

Riot – Case summaries

Bradford riots (2001)

Race riots between right wing extremists and the Asian community. Widespread and sustained disorder, causing damage in the region of £27 million and injury to over 300 police officers as well as others. According to transcripts more than 100 offenders sentenced, mostly for riot. Most serious offender threw petrol bombs, many acts of violence.

Sentences

- Khalil – Seen putting things in a vehicle others were trying to set fire to. He rolled a beer barrel towards the police lines. He held a petrol bomb in his hand. Another person ignited it and Khalil rushed towards the police lines and threw the bomb directly at the officers. 6 and a half years – (pre G plea sentence of nearly 10 years assumed)
- Azad- At or near the front of the rioters throughout. On a number of occasions threw stones and missiles at the police, also seen near a burning barricade and near an overturned car. On occasions he was hooded. On others his sweater was pulled up to conceal his face years 9 months after plea– (pre G plea sentence of 7 years assumed)
- Hussain – Active participant, there for 8 hours, threw three missiles and concealed face. 4 years 6 months (pre G plea sentence of 7 years assumed).
- Hanif- Active participant, there for 2 hours, threw stones or missiles at police on 6 separate occasions, attacked police van and threw metal fence at it, encouraged others with victory gestures. 4 years 9 months (pre G plea sentence of 7 years assumed).
- Qurban – participated for 4 hours, threw nine missiles at police, brandished light tube said to have been used to encourage others. 4 years 9 months (pre G plea sentence of 7 years assumed).
- Raza- Leading role in group of youths, threw missiles, instructed group on how to damage a car which was subsequently set on fire and pushed towards police lines, repeatedly depicted in videos in the front line of those facing the police. 5 years – (pre G plea sentence of 7 and a half years assumed)

- Najeed- Fairly active participant and present throughout most of riot- threw one missile. 4 years reduced to 3 on appeal (Sentence 4 and a half years before plea assumed)

Birmingham pub riot (2011)

42 masked or hooded individuals assembled outside a public house in Birmingham which had occupants upstairs. Members of the group proceeded to break in and set the ground floor alight with petrol bombs which they had brought with them; its furniture was strewn over the A34 road outside. This was done deliberately to entice the police to the scene. When police officers arrived, members of the group used at least four different firearms to discharge at least 12 rounds in their direction. The police were forced to withdraw and, fortunately, nobody was struck.

Sentences (all after trial):

- Lewis- 7 years – Drove leading member to scene knowing he had gun which he intended to use.
- Laidley- 7 years – directly involved in attack on pub; one of planners; fired shot at helicopter
- Francis- 7 years- full and active part in riot, armed with a gun. Judge concluded he had fired a shot at police.
- Laing- 7 years- one of organisers of riot. Armed.
- Gray- 7 years- armed and fired at least one shot
- Collins – 6 years - with a leading role member (Francis) and knew he had gun; played no active part but presence acted as encouragement to others.

(It should be noted that nearly all offenders were also charged with firearm related offences for which much higher sentences were received than for the riot offence.)

London related breakout riots in Nottingham (2012)

Organised attack on a police station, involving petrol bombs, gang of around 30 people.

Involved mob violence and a deliberate attack on police.

Sentences:

- Deejean – Pivotal role, petrol bombs made at his house. Only 15% credit as very late plea. 10 years for explosive offence, 6 years for riot. Arson 10 years. Total 10 years YOI. (Sentence slightly lower due to youth).
- Francis – Found guilty after trial. Enthusiastic and leading rioter, threw at least one petrol bomb. 7 years. (Convicted of other offences including arson with intent; Total 12 years).
- Wilson – Leading role – recruited others and involved directly with petrol bombs, not clear if he threw any. Very late plea, only 15% credit. 6 years for riot.
- McCalla – pleaded on second day of trial - very limited credit. No evidence directly involved with petrol bombs, but knew purpose of attack and recruited two others. 4 and a half years.
- Edwards- guilty plea – not directly connected to petrol bombs no evidence of recruiting others. Sentence delayed and serving a period of recall for a different offence, so sentence for riot reduced to 3 years 9 months.
- Alexander – Late guilty plea. 19 yrs old, part of a group some distance away but moving towards it, no petrol bomb involvement or recruiting. 4 years YOI.
- Powell – Found guilty after trial. Not linked to petrol bombs and recruited late but happy to join in attacking police station. On bail at time of offence, serious pre cons. 5 and a half years YOI.
- Robinson – Found guilty after trial - Judge said 'lightly convicted' as riot only - 5 years.
- Coleman- Found G after trial - Judge said 'lightly convicted' as riot only – 5 years YOI.
- Stapleton – sentence reduced as offence committed when 17 years old; 2 years 9 months.

