

EDWARD WOOLARD

11 January 2011

This case must be seen for what it is: one of serious criminal violence creating a situation of grave danger to others. It was perpetrated at a time when amongst a large crowd of people passions were running high, and when any degree of violence such as this was bound to make the situation much worse.

The Probation officer who has reported in this case is of the opinion that *'the main motivation to carry out this offence was to create a sense of disturbance, anarchy and anti-social behaviour, in order to bring attention to the political cause that the march intended to support.'* I have no doubt that was the case. The truth of the matter is that you, together with many others, broke into Millbank Tower in the Centre of London, with the clear intention of creating a violent disturbance.

There is no doubt that the disturbance was a major one. Very many people were involved in it. Serious damage was done to the front of building to gain access. I accept that what your Learned Counsel has said, that you were not directly involved in that, but you very quickly took advantage of it to gain access to the building and its roof.

It is, perhaps, ironic that the weapon which you threw down from the top of this very high building, and which was calculated to inflame passions was a fire extinguisher. I have seen the DVD recording of this crime. There was a large crowd of people on the ground beneath. The televised recording of the incident shows that this heavy fire extinguisher fell terrifyingly close to a group

of police officers - just a few feet away. It is in my judgment exceedingly fortunate that your action did not result in death or very serious injury either to a police officer or a fellow protester. You acknowledge this yourself, for in your letter to the court you say that although you *aimed* the extinguisher at a small gap in the crowd below, you immediately realised that it could have caused serious injury.

I take into account your age, that you have no convictions, and your plea of guilty at the earliest opportunity. I take into account the many fine references you have from kind people who support you and speak well of you. The evidence against you in this case may be overwhelming; it may well be that you would surely have been caught in any event. Nevertheless I shall take into account in your favour the extraordinary and courageous conduct of your mother, which resulted in you giving yourself up to the police so quickly.

It is deeply regrettable, indeed a shocking thing for a court to have to sentence a young man such as you to a substantial term of custody, but the courts have a duty to provide the community with such protection from violence as they can, and this means sending out a very clear message to anyone minded to behave in this way that an offence of this seriousness will not be tolerated. The right of peaceful protest is a precious one. Those who abuse it and use the occasion to indulge in serious violence must expect a lengthy sentence of immediate custody.

If ever a case calls for a deterrent sentence this is it. I wish to stress, however, that this is not a case of making an example of you alone. As I have said, anyone who behaves in this way and comes before the courts must expect a long sentence of custody.

The maximum penalty for an offence of violent disorder is one of five years imprisonment. In all the circumstances of what I regard as a particularly bad case, and that includes taking into account your age and good character which I regret to say cannot not count for much in circumstances such as these, I consider that in this case the 'starting point' should be close to that maximum – I assess it at 4 years years.

I have decided, however, that you should receive the maximum one third discount by way of credit for your plea of guilty. You will have to serve one half of the sentence I am about to impose ... The sentence of the court is that you will be detained in custody in a Young Offender Institution for a period of 32 months i.e. 2 years 8 months.