



JUDICIARY OF
ENGLAND AND WALES

SENTENCING REMARKS OF HHJ CHRISTOPHER MOSS QC

CENTRAL CRIMINAL COURT

20 APRIL 2012

R

V

**CHRISTOPHER OMOREGIE, OBI NWOKEH, SAMSON ODEGBUNE, FEMI
OSERINWALE, ADONIS AKRA, SAMUEL ROBERTS, ENOCH AMOAH AND TYRONE
RICHARDS**

First Group: OMOREGIE, NWOKEH and ODEGBUNE:

On the 25th March 2010 at about 5.15 pm, during the evening rush hour, in the presence and sight of many horrified commuters, Sofyen Belamoudden, a fifteen year old boy, was attacked in the ticket hall of the District and Circle Line at Victoria Station by a pack of teenagers. The attack lasted some 12 seconds and was captured on CCTV. He was stabbed with knives, battered with other weapons, kicked with shod feet. When those 12 seconds were over Sofyen was left fatally wounded – with no less than nine stab wounds to his body - as his attackers made their escape. Most of them ran to a bus stop in Buckingham Palace Road where they boarded a C10 bus. When police boarded the bus at the next bus stop they found, amongst other weapons and potential weapons, two particular knives. Both had, it transpired, been used to stab Sofyen. One was in a bag that belonged to you, Christopher Omoregie and the other was wrapped in a newspaper that bore your fingerprints, Obi Nwokeh. Upon the basis of the evidence provided by the CCTV and those murder weapons you were both convicted by the jury in your joint trial of Murder. You denied your guilt at trial and continue to deny it to this day, according to your

pre-sentence reports. You have also both been convicted of Conspiracy to Cause Grievous Bodily Harm, the basis of which I will deal with in a moment.

You Samson Odegbune, were tried by a second jury in a separate trial. You, too, were convicted of the murder of Sofyen, although you took no physical part in that final attack upon him in the ticket hall. You were also convicted of conspiracy to cause grievous bodily harm.

The dreadful events at Victoria Station on that afternoon had their roots in a confrontation that had taken place the previous afternoon at the same station, beginning in the food court on the 2nd floor where many young people used to gather on their way home from their schools and colleges. You were all students at the St Charles Sixth Form College in Ladbroke Grove. You and many of your fellow students who were on their way to their homes in South London used to travel through Victoria, arriving on a 52 bus and going on either by bus or by rail. The other protagonists on that previous day were, it seems, students from another West London school or schools. The disagreement that took place ended with one of your number receiving a bloody nose at the hands of the opposition.

That night and the following morning there was communication by text and by face book messages between members of your group amongst themselves and with members of the opposing group. I need not go into that communication in any detail save to say that you, Odegbune, played a principal role in it. You and the others involved expected trouble and you made it clear that you intended to come to college the next day armed with your samurai sword. The result was that the St Charles students plainly expected that there was going to be serious violence the following day, probably, as you then believed, in the vicinity of your college in Ladbroke Grove. You expected the West London Boys – as you referred to them – to come to the college in force for a violent confrontation. Many of your fellow students came to college on that day with a variety of weapons. You, Odegbune, had a samurai sword. You, Omoregie, brought to college 2 chef's steels.

The expected violence was, it appears from the evidence in the case, the talk of the college on that Thursday morning and afternoon. As it happened, no opposing group came to the college, and consequently you all expected the confrontation to take place at Victoria Station as you made your way home after college.

You all travelled to Victoria expecting and intending trouble and prepared for it. You, Odegbune, had your sword. You, Omoregie and you, Nwokeh, were each by now armed, as I am satisfied you were, with the knives later to be found on the C10 bus and already referred to.

It was in this way that the conspiracy, the subject of count 1, came into being. You all arrived at Victoria and gathered on the corner of Buckingham Palace Road by the Grosvenor Hotel. It was not long before the opposing group arrived, also by bus, from West London. They made their presence known, challenging your group from the other side of Terminus Place where the buses arrive and depart.

