



**IN THE CROWN COURT (SITTING AT WOOLWICH)**

**BEFORE HHJ DYAL**

**Rex**

**-v-**

**(1) Mr Bilal Rakik**

**(2) Mr Zachariya Rakik**

**Introduction**

1. On 10 September 2023, you set a honey-trap to kidnap and blackmail Mr Ali Almafraji. The aim was to extort £30,000 from him. You kidnapped him, held him in his car at gunpoint and threatened him with death if he could not raise the money by first light. The gun was in fact a highly realistic imitation but Mr Almafraji had no way of knowing that and he truly believed that he was going to die if he could not raise the money.
2. On 29 November 2023 you pleaded not guilty to all counts. The defence was said to be duress, essentially that you had been forced by other criminals to commit the offences. However, on 21 January 2025 you pleaded guilty to offences of conspiracy to blackmail, conspiracy to kidnap and possession of an imitation firearm with intent to cause fear of violence. I must sentence you today for those offences.
3. I was the judge in the trial of two co-defendants. The jury acquitted the co-defendants having heard all the evidence.

**Approach to sentencing**

4. I have considered the sentencing guidelines for the substantive offences of [Kidnap/False Imprisonment](#), [Blackmail](#) and [Firearms – Possession with intent to cause fear of violence](#). I have also considered the overarching sentencing guidelines including the [Totality](#) guideline, guideline on [Sentencing offenders with mental disorders, developmental disorders, or neurological impairments](#) and [credit for plea](#).
5. The three matters I am sentencing you for today are all part and parcel of the same offending behaviour. My overall approach is to take conspiracy to kidnap as the lead offence and pass a sentence in relation to that offence which, in a just and proportionate

way, reflects the overall criminality. The sentences on the two other offences will run concurrently.

## **Facts**

6. The events of 10 September 2023 were the culmination of what I am sure, having heard the evidence, was several weeks of planning (although the plan was ultimately flawed).
7. Mr Ali Almafraji was identified as a victim. You needed to lure Mr Almafraji to a spot where you could kidnap him. You did that by creating a fake profile on Azar, a video chat app. The profile included an image of a woman that Mr Almafraji thought was attractive. Mr Almafraji got talking with a woman who he thought was the one pictured but whose identity I cannot be sure of. What is clear, however, is that she was put up to the task by you both. The conversation progressed and Mr Almafraji arranged to meet the woman outside Nando's in Lewisham at 10pm that night of 10 September 2023.
8. Mr Almafraji arrived; she did not, but you did. On arrival, sitting in his car, Mr Almafraji noticed that the woman's profile had been deleted from Azar and assumed he had been stood up. Moments later, as he sat in the driver's seat, you both got into his car; and so began a terrifying ordeal.
9. You were both wearing balaclavas and surgical style gloves. Bilal Rakik you got into the front seat, Zachariya Rakik you got into the back seat and produced a handgun. It was a highly realistic imitation of a semi-automatic handgun. You pushed it into Mr Almafraji's back and told him you would shoot him.
10. You forced Mr Almafraji to drive to various locations around south-east London, never stopping for very long. When you got to the second location the ransom demands began. You demanded £30,000 from Mr Almafraji. He said he did not have the money. You searched him and you searched the car but you did not find any cash. You took his telephone, made him unlock it and identify his closest friends.
11. Over the course of the night you made Mr Almafraji call four different friends to try and raise the ransom. You made him explain to them that he had been kidnapped at gunpoint and that they had to raise the money or he would be killed. Three of them took the threats with the utmost seriousness. Mr Almafraji was deeply distressed, crying, whimpering and panicking in the telephone calls. They could hear you in the background being threatening and on many occasions you spoke directly to them threatening Mr Almafraji's life in default of the ransom.
12. The threats you made were credible, menacing, and designed to induce maximum panic so as to increase the chances of the ransom being paid. One feature of the threats is that you put a collapsing timeframe on them: in short you made plain that Mr Almafraji would be killed if the money was not raised by first light.
13. However, calling Mr Almafraji's friends exposed a flaw in your plan. You had no control over them and they called the police without your knowledge. The criteria were met for involving the Flying Squad so the rescue of Mr Almafraji was passed to the Flying Squad.
14. The Flying Squad acted with incredible speed. One of the things they did was work with Mr Almafraji's friends in negotiations with you. As a result of that many of the telephone calls between you and Mr Almafraji's friends were recorded by the police and so are in

evidence. To give an example of the kind of things you said in one call one of you said this *"When the dim light start shining just know that, don't try and call, yah. When the dim light starts shining ... just think of us, its finished."* The friends pleaded in response that they were trying to come up with the money. You responded *"ah listen, listen, I don't care. Listen right now, if the light shines on me, the light of the morning, yeah, if it shines on me it the last, don't even call."*

