

IN THE CENTRAL CRIMINAL COURT T2017229

Before: HIS HONOUR JUDGE SALMON QC

Closing Speeches:

Trial: Day 29

Tuesday 4th July 2017

APPEARANCES

For the Prosecution: Mr C. Salfred QC

For the Defendant: In person

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I

10:05

DEFENDANT:

“In 1850, Henry John Temple, Third Viscount Palmerston, made a speech to Parliament that lasted five hours. A Portuguese Jew called Don Pacifico who was living in Greece but who was born in Gibraltar had been attacked by a racist mob. He had been beaten. His home had been vandalized. His possessions had been stolen. The Greek police had watched all of this happen but had done nothing. Don Pacifico asked for compensation from the Greek government. The Greek government refused to give him anything. So he appealed to the British.

“What did Palmerston do? Palmerston considered this Gibraltar Jew to be a British subject. So he sent a whole squadron of Royal Navy ships to Athens to block its port. After eight weeks the Greek government paid up. It was when he was challenged by a hostile crowd in Parliament that Palmerston made his five-hour speech. In it he said, ‘A British subject ought everywhere to be protected by the strong arm of the British government against injustice and wrong.’

“That is what it meant to be British then. In them days. Sorry, in those days, I’m a bit nervous. In those days if you were a British citizen, it did not matter if you were a Jew or Portuguese or a Gibraltar or whatever else. It was enough that you were a British subject. It was enough that wherever you were in the world, if harm came to you, you could count on the full might of all of England to come to your aid. This Palmerston, he sent a fleet of ships for one man!

“That is what England would do for just one of its men – even if he was a nobody Jew like Don Pacifico – the whole of England for one man. One hundred and sixty years later and this black Englishman can count on none of England. None of it. I can count on none of it except this tiny bit of it here in this room. For me, this is all of England right here. You are all of England and I need you now. I need the strong arm of your protection against injustice and wrong. I need you. I need you. I need you. And you need me. You need me so that you can be all of England.”

Basically that is as far as I got up to. Then I thought to myself, ‘What is the point?’ I ain’t no Lord Palmerston and no five-hour speech from me is going to start you cheering my corner. I ain’t stupid. I know that no speech is going to get me out of this. But you know what? It was worth reading that bit out just to see your faces. I don’t mean it as joke ting, but like as a thing to shake you up. You never knew that I could speak like a professor is it? But I just wanted you to know that there’s more than just

that one side to me that you lot saw when I was giving evidence. I wanted to maybe, I don't know, surprise you. And let me tell you there's some surprises coming your way.

So maybe this is the first surprise. Why am I standing here doing this speech instead of my barrister? Why did I decide to stand before you all and tell it in my words? Don't get me wrong, I wasn't upset with him or nothing like that. It was more that we had a difference of opinions on certain subjects and I've got certain like extra information that he don't know.

Like I'll give you an example. You remember when I gave my evidence a couple of days back? Well that was one of them things we had opinions about. He wanted me to tell you what he called a 'plausible story'. 'Give them what they need to hear,' he goes to me. So I go to him, 'Nah bruv, I want to give them what they don't want to hear from me, the truth.' But he didn't like that too much. 'It's too rich for them,' he was saying, 'it's too rich for their blood.'

He was good, my QC, don't get me wrong. But I thought, he's not me. He don't know what I know. The problem for me was that although I know what I know, I don't know what he knows. Do I let him speak to you in your language but telling only half the story, or do I do it myself and tell the full story with the risk that you won't understand none of it? Can I even tell you the whole story? Would you believe it? I don't know man. I don't know. But what I do know is that I

ain't going to be risking my life for this murder and not tell you what is true. Even if my barrister don't want me to do that.

So here's my confession. I gave you evidence on oath before. On the Holy Bible. But God knows what I told you in the witness box wasn't exactly the whole truth. It had some truths, don't get me wrong, a lot of truths, but it also had some maybe not truths. But that is the way he wanted it, my brief. 'It's not about the truth,' he says to me, 'it's about what they can believe.'

This upset me, I mean how can I swear to you to say the truth and then like tell you lies? So last night when I was trying to sleep I thought about it. A lot. And when I woke up I weren't happy, trust me. So this morning I said to him, 'Bruv, I need to start telling it like it is. This speech, my closing speech, it's my last chance.' And he goes, 'Well that's it.' He can't act for me no more for *ethical* reasons. Ethical reasons? I thought ethical was about truth, but apparently, it ain't. It's all about *impressions*. 'What impression do you think you are giving if you go into court now and tell them a different story? What do you think it's going to look like if you tell them *this new piece of information*?' 'Well maybe,' I says to him, 'I don't need to tell them *that thing*' – and truth be told I ain't even sure if I can tell you that thing. Coz if I do tell you that thing I'm not sure I would even survive it, you get me?