You, Odegbune, led the charge that resulted. You had taken out your sword. You shouted "we're going to fuck you up". Although, as I have acknowledged, you were not part of the group that attacked and killed Sofyen, you were convicted of murder on the basis that you intended that, in the course of your attack on the opposing group, someone should be killed or caused really serious bodily harm or you realised that such might be the consequence and nevertheless took part in the violence.

The punishment for the offence of murder is fixed by law. You were all aged under the age of 18 at the date of the offence. You, Omoregie and Odegbune were both 16 years old and you, Nwokeh, were 17. Consequently you fall to have passed upon you for the offence of murder sentences of Detention at her Majesty's Pleasure, and those are the sentences that I pass in each of your cases. But I have to determine the minimum term that each of you must serve before you may be considered for release on licence by the Parole Board. It is

agreed that, because of your ages at the date of the offence, the starting point for each of you is a minimum term of 12 years. That, however, is just the starting point and there are a number of factors to be taken into account before I arrive at the minimum term to be served in each of your cases.

You all have the mitigation of youth, although that factor is largely subsumed in the starting point. Nevertheless I bear the fact of your youth in mind in your favour. So far as an intention to kill is concerned, nobody who has seen the CCTV of the killing could possibly conclude, bearing in mind the number of weapons at the scene and the use to which they were put in a ferocious and merciless attack upon the deceased, that there was any less than an intention to kill him.

There are a number of factors which in my judgment aggravate the offence for which you have been convicted.

- (1) There was a considerable degree of planning and premeditation;
- (2) You gathered together for the purpose of serious mass violence in a busy public place at the height of the rush hour when you must have anticipated many innocent members of the public would be going about their lawful business;
- (3) You acted in a large group and the deceased was attacked by at least 8 persons;
- (4) You carried and used weapons as described above;
- (5) None of you has shown any kind of remorse nor do you in any way acknowledge responsibility for your crime.

Had you been 18 years or older at the time of the commission of the offence, you would have been liable for a starting point for your minimum term of 25 years, due to the carrying of knives and other weapons.

In fixing the minimum term I take into account your convictions on count 1 of the indictment for conspiracy to cause grievous bodily harm.

I see no reason to deal with any of you differently to the others. You, Omoregie and Nwokeh, were principals in the attack upon the deceased. You, Odegbune, as I have already said, were a principal organiser of the dreadful events of that day.

In each of your cases I take into account all that has been advanced on your behalves, and the positive aspects of your conduct while in custody.

In each of your cases I set the minimum term for your sentences of detention at her Majesty's pleasure at 18 years.

So far as count 1 of the indictment is concerned, in view of the contents of your pre-sentence reports, I do not invoke the dangerousness provisions which would lead to an indeterminate sentence. You will each serve concurrent sentences of 8 years detention in a young offender institution.

You, Omoregie, will received credit of 753 days towards your sentence, you, Nwokeh, 753 days, and you, Odegbune, 700 days.

I make no orders for recovery of defence costs in any of your cases.

You may all go with the dock officers.

Second Group: ODERINWALE, ROBERTS and AKRA

On the 25th March 2010 at about 5.15 pm, during the evening rush hour, in the presence and sight of many horrified commuters, Sofyen Belamoudden, a fifteen year old boy, was attacked in the ticket hall of the District and Circle Line at Victoria Station by a pack of teenagers. The attack lasted some 12 seconds and was captured on CCTV. He was stabbed with knives, battered with other weapons, kicked with shod feet. When those 12 seconds were over Sofyen was left fatally wounded – with no less than nine stab wounds to his body - as his attackers made their escape. Most of them ran to a bus stop in

Buckingham Palace Road where they boarded a C10 bus. When police boarded the bus a number of weapons used in the attack were discovered and seized.