15. In the calls you made repeated demands for payment of Mr Almafraji's friends coupled with threats to his life. In light of the collapsing timeframe, the rescue operation was utterly urgent.
16. The kidnap was taking place in Mr Almafraji's car. The police ascertained his number plate and through that were able to trace your location and keep the car under surveillance.
17. The car was spotted by police in the Bell Green retail park in Sydenham at around 3 a.m. By now Mr Almafraji had been held hostage for about 5 hours, all the while believing his life was at risk. All the while ransom demands being made of his friends who all believed that his life was at risk.
18. The Flying Squad 'Red Team' obtained permission to arm and followed at a distance. The officers had to act utterly urgently as dawn was approaching. At 04:20 am the Flying Squad made its move. Officers forced a stop of the kidnap vehicle as it turned into Keswick Court, a residential development, on Malyons Road in Ladywell. Armed police stormed the car, smashing the glass, and dragging Mr Almafraji out the vehicle to safety. You were both arrested at the scene. You were remanded into custody where you have remained since.
19. I pay tribute to the extraordinary work of the Flying Squad that night which showed skill, speed, efficiency and most of all real bravery.

### **Motivation for offending**

20. The Crown's case at trial was that you were put under pressure to commit this offending by co-defendants to whom you owed a debt having found something in Ladywell Park that belonged to them. However, the jury acquitted the co-defendants. It was not sure of the Crown's case and I entirely respect its decision. Although it was originally your defence that you had been put under duress to commit these offences that is no longer the case. You have both abandoned that position. The account you now give is simply that you were each short of money and did this for financial gain. You no longer allege that you were put under pressure to commit these offences. There must have been at least one other person involved in the conspiracy - the woman behind the profile on Azar. Other than that, I sentence you on the basis that this was offending simply for financial gain. I do that, not unthinkingly, but having applied my mind to what you say as well as the evidence heard at trial.

### **Victim impact**

21. I am sure that these events were profoundly traumatic and distressing for Mr Almafraji. He was in genuine fear for his life for an extended period of time - over 6 hours. He was distraught at times during the telephone calls and a wreck upon his rescue. It is inevitable that this trauma had a lasting effect on him, although I am pleased to say that

he has been able to get on with his life with a decent recovery by the date of trial. I am also sure that these events were deeply distressing and were traumatic for Mr Almafraji's friends.