Don't get me wrong, I want to tell you but I'm just not sure if I can right now. I don't know what you'd think

about me if you heard that. Maybe you need to get to know me a bit first. The real me.

Right now you think, looking at me, that I'm just some foolish kid who go around shooting up people for no reason. I know you think that because I ain't stupid and you ain't stupid. I know my evidence, what I said to you from the witness box, weren't all that good. I know that. I know it was shady. So I know what you think is that I just shoot up that kid but that ain't it. That's just what they want you to believe. They want you to think that I'm a no-brain lazy kid who go into some random street and shoot a next man up for nothing. Don't be fooled though. They are good at that – fooling you. That's what this guy, Mr Prosecutor, does for a living. He does this day in, day out, and by the time he's finished with you, you're seeing white as black and black as white. I take my hat off to him. He is good. He's sneaky, but he is good. But you have to see past all this smoke he's been creating here and see what's behind it. Trust me you'll be surprised. You don't have to do it for me. Just do it as one of them things, just as an experiment. If I'm wrong, I'm wrong, and you do what you have to do. But if I'm right . . .

Start with the evidences. Okay the evidences don't look good for me but there aren't that many of them really. But before I go into all of that I just want to say this. Ignore what all I said or didn't say in my statement when I got up there in the box the other day. That don't matter

really, does it, if there's no real evidence to tie to me to this murder? If the evidence is shit, what does it matter what I did or didn't tell you?

Okay so here it is. This is how I wrote them down:

1. A boy got shot who is from the same area I live in.
2. Three months before he got shot someone saw me apparently walking past him and saying to him, 'You're waste man.'
3. A couple of months before he was shot a witness saw Jamil, the dead boy, having an argument with a black boy about my age wearing a black hoodie with white Chinese-style writing on the back.
4. Cell-site evidence. The phone expert said that my phone was in the same cell-site as the deceased at the exact moment of the shooting. My phone was also in the same cell-site as his on the day that I was supposed to be arguing with the boy. And it was also in the same cell-site as his phone on the day that I was supposed to be saying, 'You're waste man.' All within one cell-site area. What did that expert say? Fifty or sixty metres?
5. The search of my flat. The police arrested me because they heard a rumour that I was involved in the shooting. They searched my flat and found a Baikal handgun. They found a black hoodie with white Chinese-style writing

on the back. They found my phone, which matched the cell-site evidences. They found my passport. They found an e-ticket for a flight to Spain. They found cash, thirty thousand pounds in my rucksack. They found the firearms discharge residue that the prosecution has been going on about, in my car and on the hoodie. They found me.

6. The police say that the bullet which killed the boy, Jamil, must have come from my gun. Ballistics. You remember the guy who came with all his charts and whatever. That bullet came from that gun he says.
7. They found a tiny particle of the dead boy's blood under my nails.
8. They found a few of my hairs in his car.

Open and shut innit? Enough said. You can go home now thank you very much for your attention. And if you did convict me on that you would probably go home and sleep all nice at night. I know that. But you have been sitting here for four weeks doing this case. What I was hoping was that you wanted to make them weeks count for something. But then I thought, I ain't so sure.

Maybe to you lot, this is just a thing to do innit? A nice break from your lives. You can get up every day and put on a clean shirt and come into this place and look at papers or whatever and nod or shake your heads. You can listen to him, the prosecution. You can listen to this

Judge here and feel like you are doing something. You can be all respectable. And when you leave here, after this case is done, you can go back to your lives to do whatever it is you do. But I don't disappear, you know, when you lot go home. I'm still here. I'm still a person innit? When your little boy who is maybe four or five years old right now and just starting school grows up, I'll still be in a prison cell. When he gets to like ten and starts his first day at big school, I'll still be doing my time. When he leaves and gets a job or goes to uni: I will still be here. Doing my life sentence. Because you didn't look hard enough. Because you didn't do your job. That's all I'm asking. Just listen to my story – I am innocent. I promise you, if you look hard enough you'll see it for yourself.

Just look at the evidence. That will tell you all you need to know. And trust me there is enough there to make you see what I am saying is real.

Break: 11:15