Birmingham international airport riot (2010)

Riot between rival biker gangs at planned and premeditated event, both sides came armed and additional gang members arrived at airport. Very grave injuries were inflicted during violence between participants. The riot took place in a crowded and public area.

Sentences (all after trial):

- All received 6 years' imprisonment, regardless of role/activity, although nearly all offenders used dangerous weapons including knives and machetes, and if not they were an organiser or carried out a leading or particularly violent role in the offence. The Court of Appeal said it was right that no distinction between the offenders was drawn, saying that while participation varied, all were involved in the incident fair and square and the trial judge was justified in making no distinction between the sentences passed with all sentences richly deserved.

Violent Disorder – Case summariesMoffatt & Others

EDL demonstration in Birmingham city centre, in aftermath of Lee Rigby murder. Serious incident which involved offenders using racially/religiously insulting language and acts of violent disorder, attempting to push barriers; throwing bricks, metal barriers and portaloos, breaking through police lines and damaging public property and business premises. Even officers trained in public disorders, and who had experience of such situations, told the jury how scared they were of what was taking place as they had not seen aggression like this before.

Sentences

- Parker - forced self to front of crowds, led disorder at Portaloos, lashing out at police officers, kicking officer in the chest, shouting racially/religiously aggravated chants. Guilty plea at preliminary hearing so one third reduction; Starting point – 3 years reduced to 2 for plea (Leading role - Categorisation in draft guideline = A1)
- Rowland - contribution most serious of all. Acted aggressively towards police, tore down metal boarding, threw it and hit police officer with wood, threw metal sign at police, chanted racially/religiously abusive messages, threw liquid and fire extinguisher at police. Guilty plea at PCMH (25% credit) 3 yrs 6 months reduced to 2

years 7 months for plea (Ringleader/leading role - Categorisation in draft guideline = A1)

- Moffatt - Involvement summarised as being present at six of the seven sites, chanting racist slogans, intimidating police officers, repeatedly kicking down protective hoardings outside a convention centre, ripping up a concrete bollard from the ground, and persistently threatening violence. Removed top (aggressive gesture) Guilty plea (25% discount) 2 years 6 months reduced to 22 months for plea (Ringleader/leading role - Categorisation in draft guideline = A1)
- Purvis - Present at four sites of the disorder. Used violence at each one. Quite determined to attack police officers, and in several places on the video appeared to be enjoying himself because on more than on occasion seen smiling. Guilty plea (25% discount) 3 years reduced to 27 months for plea (Ringleader/leading role - Categorisation in draft guideline = A1 or B1 and aggravated as active and persistent participant)
- Graham - Chanting 'Ingerland', broke slab to be used as missiles, threw missiles at Police. Offending was persistent. Involved at four separate sites of the disorder. Used violence against police officers in two separate places and used violence against property. Aged only 20 which Judge noted ordinarily counts for a lot, but antecedent history detracted from that fact. Already convicted of 26 offences, and previous conviction for battery, so no stranger to violence. Guilty plea. 2 and a half years' detention in a Young Offenders' Institution. 25% credit for guilty plea. So detention for 22 months. (Ringleader/leading role - Categorisation in draft guideline = A1 or B1 and aggravated as active and persistent participant).
- Webster - Did more than other people involved in incident, pushed portaloo over, chanted, disguised himself, damaged property. Found Guilty after trial 21 months (Sentence reduced as helped injured man during incident) (Ringleader/leading role - Categorisation in draft guideline = A1)

Alhaddad & others

Violent disorder concerned demonstrations at Iraq Embassy, varying degrees of violence and seriousness on different occasions. Not far off of a riot.