### Sentencing guideline analysis

22. In my view the most serious matter in this case was the kidnap and it is the natural lead offence. Although I am sentencing a conspiracy, plainly the guideline for the substantive offence [Kidnap/ False Imprisonment](#) is of relevance.
23. This is a case in which there are both category A and category B culpability factors. In terms of category A factors, the detention was over a *protracted period of time*. There is no dispute about the length of the kidnap. It was a little under six and a half hours. The defence do not accept that this amounts to "protracted". I disagree. While a yet longer period is obviously conceivable, a kidnap of 6 hours easily amounts to a protracted period. This is true from the perspective strictly of chronology but all the more plainly true given what was happening during those 6 hours.
24. The Crown say that there is a second category A factor: *very sophisticated and highly planned nature of conduct*. I only partly agree. The kidnap was highly planned. It included identifying a victim who was perceived to be pecunious, thinking about ways of trapping him, creating the honey trap and executing it in a convincing way, luring the victim to a particular spot at a particular time and attending armed, masked and gloved. That showed a high level of planning. It showed some sophistication but a level of sophistication that falls short of 'very sophisticated'. The obvious flaws in the plan evidence the lack of sophistication required to meet the 'very sophisticated' threshold. It was moderately sophisticated and highly planned. That partly makes out a second category A factor.
25. There are also category B factors. Significant force and violence was threatened to the victim and a weapon (that is not a culpability A weapon) was used to threaten violence.
26. I have come to the view that this is undoubtedly a category A2 case for the following reasons. The category B factors are at the extremity of seriousness for the range:
  - a. The weapon was in fact not a highly dangerous one but it was a very realistic imitation firearm that only you knew was not real. It was about as serious a weapon as one that is not 'highly dangerous' could be. The victims, Mr Almafraji and his friends, thought the weapon was real. The *Flying Squad* had to operate on that basis; it was the only reasonable working assumption.
  - b. The significant violence that was threatened to the victim was also at the extremity. The threat was not just to hurt Mr Almafraji but to actually kill him. It was made in a highly credible way such that the victims believed his life was at risk, as did the *Flying Squad*, thus prompting an extraordinary (and necessary) specialist police response.
  - c. The harm is in category 2, but again in my assessment around the top of the category. This is because the distress to Mr Almafraji was extreme during the event and the only sensible view is that it must have had a profound effect on him for some time (albeit with a decent recovery by the date of trial). He was also not the only person affected. His friends were placed into an exceptionally distressing situation where they were pressured into desperately trying to raise funds to save Mr Almafraji's life. They then were

thrust into what were in effect hostage negotiations assisted behind the scenes by the *Flying Squad*. I heard the live evidence of Mr Almafraji and two of his friends and saw how it had affected them all and I am sure it was a deeply traumatic event.

27. For these reasons before even considering the category A matters, the assessment would reach the top of the range for a B2 offence and B2 cannot sensibly be the correct overall classification.
28. The category A factors do indeed add very materially to the culpability. The protracted nature of the kidnap is significant not only because of the extent of the harm it caused to the victims (a factor I have already taken into account and do not count again). But also, and now materially, because of what it reveals about your culpability. You held the victim hostage and in great distress for hours. He was suffering right in front of you. You saw the harm it was causing him and yet you did not release him. You did not withdraw the threats. You simply reduced the ransom demands as it became clear the £30,000 could not be raised.
29. Further, this whole event was highly planned. It was not the product of spontaneous, bad decision making. Having heard the evidence in the case I am sure it was a plan that was weeks in the making. And it was a wicked plan.
30. The category starting point for an A2 offence is 7 years, and the range is 5 - 10. Given the seriousness of the factors I have considered thus far, an upward adjustment is required to 8 years.

### **Aggravating factors**

31. Although Mr Almafraji was not a particularly vulnerable victim on the basis of his personal characteristics (a healthy young man), you made him particularly vulnerable by isolating him in the car, driving it around from one isolated place to another at regular intervals. This was no doubt to make it harder to find the car for him to be rescued. Early on in the kidnap you also searched him and took his telephone from him further isolating him. You then used it and controlled his use of it.
32. The offence was committed in the context of other criminal activity, namely, blackmail for financial gain. You were attempting to extort £30,000. The situation was set up as it was in order to fortify ransom demands: kidnapping the victim, holding his life to ransom and creating panic by giving such a short and dramatic timeframe for payment.
33. The offence was committed as part of a group. You have pleaded guilty to conspiracy to kidnap. The jury were not sure that the co-defendants were part of the conspiracy and I respect the jury's verdicts. I could only be sure that the two of you were conspirators assisted by a woman who played the role in the Azar app. Your roles were equal to each other. The fact there were two of you made victim all the more helpless.
34. The kidnap came to an end not of your own volition, but rather by the Flying Squad's intervention.
35. You may have been under the influence of cannabis on the day of the offending. However, I place no weight on that at all. Although I have considered your pre-sentencing reports and am generally aware of how cannabis use can affect judgement

and decision making, in my view cannabis use had no materiality in this case whether aggravating or mitigating. The offending just had nothing to do with cannabis use and involved the execution of a longstanding plan.

