

Sentencing remarks of Mr Justice Sweeney

Michael Adebolajo (also known as Mujaahid Abu Hamza) and Michael Adebowale (also known as Ismail Ibn Abdullah) you have both been convicted, on overwhelming evidence, of the barbaric murder of Fusilier Lee Rigby in Artillery Place in Woolwich in the early afternoon of Wednesday 22 May last year.

You are British citizens, aged 29 and 22 respectively. Adebolajo you are married with four step children and two children of your own.

Having presided over your trial I am sure of the following facts.

You each converted to Islam some years ago. Thereafter you were radicalised and each became an extremist - espousing a cause and views which, as has been said elsewhere, are a betrayal of Islam and of the peaceful Muslim communities who give so much to our country.

You decided, between you, and in order to advance your extremist cause, to murder a soldier in public in broad daylight and to do so in a way that would generate maximum media coverage, including getting yourselves killed by armed officers who would be bound to attend the scene in the aftermath of the murder - thereby expecting that you would become martyrs and each gain a place in paradise.

The planning took place over a period of time. You Adebolajo acquired an old handgun which, although it did not work, was to be used at the scene to keep the public at bay and to threaten the armed officers with when they arrived. The day before the murder you Adebolajo bought five knives and a knife sharpener - which you used to sharpen some of the knives in preparation for their use in the murder.

On the day of the murder the two of you met up some hours in advance. Eventually Adebolajo drove you both to Woolwich in his car, where you parked up in Wellington Street and waited to spot a soldier to murder. You had with you a total of eight knives and the gun. It was whilst you were waiting that Lee Rigby walked past. He was instantly recognisable as being a soldier as he was wearing a "Help for Heroes" top and carrying his Army day sack.

He was 25 years old, had joined the army in 2006, and amongst other postings had seen active service in Afghanistan in 2009.

An outgoing and popular personality, he was by the time you saw him in a recruiting post dealing with young people and involved in other duties at his Regimental HQ at the Tower of London.

Indeed, he was on his way from his HQ to the Woolwich Barracks when you saw him. He had done absolutely nothing to deserve what you went on to do to him.

You stalked him in the car as he walked along Wellington Street, crossed the South Circular Road and went into Artillery Place where he crossed the road in front of you.

Seizing your opportunity Adebolajo, and once he was no longer looking in your direction, you accelerated hard to 30-40 mph and ran him down from behind. The impact carried him up onto the bonnet of the car breaking five vertebrae in his back and five ribs.

The speed of the car was such that it carried up onto the pavement and crashed into the support of a road sign and stopped, depositing Lee Rigby in the area between the front of the car and an adjacent wall. He was unconscious and certainly unable to defend himself.

You both exited the car armed with knives and over a period of around 2-3 minutes you butchered Lee Rigby - going, as you were well aware, far beyond what was needed to murder him.

You Adebolajo concentrated on his neck - hacking at it repeatedly with first a substantial cleaver type knife and then another knife, all in an attempt to decapitate him for maximum horrific effect. In the end you failed but in the process you caused horrendous injuries as shown in the materials before the court.

You Adebowale concentrated on Lee Rigby's torso stabbing him a number of times in the chest in frenzied fashion and with severe force. It is no exaggeration to say that what the two of you did resulted in a blood bath. Aspects of all this were seen, as they were intended to be, by members of the public.

Once you had finished, and again in order to achieve maximum effect, you then carried and dragged Lee Rigby's body into the road in Artillery Place and dumped it there - thus eventually bringing the traffic to a halt.

In the thirteen minutes that passed between then and the arrival of the armed officers, the number of members of the public at the scene grew. You both gloried in what you had done. Each of you had the gun at one point or another and it was used to warn off any male member of the public who looked as though he might intervene.

Those who saw the gun believed that it was real and loaded.

You Adebolajo handed out a pre-prepared written statement seeking to justify your joint cause and actions.

In addition, carrying the bloodied cleaver in your equally bloody hands, and knowing that you were being filmed, you made a political statement.

Images of that filmed statement were broadcast around the world.

The effect of the two statements was to seek to justify your joint actions as being retaliation for deaths in Muslim lands, and to incite the removal of the Government in this country.

Your sickening and pitiless conduct was in stark contrast to the compassion and bravery shown by the various women at the scene who tended to Lee Rigby's body and who challenged what you had done and said.

The armed police officers arrived in a marked police vehicle.

At that time, you Adebolajo were still armed with the cleaver and the other knife, and you Adebowale (by agreement between the two of you) were armed with the gun and a knife.

You Adebolajo sprinted towards the officers jettisoning the knife and carrying the cleaver above your head as if intent on attacking one or more of them, whilst you Adebowale went down the adjacent pavement and pointed the gun at the officers.