- Alhaddad - The activity in which he was engaged lasted about two hours. He raised a barrier. He threw sticks at the police. He threw barriers at the police. He covered his

face when throwing objects at the police, and he was asked to desist but he did not do so. Guilty plea 2 years imp. Reduced to 21 mths on appeal. (Categorisation in draft guideline B1 and aggravated as active and persistent participant, covered face, threw missiles and objects)

- Feodorovs - He threw wood and a barrier through the window of the coffee shop, acts of mindless vandalism and then he threw wooden sticks at other people. Guilty plea 18 months. Upheld on appeal. (Categorisation in draft guideline B1 and aggravated as threw missiles and objects)
- Tamuri - Activity was limited to a thirty minute period; with his face covered he threw a pole at the police, he threw other objects at the police and banged sticks together. Guilty plea 2 years and 6 months' custody. Reduced to 12 months custody on appeal in view of his youth. (Categorisation in draft guideline B1 and aggravated as threw missiles and objects)
- Hassan - Entered a coffee shop, picked something up and left. But the judge accepted that he had gone into the coffee shop to see if there was a rear exit. He threw missiles at the police and either threw a bottle or shoe. His face was covered with a scarf. He led a group into the coffee shop holding a police shield. Guilty plea 18 months. Reduced to 10 months on appeal (in line with other sentences) (Categorisation in draft guideline B1 and aggravated as covered face, threw missiles and objects)
- El-Araj - He threw objects at the police, probably a stick. He struck a police horse with a stick, probably a broom handle. He entered the coffee shop and took items. He again threw other objects and sticks. Guilty plea 2 years imp. Reduced to 18 months on appeal. (Categorisation in draft guideline B1 and aggravated as threw objects, and struck police horse)
- Samad - The activity in which he was engaged was that he broke down barriers and threw sticks. He threw one of the barrier clips which weighed somewhere in the region of 2.5 lb which was considered a serious and important aggravating factor. It was said to be important to mark that conduct out as being strikingly different from that of others. Guilty plea 20 months custody. Upheld on appeal. (Categorisation in draft guideline could be A1 if barrier clip classed as highly dangerous weapon, otherwise B1 and aggravated as threw objects and possession of article intended to injure)

- Zenaf - He hit out at the police with sticks, kicked at the police and engaged in this activity again at a later period. He also threw a barrier at the police. Guilty plea - original sentence not specified – court said cannot see that he is different from someone who should have what the judge described as a ‘standard sentence.’ Reduced to 18 months. (Categorisation in draft guideline B1 and aggravated as threw objects)
- Al-Ani - His activity was not only less serious than the others but also the overall violence was less serious. He threw a bottle at the embassy which would have hit a policeman if the police had not been sheltered by a shield. The violence plainly must have been anticipated as directed at the police. Guilty plea - 12 months custody. Reduced on appeal to a Community Order and said; ‘We would have ordered an unpaid work requirement of 200 hours had we been sentencing initially but in the light of the period he has spent in custody we would not do so, merely imposing a nominal requirement as the Criminal Justice Act 2003 requires us to do rather than adding nothing which would have been both just and sensible.’ (Categorisation in draft guideline B1 and aggravated as threw objects, but minor role/low level involvement mitigates)
- Rizvi - The activity that he was engaged in was that he lashed out with a placard, he threw sticks at the police and attacked police lines with a stick. On another occasion he threw objects at the police, he lunged with a stick, he joined in going into the coffee shop and continued with attacks on the police. Guilty plea 18 months for 1st count 2 years for 2nd. Should have been consecutive, so reduced sentence on 2nd count to 6 months so total same. (Categorisation in draft guideline B1 and aggravated as threw objects)
- Ali - The activity in which he was engaged was for a longer period. He dismantled barriers. He covered his face when throwing barriers. He hit the police with a placard and threw objects at the coffee shop. Guilty plea 18 months. Reduced to 10 months on appeal. (Categorisation in draft guideline B1 and aggravated as covered face, threw missiles and objects).

Potter & Others

Football related violent disorder. Very large crowd attacked rival fans and police, throwing rocks and missiles repeatedly, smoke bombs discharged and bins set alight. Described as major disturbance in city centre on Sunday afternoon. Public terrified and at risk of serious injury. Judge said ‘not pre-planned but involved persistent and sequential intimidation and

violence in four different locations under the umbrella of constant threats, chanting and gesturing’.

