

HIS HONOUR JUDGE WILLIAM MOUSLEY K.C.
HONORARY RECORDER OF SOUTHAMPTON AND RESIDENT JUDGE

THE KING -v- KIRAN KAUR

SENTENCING REMARKS 17/7/2026

1. Henry Nowak, aged 18, died on 3/12/2025. He was a much-loved, kind, hard-working and ambitious young man, devoted to his family and with a bright future. He was a first-year student at Southampton University, the first in his family to go to university. He was careful and principled, full of humour, warmth and promise.
2. Your son, Vickrum Digwa, murdered him. He was 22 then and he is one of your five adult children. You are 53.
3. Mark Nowak, Henry's father, Lucy Ross, mother, David Stevenson, step-father and Katie Woodcock, stepmother, have described the devastating and lifelong impact of Henry's death on the whole family.
4. Not long after 11pm on 3/12/2025, Henry Nowak was walking back to his university accommodation in Portswood, Southampton after an evening out. His route took him north along Belmont Road and he was approaching a junction with St Denys Road where you lived with your family. Henry was not drunk but may have been affected a little by the small amount of alcohol he had consumed over the previous few hours. He was not a regular drinker and did not generally drink to excess. His blood alcohol level at the time of his death was below the legal limit for driving. He was alone and unarmed. Your son happened to be walking south along Belmont Road on the same pavement. It was to be a chance meeting.
5. Your son was carrying a large Sikh dagger in a sheath attached to a belt over the outside of his clothing. It is a strict requirement of the Sikh faith to have a knife,

called a kirpan, at all times. Generally, this will be a small knife, hidden from view, often on a length of cord and worn around the neck. He had that but, in addition, the large dagger in a sheath on full display. Your family are members of an order of Sikhs called the Nihang who have a tradition of having a second knife, that is often fully visible, believing that the guru will look favourably on that. Your son observed that tradition in everyday life, at work and in public.

6. The privilege extended to practising Sikhs of being allowed to be in public with a bladed article and, particularly in respect of the large dagger, a highly dangerous weapon, easily accessible to the wearer, brings with it huge responsibility.
7. It is a fundamental principle of Sikhism that any kirpan is worn as a symbol of religious faith and is never to be carried for an offensive purpose. The legal approach to the carrying of such a knife, as long as the blade length does not exceed 9 inches, is that an offence of Having a Bladed Article in a public place will not be prosecuted; there has been an acceptance that its possession in those circumstances, can amount to a good religious and, therefore, legal reason for having it. The blade of the knife will not be on display; either it is under clothing or, alternatively, in a sheath. For both, it is a religious and, consequently, legal requirement that a kirpan should only be used offensively as a last resort, which would include its use in legal self-defence. In other words, only if use is necessary and, if so, reasonable in the circumstances. It is obvious that for use to be reasonable, any perceived threat justifying its use would only be in circumstances of great seriousness and urgency. You would have been fully aware of that.
8. In Belmont Road, your son and Henry passed each other. There was an interaction between them. Henry, perhaps cheekily, made a comment, asking if your son was a “bad man.” Henry was filming on his phone when he said it. The tone of his voice was not aggressive or threatening but, as it turned out, a tragic error of judgment. It is a reasonable conclusion that the comment was because he had seen the large, sheathed dagger. That would have been a very unusual thing for most people to see.
9. Your son went towards him and, confidently, told him that he was “a bad man.” The exact events which immediately followed were only witnessed by Henry and him. However, it would not be unreasonable to conclude that Henry would have wanted his phone back, believing it had been stolen from him or even robbed. That may have led to a physical struggle.