The officers shot you both. They were clearly entitled to do so.

It is thanks to their professionalism, including the speed with which they rendered First Aid, that neither of you was killed - especially in your case Adebowale, given that you pointed the gun at them again even after you had been shot for the first time.

As is clear from their moving Victim Personal Statements, and unsurprisingly, the consequences of the murder, its brutality and the publicity, have had a severe and lasting impact on those close to Lee Rigby.

You Adebolajo were the leader of this joint enterprise - albeit that Adebowale played his part enthusiastically. It was you who provided much, if not all, of the equipment and the car, and you were the mouthpiece on the day.

That said, neither of you, I am sure, has any real insight into the enormity of what you did, nor any genuine remorse for it either - only regret that you did not succeed in your plan to be shot dead, which has resulted in you being brought to justice before the courts.

Equally you, Adebolajo, who I have observed at length, have (I am sure) no real prospect of rehabilitation.

Sentence for murder is mandatory - it must be one of life imprisonment. But I must also identify the minimum term that you must serve.

The prosecution assert that, in each of your cases, this was (in the terms of paragraph 4(c) of Schedule 21 to the Criminal Justice Act 2003) a murder done for the purpose of advancing a political, religious, racial or ideological cause.

The prosecution equally assert that, in each of your cases, and in accordance with the provisions of the Counter Terrorism Act 2008, this was a murder with a terrorist connection.

Hence the prosecution submit that this is an offence the seriousness of which is exceptionally high, and that thus my starting point should be a whole life term.

The prosecution also submit, obviously correctly, that in the light of the recent decision of the Court of Appeal in Attorney General's Reference (No.69 of 2013) [2014] EWCA Crim 188 it is open to me to go on to impose a whole life term in relation to each defendant. They draw my attention, in particular, to the public nature of what happened, to the fact that there was a significant degree of planning or premeditation, that Lee Rigby was providing a public service or performing a public duty, and to the treatment of his body.

As to the starting point it is submitted, amongst other things, on your behalf Adebolajo that I should not be bound by the reasons that you yourself have given for your actions, but should regard this offence as being one motivated by simple religious hatred actions, or the equivalent of the murder of a police officer, and thus the equivalent of an offence requiring a starting point of less than a whole life term.

It is urged, although it is accepted that there is not much evidence to support it, that you are someone who can be rehabilitated in time. As I have already indicated, I am sure that is wrong.

It is urged that I should be flexible in my approach to the provisions of Schedule 21 - which I am.

It is further submitted that it is of significance that there is no evidence that you were part of a wider group, that there was no intention to physically harm more than one victim who was chosen purely at random because of his profession, and that there is no evidence that the plot was part of a wider network or support group, and that thus this is not a case to take the sentence of last resort as my starting point.

Similar points are urged in relation to you, Adebowale, together with other points which in my judgment come more appropriately into consideration in deciding what the appropriate actual sentence is in your case.

I am sure that this was (in the terms of paragraph 4(c) of Schedule 21 to the Criminal Justice Act 2003) a murder done for the purpose of advancing a political, religious, racial or ideological cause.

I am equally sure that, in each of your cases, and in accordance with the provisions of the Counter Terrorism Act 2008, this was a murder with a terrorist connection - though I am careful to avoid double counting in that regard.

I equally have no doubt that this is an offence the seriousness of which is, in fact, exceptionally high, and thus my starting point in relation to it should be a whole life term.

Whilst I agree with Mr Lakha that there are three aggravating features, namely a significant degree of planning and premeditation and planning, the fact that the victim was performing a public duty, and the way that the body was treated, I have included all of these in the overall facts that I have found.

I must however go on to consider my actual sentence.

In your case Adebolajo there is no mitigation, and whilst to state the obvious, this is not a case of mass or repeated murder it is nevertheless one of those rare cases where not only is the seriousness exceptionally high but the requirements of just punishment and retribution make such an order the just penalty.

Accordingly in your case I propose to impose a whole life term.

In your case Adebowale I am persuaded that the combination of your lesser role, your age and your pre-existing and continuing mental condition mean that it is not appropriate in your case to impose a whole life term.

Nevertheless in your case there must still be a very substantial minimum term.

The term that I propose to impose is one of 45 years less 272 days spent on remand.

Michael Adebolajo I sentence you to life imprisonment with a whole life order.

Michael Adebowale I sentence you to life imprisonment with a minimum term of 45 years less 272 days spent on remand.

In both your cases I make a Notification Order for the maximum of 30 years.

In each of your cases there will be an appropriate victim surcharge.