- Harrison – Often at front of crowd, encouraging the crowd by lifting arms up and down, told Probation Officer trying to get the crowd going. Judge said ‘played no small part in encouraging the crowd to behave as it did’. Guilty plea on day of trial. 10% discount. 14 months. (Categorisation in draft guideline B1 and aggravated as incitement of others)
- Perkins - During the first surge seen near the front charging towards the Police lines. Participated in second aggressive surge and seen at the front of the crowd with hood up attempting to conceal identity. Remained at the front of the volatile crowd with hood up making no attempt to leave as the chanting and jumping around continued. Guilty plea on day of trial. 10% discount. 11 months YOI. (Categorisation in draft guideline B1 and potentially aggravated as concealed identity)
- Potter – Involved in first two surges against Police line. Thereafter remained at the front of the volatile crowd clapping and shouting at the Police and making no effort to leave the scene. Wearing someone else's jacket with the hood up to disguise appearance. Guilty plea first reasonable opportunity. 15% discount. 9 months YOI. (Categorisation in draft guideline B1 and aggravated as active and persistent and concealed identity)

Kavanagh & others (1st instance case)

Group fight outside a club early in morning.

Sentences

- Kavanagh - attempted to discourage others from violence at different times. Initially seen at the back of the group and not involved in attempts to re-enter the club or in being aggressive to the door staff. However, after the main conflict started, he was seen to punch another participant and throw a metal barrier at another. At a later stage, he restrained an unidentified male from attacking another participant. Role was limited, reluctant and influenced by misplaced peer loyalty. Late Guilty plea-approximately 20% discount – Community Order 150 Hours unpaid work (180 before plea), 12 week curfew (15 before plea) (Categorisation in draft guideline B1 and aggravated for throwing missile, but likely to be mitigated through reluctant and limited role)

- McLaren - attempted to push past door staff and threw punches at them. At a later stage, he punched another participant. He was not involved in throwing missiles and did not arm himself. Guilty plea. Intensive Alternative to Custody Community Order with supervision for a period of 12 Months; 100 Hours of Unpaid Work; 3 month curfew. (Categorisation in draft guideline B1, mitigated by minor role/low level involvement)
- Halford - armed himself with a brick, which he threw in the direction of others in the car park. He threw a second brick and was seen to break a brick on the ground, handing part to another participant and he then threw a piece of brick at rival participant. He was also seen to throw one of the metal barriers. Guilty plea, 12 Months YOI. (25% credit for guilty plea.) (Categorisation in draft guideline B1, aggravated by throwing missiles)
- Gleave - on leaving the club, immediately involved himself in violence by throwing a metal barrier and using a metal barrier to charge at the other group. He again threw a metal barrier and punched at those in the first group. Armed with a brick, he chased rival participant. Guilty plea on day of trial so only 10% credit -70 weeks imprisonment. (Categorisation in draft guideline B1, aggravated by throwing missiles)
- Elms - on leaving the club punched another participant; picked up and threw a metal barrier; picked up another metal barrier and charged towards the other group, before throwing it at them at point blank range. He later sustained an injury to his left arm, when it was struck by a metal bar projectile. Judge said '(he) greatly escalated the levels of violence and disorder and you bear heavy responsibility for the events.' Guilty plea on day of trial so only 10% credit - 70 Weeks imprisonment. (Categorisation in draft guideline B1, aggravated by throwing missiles and actions escalated levels of violence and disorder)
- Afzal - attempted to strike other participants with some unknown object. He later struck an opposing member with a bottle, causing a deep cut to his forehead. He also attempted to hit another participant with a bottle. He then picked up a metal bar, which he threw at the opposing group. Early guilty plea; 64 Weeks in custody reduced by one third to 43 Weeks. (Categorisation in draft guideline B1, aggravated by throwing missiles, and use of significant physical violence)
- Ali - unable to control himself after being removed from the club. He was the main problem for the door staff, as he repeatedly remonstrated aggressively and kicked at them. His behaviour significantly contributed to the later trouble and in the course of

it, he punched rival participant and was himself knocked to the ground. Lesser role in the subsequent violence, but Judge said important contributor overall. Guilty plea at pre trial stage so 25% discount. 25 weeks YOI. (Categorisation in draft guideline B1, aggravated by actions escalating violence)