You have all been convicted of the manslaughter of the deceased. Additionally, you all stand convicted on count 1 of the indictment of conspiracy to cause grievous bodily harm. You, Roberts, and you, Akra, were present at the attack upon Sofyen in the ticket hall and took part in it. You, Roberts, kicked the deceased 3 times as he lay helpless upon the floor. No one who has seen the CCTV images of the scene could fail to be horrified by the ferocity of one of kicks you delivered to the head of the deceased. It was as if you were kicking a rugby football. Your actions were vicious and your victim defenceless. You, Akra, as you admit, struck the deceased upon the neck with a chef's steel which it seems you had obtained from one of your co-defendants, Christopher Omoregie. True it is, as has been urged on your behalf, that you spent only part of the short but dreadful attack in the ticket hall and that you were the first to leave the scene. But you stand convicted, as do you Roberts, on the basis that you knew that at least one of your group was armed with a knife or other bladed weapon and that you foresaw that such weapon might be used to cause some harm, albeit less than grievous bodily harm.

You, Oderinwale, acted as armourer and that is the basis upon which you were convicted of manslaughter. You were not present at the scene of the attack; you had run on with others across Terminus Place as I shall presently describe. Nevertheless, you were responsible for the purchase of a block of kitchen knives from Argos in Shepherds Bush in the early afternoon of the day of these events; some of those knives were used to kill Sofyen; you were convicted on the basis that you intentionally purchased or assisted in the purchase, or distributed or assisted in the distribution of those knives realising that some harm, albeit short of grievous bodily harm, might be caused to another by the use of those knives or any of them.

The dreadful events of that day had their roots in an altercation on the previous day at Victoria Station in the course of which one of your fellow students, Melvin Mensah, received a bloody nose. That night there was

considerable text and facebook communication between some students at your college and also with members of what I will call the opposing group, referred to as the West London boys. You, Oderinwale, were amongst those who took a principal part in those communications. You made reference to the fight that had taken place; you spoke of a “madness” that was planned to take place the following day between students from St Charles College and others; you sought a “flick out ting”; you asked for someone to help you buy some “nank” (knives) from Argos, giving the link to the Argos website. When you were asked by another if the “beef” was “proper serious” you replied “if they see anyone they’re gonna get slumped” – in other words killed. You said that everyone should be “tooled up”. In that way you helped to initiate the conspiracy that was charged in count 1.

Neither you, Akra, nor you, Roberts, can be said to have played any part in the conversations of that night. Nevertheless, it is clear from the evidence in the trial that the expected violent confrontation was the talk of the college on the following day and I have no doubt that you both travelled to Victoria on that afternoon expecting the sort of violent confrontation which in fact took place and prepared to play your part in it.

Such a violent confrontation in fact took place. Your group gathered in Terminus Place outside the Grosvenor Hotel. When challenged by members of the opposing group you all joined the mass charge across the bus lanes of Terminus Place. You, Oderinwale, as I have already indicated, ran on, pursuing members of the opposing group. You, Akra and Roberts, joined the group of killers who set upon Sofyen Belamoudden as he lay helpless and defenceless upon the floor of the ticket hall, in the sight of those many horrified onlookers who had been going about their lawful business at the height, as I have said, of the rush hour.

I take into account in all of your cases that which I have read about you in your pre-sentence reports and in the testimonials provided on your behalves. I take into account the way you have conducted yourselves whilst in custody. I take into account in each of your cases your youth at the time of the

commission of these offences. You, Oderinwale and you, Akra, were 16, you Roberts were 17.

In view of what I have heard and read, I do not feel the need to invoke the dangerousness provisions which would lead to an indeterminate sentence in any of your cases. I will pass in each of your cases determinate sentences of detention in a Young Offender Institution. You, Oderinwale, will have credit for 700 days in custody; you, Akra, for 753 days and you, Roberts, for 753 days. You will each serve half of your sentences before you may be considered for release upon licence.

The killing of Sofyen Belamoudden took place in dreadful circumstances in a public place as I have already described. You all played your parts in his death as set out above and stand convicted of his manslaughter. His death occurred following a conspiracy to which you were all parties. You, Oderinwale, were an early member of the conspiracy. You, Akra and you, Roberts, probably joined it later.