10. Your son drew the dagger from its sheath and, as the jury was sure, deliberately stabbed Henry in the chest with it. The knife passed through clothing into the chest. It passed upwards through soft tissue, between the two uppermost ribs, catching a lung and cutting an important vein, behind the collar bone. This was to a depth of 8cm from the skin surface. The consequent bleeding flowed into his chest cavity. The pathologist, Amanda Jeffrey, found 1200 ml, or over 2 pints, of blood there. She said that no emergency medical treatment would have permitted access to the bleeding vein. In simple terms, he would not have survived, however quickly he received first aid, CPR or expert medical treatment.
11. Henry was also stabbed twice to the upper leg at some point and once again to the lower abdomen/groin area at the front. The latter only resulted in a knife tip injury; the former were both to a substantial depth although not as deep as the chest wound. Henry's face was also slashed with the blade of the dagger. Henry was never able to put up his hands to defend himself from further serious injury.
12. Your other son, Gurpreet, arrived on the scene very shortly after the attack had finished. Henry was filmed desperately trying to get away.
13. Your sons showed a callous disregard for his wellbeing, making more films of Henry suffering, and ignoring much of his desperation at having been stabbed. They told him that had not happened, no doubt to convince others who were nearby. Henry was, meanwhile, clearly going downhill very fast.
14. They lied to the police that Vickrum had been racially abused and assaulted. By then you and your husband were at the scene. Your son, Gurpreet, explained that no weapons had been involved or were present. In fact, whilst he was talking to the call operator, Vickrum told you to take the murder weapon, sheath and belt away. By then, you knew or believed that he had stabbed and injured Henry. Even if you might have believed that your son had been racially-abused and assaulted, you knew there could be no justification for him to have stabbed Henry. Your son had no significant injury. A responsible parent would have challenged their son over their actions and encouraged them to do the right thing. Instead, you took the knife home and put it with a larger collection of ceremonial and other weapons in your sons' bedroom. That would have helped to conceal what it had been used for. This was because you wanted him to avoid being caught. You then returned to the murder scene. Your behaviour in Belmont

Road before and taking the dagger away added to your son's pretence that he had done nothing wrong and that he was a victim.

15. Once the police had a better understanding of the likely events, you, your husband and your sons were all arrested near to the scene on suspicion of attempted murder. You were later arrested for the offence with which you were charged, prosecuted and convicted. You denied guilt whilst in police custody and continue to do so. You were detained in custody for several days. The large dagger was found in a search of your home, and the police were later able to confirm that it was the murder weapon but not for about a week after Henry's death. A responsible parent would have helped the police identify the murder weapon and you have several opportunities to do that.
16. There is no definitive sentencing guideline for the offence you committed or for any similar offences. I apply the General Guideline. The maximum sentence is 10 years custody, There is no Court of Appeal sentencing guideline but there are sentencing judgments, some of which have been drawn to my attention by the parties as examples of appropriate sentencing for the offence. Their combined effect appears to be that there is a range of custodial terms from 2 to 6 years although every case of this sort is fact-specific. Of the five purposes of sentencing, the focus, in this case, should be on punishment and the reduction of this sort of crime by deterrence. Based on the facts, culpability and harm were both significant. Your role in this group activity was under the direction of others but it did add to the degradation of Henry being arrested when he was dying. You have no previous convictions and there is evidence of your otherwise positive character. You had a hard life in India although that improved when you married and came to the UK, nearly 30 years ago. You are embedded in your Sikh community but speak little English. You have a number of significant health problems. Your actions were, mistakenly, to protect your son rather than for any personal gain and you are very unlikely to re-offend. When you are released from prison, you may have to make very considerable changes to your way of life and living arrangements. You have been in prison for more than 7 months.
17. The shortest commensurate sentence is 3 years imprisonment. There is no appropriate alternative for community punishment and rehabilitative work with the Probation Service. One question remains; must the imprisonment be immediate or can it be suspended? I must balance factors in favour of, and against, suspension. There is a realistic prospect of your rehabilitation, with or without Probation support. Continued imprisonment will have a harmful impact on others. However, the seriousness of your offending, requires you to be punished and others who might find themselves in a similar situation to be deterred from doing as you did. That outweighs the factors in

favour of a suspended sentence. It follows that immediate imprisonment is the only appropriate sentence.

18. Stand up, please. The sentence is 3 years imprisonment.
19. You will be entitled to release from prison when you have served a specified part of that term. The precise release date will be calculated by the prison authorities who may also decide to consider earlier release with a Home Detention Curfew. You will then be on licence for the remainder of the sentence, subject to recall to serve some more or all of it if you commit another offence or break licence conditions. The period you have spent remanded in custody by the courts will be included in the calculation of that release date.