- Nisar - Appeared initially as a peacemaker, attempting to move people away and to exert a calming influence, then overtaken by misplaced loyalties and in the course of the animosities he received a brick from which he threw at rival participant, who then chased him. Guilty plea 25% discount. Community Punishment Order 200 hrs unpaid work and activity requirement. (Categorisation in draft guideline B1, mitigated by minor role/low level involvement but aggravated by throwing missile)
- Costello - One of the first group who was behaving badly after being removed from the club. He was remonstrating and kicking out at staff and attempting to re-enter. Behaviour was bizarre and undisciplined. Significant responsibility for the trouble. Lesser role in the subsequent violence, but an important contributor overall. Guilty plea (stage and discount not specified) Intensive alternative to custody Community Order inc supervision for a period of 9 Months, 3 month curfew and Unpaid Work for 100 Hours. (Categorisation in draft guideline B1, aggravated by actions escalating violence)
- Russell - first involvement on leaving the club was to throw a punch at rival participant. In the course of the following minute, he also punched two others and he was himself badly cut by the bottle thrown. Late Guilty plea (credit not specified) 12 Months imprisonment 'suspended' for a period of 2 Years with a 'Supervision Requirement' for a period of 9 Months. (Categorisation in draft guideline B1)
- Afzal - After initially departing the scene, he returned and began punching out at others. He threw two bricks and believes that one may have hit a member of the rival group. He then left the scene. Early Guilty plea- full credit – SSO 6 Months YOI suspended for 2 Years with Unpaid Work for 150 Hours. (Categorisation in draft guideline B1, aggravated by throwing missile)

Chadwick & Others

Offence was committed in a club on and spilled out onto the street. Sustained brawl. If one watched it on a film, one would think of it as the Wild West gone mad. Quickly developed and spread rapidly. It involved some 10 or so minutes of brawling inside the club; bottles being thrown; punches being thrown; tables and chairs being thrown.

Sentences

- Chadwick - most accurately involved and not far behind, but some way behind, Saunders in participation. Guilty plea at PCMH - one third reduction - 14 Months (21 Months pre plea) Categorisation in draft guideline B1)
- Saunders - of the three, most clearly involved. Guilty plea at PCMH – one third reduction - 20 Months (30 Months pre plea) (Categorisation in draft guideline B1)
- Taylor - didn't take part inside club, 'merely stood there watching it.' Role was much more outside, came down a side street with a bottle and quite deliberately threw it at people in the doorway - described by Judge as 'like throwing petrol on burning embers'; it erupted again not in the confines of a club, but out onto the street. Guilty plea at PCMH – one third reduction - 8 Months (12 Months pre plea) (Categorisation in draft guideline B1 – aggravated as actions escalated level of violence)

Bennellick & Others

Savage attack on two individuals in a private property to enforce a drug debt. Serious injuries inflicted upon victims.

Sentences

- Bennellick – Planned and intended attack and recruited co-defendants. Guilty Plea - 3 years imprisonment (4 and a half years pre plea). (Categorisation in draft guideline A1 – Targeting of individual and leading role)
- Freshney, Whelby & Hearn – violence towards victims. Guilty pleas - 28 months imprisonment (3 and a half years pre plea) (Categorisation in draft guideline A1 – Targeting of individual)

Spooner & Others

Gained entry to a property armed with weapons at 6am in morning, female occupant forced to sit in chair while offenders rampaged through property causing very serious damage. Catastrophic effect on victim; left very nervous and great concern for future safety. Judge said very serious offence and offenders lucky Crown accepted pleas to violent disorder rather than aggravated burglary which carries 10 year maximum.

Sentences

- Wilkinson - Guilty plea 3 years imprisonment (25% credit so 4 years pre plea) (Categorisation in draft guideline A1 – Targeting of individual)

- Spooner –Lower starting point as no previous convictions. Guilty plea - 30 months imprisonment, (25% credit so 30 mths imp pre plea) (Categorisation in draft guideline A1 – Targeting of individual)