sentence for a crime as serious as this.
32. You have today through your counsel offered apologies to the Jewish Community of Manchester. That apology is restricted to the words you used in conversations the jury studied as part of the evidence and not your actions or intentions, which you continue to deny. It is for the members of that community and not me to decide whether to accept such an apology. My task is to assess whether your words of apology are evidence of genuine remorse. I entirely reject the suggestion that they are. You have shown no remorse for your actions nor any acceptance of guilt throughout your trial. I can only conclude that these words of apology are born of self-interest and not feelings of regret for what you have done.
33. I must also decide how far, if at all, to factor Farouk's involvement into your sentence. He was an undercover operative while you believed him to be an ISIS terrorist. I am sure that you were already radicalised before you met Farouk. You were already formulating plans for carrying out an act of terrorism. You had made enquiries about sourcing firearms from abroad and had contemplated and rejected the idea of carrying out a lesser terrorist attack using a knife or other weapon. Further, you continued to seek to advance your plans independently of Farouk after you had met him by attempting to source firearms from other sources without his knowledge. In these circumstances, the status of Farouk can have little impact on the sentence I pass.
34. The aggravating features of your case far outweigh the mitigating factors. The minimum term in your case will be one of 37 years less the time you have already spent in custody of 1 year 276 days.
35. Amar Hussein. The starting point for you as set in the Guideline is one of 25 years. Your antisemitic motivation is a seriously aggravating factor as is your behaviour in disseminating extremist material to reinforce abhorrent beliefs and encourage other to commit acts such as you were planning.

36. I note that you are not a man of good character. I do not add to your sentence for that. This crime is of a different magnitude to your past offending.
37. There is, however, no significant mitigation in your case. None has been advanced for you. You are 52 years old.
38. The status of Farouk can have no influence on your sentence. You had little involvement with him. You were recruited by Walid Saadaoui and made your plans with him.
39. The appropriate minimum term in your case is one of 26 years less time you have served on remand which is again 1 year 276 days.
40. You should now both stand.
41. Walid Saadaoui. **I sentence you to life imprisonment with a minimum term to serve of 35 years 89 days.**
42. Amar Hussein. **I sentence you to life imprisonment with a minimum term to serve of 24 years 89 days.**
43. In each case the appropriate surcharge applies.
44. You can take them down.

Bilel Saadaoui

45. I sentence you on the basis that you did not intend to commit any terrorist act yourself. On the jury's verdict, you knew of your brother's intentions but failed to disclose this fact to the authorities. By keeping the information to yourself, you risked endangering the lives of his many potential victims. I have concluded that in part you were motivated to act as you did by familial loyalty but, in part, because you shared some of his views and prejudices.
46. In my judgement, the information you could have given the police would have been "very significant". You would have been able to identify your brother as a likely terrorist. You would have been able to identify Amar Hussein as his accomplice. You would have known

that they were involved with Farouk, whom you believed to be a potential terrorist and not an undercover operative. You would have been able to alert the police to the imminent nature of the likely attack. You knew that the attack was imminent because you had been given a copy of your brother's last will and testament and the keys to the safe in which his money was hidden: things indicating that the day of the attack and therefore his death was fast approaching. I am sure that you knew that he expected to die in the course of the attack. You also knew the potential significance of the journey your brother and Amar Hussein were undertaking on the day of their arrest. That much is clear from your communications with Walid that afternoon. Your communications with your brother on that day permit of no other proper explanation. You knew your brother's views including his antisemitic ideas and would have been able to tell the police at least in general terms of the likely target of any attack.

47. Against the background of those findings, I turn to the Sentencing Council Definitive Guideline for this offence. You had information which was very significant and therefore your culpability is properly to be assessed as falling into category A.
48. This is an offence which falls into harm category 1. You had information relating to a terrorist act which would have endangered life.
49. The starting point for your sentence is 7 years and the range 6-9 years.
50. The aggravating factor is that you must have realised that the likely attack would have killed very many people.
51. By way of mitigation, I should make a modest reduction in the length of your sentence because no terrorist attack was in fact carried out.
52. Also, in your favour, I note that you are a man aged 37 and of good character. I also have in mind the references presented to the jury at trial and your note and other materials sent to me in advance of this hearing. I accept that you are a family man whose family will be significantly impacted by your incarceration. I have read your letter and accept that you have found your time in custody very difficult for a variety of reasons.
53. Overall, this is a crime which cannot properly be dealt with other than by a sentence of immediate custody. The shortest proper sentence I can impose on you is one of six years'

imprisonment less 260 days to reflect half of the 519 days you spent on bail and subject to a qualifying curfew. The additional days you have spent in custody will count automatically towards your sentence.

54. Your conviction for this offence automatically renders you an offender of particular concern within the definition in s278 Sentencing Act 2020. That means that in addition to the custodial sentence I pass on you I must add a further one-year period which you will serve in the community subject to licence conditions and supervision.

55. Overall, you will serve two thirds of the custodial sentence I pass on you in prison. Your case will then be considered by the Parole Board. It is for them to decide whether to release you at any time before the custodial element of your sentence comes to an end. Whenever you are released, you will remain on licence until you have completed the total length of the sentence I pass on you including the period of the extension. If, after release, you breach the terms of your licence, you can be recalled to prison.

56. This is not a case in which I consider any ancillary orders are required save for ... The surcharge will apply in the appropriate amount.

57. Please stand up.

58. Bilel Saadaoui. **I sentence you to a total sentence of 6y 165d comprising the appropriate custodial term of 5y 165d and a 1 year extension period under s278 Sentencing Act 2020.**

59. You can take him down.

Final Remarks

60. I should like to end by thanking counsel for their assistance throughout this trial. I should also like to commend the police who were involved in this investigation and the preparation and presentation of the evidence. It was a painstaking task. In particular, I wish to commend Farouk. His is a dangerous and difficult job. He undertook it with great skill and patience. He saved many lives by putting his own on the line. He was an impressive witness who

remained calm and helpful throughout his many days in the witness box. I cannot know his true identity, but I hope that my remarks will be fed back to him.