On count 2 of this indictment there is no need to distinguish between you. You will each serve 12 years in a young offender institution. On count 1 you, Oderinwale will serve 8 years in a young offender institution concurrent with your sentence on count 2 and you, Akra and you, Roberts, will serve 7 years in a young offender institution concurrent with your sentences on count 2.

I make no orders for recovery of defence costs in any of your cases.

You may go with the dock officers.

Group 3: Enoch AMOAH and Tyrone RICHARDS

You have each been convicted of count 1 on this indictment, conspiracy to cause grievous bodily harm, and on count 3, violent disorder. You were both acquitted of any criminal complicity in the death of Sofyen Belamoudden. I

say that immediately so that it may be plainly understood that I put that dreadful killing out of my mind in sentencing you for your offences.

The conspiracy to cause grievous bodily harm arose from events on the 24th March 2010 at Victoria Station when, in a confrontation between students from St Charles College, where you, Amoah, attended but you, Richards, did not, and other youths, known collectively as the West London boys, a St Charles student, Melvin Mensah, suffered a bloody nose. During the evening that followed, the conspiracy charged in count 1 came into existence. Trouble of a violent kind was expected the following day, at first outside the college in Ladbroke Grove but, when that did not materialise, at Victoria Station. Neither of you appear to have become involved in the conspiracy until the following day, the 25th March 2010. You, Amoah, travelled to Victoria on the 52 bus from Ladbroke Grove with many of your fellow students, a number of whom were armed with knives or other weapons. It is not suggested that you yourself were armed. However, once at Victoria Station, you plainly joined the agreement hatched by others to cause grievous bodily harm to anyone of the opposing group who might be present there. You joined the charge across the bus lanes of Terminus Place. You were parties, as your convictions demonstrate, to at least the threat of unlawful violence. A large number of innocent members of the public were lawfully going about their business during the height of the rush hour. Not only evidence heard at trial but also CCTV images demonstrate the fear in which you and your co-defendants placed those people.

You, Amoah, joined your college contemporaries in the unlawful agreement charged in count 1. You, Richards, came to be there because of your close family relationship with Samson Odegbune who was not only a party to the conspiracy, but an instigator of it, as well as being responsible for the murder of a fifteen year old boy which took place during the violent disorder. I have no doubt that you attended the scene – joining the 52 bus in which Odegbune was a passenger in Kensington as it made its way to Victoria – at the behest of your close relative. You were seen to join the eventual charge across Terminus Place with something in your hand. The prosecution claimed it was a knife or

other bladed article. You deny that it was. I am unable safely to determine what you were carrying. But take part in the charge you undoubtedly did.

In each of your cases I take into account the contents of your pre-sentence reports. I find no need in either of your cases to invoke the dangerousness provisions which would result in indeterminate sentences. I take into account in each of your cases your youth – you, Amoah were 17 at the time, you are 18 now. You, Richards, were but 15 years old at the time, and are still under the age of 18. Your offence of conspiracy, Richards, I say at once, is too serious to justify the imposition of a detention and training order and so you will fall to be sentenced to a period of detention under section 91 of the Act of 2000.

So far as you are concerned, Amoah, on count 1 of this indictment I impose a period of detention in a Young Offender Institution of 7 years with a period of 3 years concurrent in respect of count 3. You will have credit for 566 days spent in custody. You will serve half of that sentence and may then be released on licence for the remainder.

So far as you are concerned, Richards, I sentence you to a period of detention under section 91 on count 1 of this indictment for 7 years, of which you will also serve half before release on licence, with 700 days credited for time spent in custody. In view of my limited powers because of your age, I pass no separate penalty on count 3, Violent Disorder. The sentence imposed on count 1 is commensurate with the seriousness of both your offences.

I make no order for defence costs in either of your cases.

You may go with the dock officers.