



JUDICIARY OF
ENGLAND AND WALES

CENTRAL CRIMINAL COURT

19 APRIL 2012

SENTENCING REMARKS OF HIS HONOUR JUDGE MARTIN STEPHENS QC

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NATHANIEL GRANT
ANTHONY MCCALLA
AND
KAZEEM KOLAWOLE

On 29 March 2011, you committed crimes of the utmost gravity – much of what you did was captured on CCTV and has been shown on television screens throughout the land. One can easily imagine the effect on the public generally when they saw what you had done and of course, the jury in this case saw and heard in clinical detail what you did – all who had the misfortune to view these acts with their devastating results will have felt nothing but shock and horror at what they saw.

What you did on that day was to arm yourselves with a gun – which has never been recovered. You took it to an open space where you test-fired it to make sure it was in working order; you then set off as a group on a substantial journey by bicycle with what I am quite satisfied was a determined, premeditated intention to kill. Your victim was to be a member of a rival gang. On the way to your destination you put on masks; and you drove, as one witness put it, as if on a mission.

Mr Roshaun Bryan was chosen to be your victim; when he saw you approach, he ran into the Stockwell Food and Wine Shop to seek a safe refuge – you then ranged yourselves outside the shop and you Grant fired at least twice into the shop in an attempt to kill Mr Bryan. Approximately seven seconds separated the two shots that hit first Mr Selvakumar and then Thusha Kamaleswaran.

Mr Selvakumar was hit in the head, but miraculously survived, with a piece of bullet remaining in his head. Five year old Thusha, who was dancing around with her family in the shop, was hit in the body. Only the skill and devotion of the medical teams who became involved saved her life – but she remains paralysed below the chest and this condition is permanent. This simple, but devastating, statement of the essential facts of the case illustrates the gravity of these offences, riddled as it is with aggravating features.

Not one of you has shown a shred of remorse. There are previous convictions recorded against each of you, some of more significance than others. You Grant have convictions for robbery and possession of an offensive weapon, you Kolawole for battery and you McCalla for robbery, affray, possession of an imitation firearm with intent and recently violent

disorder. I have also read a psychological report on you McCalla. But the previous convictions all pale into comparative insignificance compared with the facts of this case.

I have read pre-sentence reports on all three of you and have reached a clear conclusion along with the report writers that there is a significant risk to members of the public of serious harm in the future which would be caused by the commission by each one of you of serious offences of violence. Anyone who acted as each one of you did on this occasion must pose such a risk, especially in the light of your previous conduct and background.

You Nathaniel Grant were the gunman – the other two were your fully supportive lieutenants, backing up all your actions to the hilt and giving you support and encouragement to carry out these dreadful deeds.

I have reflected long and hard on the appropriate sentence in this case, and have taken full note of defence counsel's able submissions.

In my judgement this is an exceptional case – of the utmost gravity. Its seriousness is such that a life sentence is necessary – to reflect the public's abhorrence of these offences.

Shooting twice into a small and confined space where it was known there were people present, can be denounced as an attack of society itself, by men who saw themselves as outside the law, and above the law.

The offences in the indictment are so intertwined that your actions and the results are, in my judgement, to be looked at as a whole – there was an attempt to kill a perceived member of a rival gang and a direct result of the commission of that offence is that Thusha and Mr Selvakumar were grievously injured; and you are also to be sentenced for causing that degree of harm to both your victims with intent to do grievous bodily harm. So all sentences will be concurrent.

Where I impose a sentence of life imprisonment I also have to specify a period of years that you must spend in custody before your case can even be considered by the Parole Board. After that time the Parole Board will be entitled to consider ordering your release. It will only do so when it is satisfied that you need no longer be kept in custody for the protection of the public. Unless and until it is so satisfied you will remain in custody.

If you are ever released, it will be on terms that you are subject to a licence for the rest of your life and liable to be recalled to prison at any time if your licence is revoked. This can happen if you commit any further crimes of course but also if it is thought expedient in the public interest.

The law is that the minimum term should normally be half the term I would have passed had I been passing a determinate sentence. I have considered the guidelines for these offences. I have dealt with the aggravating features – I see no mitigating features.

I differentiate somewhat in the sentences, because Grant was the gunman and was clearly, on the evidence in my judgement, the leader of the group.

In each case I pass a sentence of custody for life on each defendant on each of the three counts, the sentences to run concurrently.

In Grant's case, the specified period is 17 year (less 365 days spent on remand)

In Kolawole's case, the specified period is 14 year (less 378 days spent on remand)

In McCalla's case, the specified period is 14 year (less 381 days spent on remand)

The defendants were taken down.

I wish to add the following observations:

Everyone of course is entitled to their own views about the proliferation of surveillance equipment in our streets and in our buildings today. All I wish to point out in this case is that had that CCTV equipment not been in place on 29 March 2011, it is most unlikely that these three men would have been brought to justice.

Secondly I wish to commend as highly as possible the detective work that went into bringing these men to justice. In particular the work of Detective Constable Williamson whose collation and analysis of the CCTV material lay at the heart of the prosecution case.

Finally, I have read the statements of Thusha's mother and Dr Graham about the little girl's condition and prognosis. These matters are obviously deeply moving and upsetting. I have to pass sentence of course according to law and have sought to do so. But I think I can properly express the hope that this little girl's obvious qualities and character, along with the support of her loving family and the medical profession, will enable her to live as full and fulfilled a life as possible in the years to come.