36. The aggravating factors raise the provisional sentence to 9 years 3 months.

### **Mitigation**

37. I am satisfied that you each have some material mitigation:

- a. Neither of you have any previous convictions.
- b. Age and lack of maturity. Bilal Rakik you were 25 at the time of the offending. I am told you may have a diagnosis of ADHD. It is not ultimately suggested that this of itself reduced culpability. It is context. Zachariya Rakik you were 23. You were therefore both adults and established in your twenties. However, I do accept, as you pre-sentencing reports set out, that neither of you had quite reached full maturity and that an element of immaturity contributed to the bad decision making involved in the offending. This factor carries greater weight in your case Zachariya Rakik given your younger age.
- c. I accept that there is some remorse on both of your parts, there is sound evidence of this in your pre-sentencing reports and the mitigation materials your counsel have referred me to.
- d. Character references speaking highly of you, particularly in respect of the steps taken following the events I am sentencing you for.
- e. You have both taken some good steps in custody towards rehabilitation. This includes positive steps to engage with victim awareness and also the acquisition of some skills and qualifications.
- f. Delay: you have been remanded in custody for about three years, initially awaiting trial and then following your pleas, sentence. There are a number of reasons for this, principally awaiting the trial of the co-defendants which itself was delayed by court availability. That is a very long time to await your sentence and I have no doubt your time in custody was made harder by not knowing how long it will continue.
- g. Prisons remain seriously overcrowded and the net effect of it is that conditions deteriorate making custody all the more onerous.

### **Sentence if after trial**

38. Bilal Rakik: 8 years 6 months

39. Zachariya Rakik: 8 years 4 months

40. The difference in your sentence is explained by the additional weight I have given to the immaturity factor in your case Zachariya Rakik.

### **Totality**

41. No further adjustment is required - all matters have been accounted for in the lead sentence.

### **Credit**

42. The case has a complex procedural chronology. I have considered it and put it in context. Having considered the guideline, I take the view 15% credit is appropriate.

### **Is an extended determinate sentence required?**

43. I have come to the view that it is not.
44. I do think that the test for dangerousness is met. There is a significant risk of further specified offending and a significant risk of serious psychological harm. The basis for this conclusion essentially comes down to the facts of the offending in this case itself, the planned nature of it and the protracted nature of it. It shows a high capacity for serious crime even in the face of a helpless victim.
45. However, on balance I am satisfied that a standard determinate sentence is sufficient to manage the risks that you pose:
- a. Notwithstanding the extreme threatened violence during the kidnap there was no actual serious violence;
  - b. This was your first offence and the time spent, and to be spent, in custody is a serious warning to you;
  - c. There is some genuine remorse;
  - d. There has been some rehabilitative progress in prison of a sort that will assist in preparing you for reintegration into the community;
  - e. The offences were committed before full maturity. You will be significantly older and more mature on your release;
  - f. You will be on license for the first few years when you are released;
  - g. A restraining order can be made protecting Mr Almafraji in particular.

### **Sentence**

46. Mr Bilal Rakik, for the lead offence of conspiracy to kidnap, the least sentence I can impose is one of 7 years and 2 months and 21 days custody. For the offence of conspiracy to blackmail the least sentence I can impose is a sentence of the same length to run concurrently. For the offence of possession of an imitation firearm with intent to cause fear of violence, 4 years to be served concurrently. The total custodial period is 7 years, 2 months and 21 days.
47. Mr Zachariya Rakik, for the lead offence of conspiracy to kidnap, the least sentence I can impose is one of 7 years and 30 days custody. For the offence of conspiracy to blackmail the least sentence I can impose is a sentence of the same length to run concurrently. For the offence of possession of an imitation firearm with intent to cause fear of violence, 3 years and 11 months to be served concurrently. The total custodial period is 7 years and 30 days.
48. You will serve up to two thirds of your sentence in custody before being released into the community on license. You must stick to the terms of your license or you may be recalled and serve the remainder of your sentence in custody.

### **Ancillary orders**

49. Restraining order: not to contact Mr Ali Almafraji directly or indirectly for a period of 10 years. I am satisfied that this is required to prevent further harm in light of the seriousness of offending in case.
50. Deprivation of phones - NTR/53, NTR/54, MJC/2 and drugs - AJR/110923/9

51. Forfeiture and destruction of the firearm.

52. Statutory surcharge £228 each.

**HHJ Dyal**

**11.09.2026**