

# Research confirms harshness of sentences handed out to youth following the 2011 UK riots

By Barry Mason  
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A research paper, *The 2011 English 'Riots': Prosecutorial Zeal and Judicial Abandon*, published in the British Journal of Criminology (BJC) in October by two academics, confirms that sentences handed out in the wake of the riots in cities across England in 2011 were particularly harsh and the result of "collective hysteria".

Research for the BJC paper was carried out by Dr Carly Lightowlers, a lecturer in criminal justice at Liverpool John Moores University, and Dr Hannah Quirk, a senior lecturer in criminal law and justice at the University of Manchester. They used statistics compiled by the Ministry of Justice and data collected by the *Manchester Evening News*.

An earlier paper published by Dr Lightowlers, "Let's get real about the 'riots': Exploring the relationship between deprivation and the English summer disturbances of 2011", highlighted "an association between deprivation and rioting". It argued, "To mask the rioting as 'mindless criminality' is to ignore wider social-structural inequalities and to silence important messages contained in the rioting behaviour from disenfranchised youth and communities about the inequalities they suffer."

A University of Manchester report on the BJC paper explained, "Over 3,000 prosecutions were brought in connection with the unrest. ... By 31 August 2012, of the 2,158 convicted, all but 20 had been sentenced..."

Dr Lightowlers explained that the drive had come from the Crown Prosecution Service (CPS), with defendants charged with burglary rather than theft, which carries a tougher sentence, and that the courts chose not to follow sentencing guidelines, a decision leading to excessive, arbitrary punishments. She

explained, "It was not just the courts that over-reacted. An 'uplift' was applied at every stage from arrest, to charge, to remand, to which court dealt with the case."

Dr Quirk stated, "The CPS are prosecutors and not Judge Dredd. From arrest to sentence our research found that a tougher stance was adopted for sentencing riot-related offending and an air of prosecutorial zeal and judicial abandon was commonplace. All the agencies ... saw their role as being to pass enhanced sentences to reinforce notions of punishment and deterrence."

She added, "Whilst the offending may have been impulsive, sentencing should not be."

The riots of August 2011, the most serious for a generation, were the result of the shooting death of a young unarmed black man, Mark Duggan, a father of four, in Tottenham, north London by a member of the police Specialist Firearm Command (CO19).

Duggan was killed on August 4, 2011, and a peaceful protest by Duggan's family and supporters two days later was attacked by riot police. This sparked the rioting that affected Tottenham and other areas of London and, over the next few days, spread to other parts of the country including Birmingham, Liverpool and Manchester. The majority of those involved in the rioting were youth.

The *World Socialist Web Site* explained at the time that the response of the youth was an elemental eruption of social anger against the vast growth in poverty, deprivation and police brutality that many working class youth face on a daily basis.

Parliament was recalled for an emergency session, with politicians of all hues intent on using the full force of the state against those involved in rioting. They were

denounced from all sides, with Prime Minister David Cameron noting the riots had revealed “pockets of society” which were “frankly sick” and that the rioters had shown a “complete lack of responsibility”.

Conservative Home Secretary Theresa May described those involved in the riots as “career criminals” and another leading Tory, Kenneth Clarke, said they were the “criminal classes”.

The Labour Party chimed in, with David Lammy, MP for Tottenham, describing the riots as the result of the actions of “mindless, mindless people”. Diane Abbott, MP for the London seat Hackney North and Stoke Newington, said the riots had provided the opportunity for “every little hooligan in London” to go looting.

The hypocrisy of these representatives of the ruling elite as they denounced “criminal” youth knew no bounds. They spoke even as revelations were emerging proving that all the main political parties and institutions of the ruling elite were implicated in the illegal activities of Rupert Murdoch’s *News of the World* newspaper. Among the lawless actions committed were hacking the mobile phones of a murdered schoolgirl, celebrities and members of the Royal Family, and the bribery and corruption of police officers.

The political establishment could not address its responsibility for the social conditions underlying the riots, which were the result of decades of cutbacks in social provision, accelerated by the current Conservative/Liberal Democrat coalition’s imposition of austerity measures.

It is noteworthy that the right wing 1979-91 government of Margaret Thatcher was forced to convene an inquiry under Lord Scarman into the 1981 riots that took place under her premiership. There was a consensus that the riots were a response to inner city deprivation and police brutality.

Scarman’s report acknowledged that “complex political, social and economic factors” were at play, which had led to a “disposition towards violent protest”. His report concluded with recommendations for remedial action.

Rather than a “collective hysteria” gripping the ruling class today, as the academics conclude, the denial of basic democratic rights to those arrested after the riots, the imposition of assembly line “justice” and the chorus demanding a hard line law and order

response were an indication of the sharp shift to the right of official politics. These developments demonstrated that there was no constituency within the British ruling class prepared to defend longstanding democratic norms.

Rather, the consensus claimed there was a large “criminal underclass” infesting the inner cities that had to be dealt with ruthlessly. Conservative MP Patrick Mercer called for the brutal measures used in Northern Ireland to be used on the streets of London, while Ken Livingstone, former Labour London Mayor, called for the use of water cannons on the streets of London to be used for the first time.

The pseudo-left were not exempt from this, with the *Weekly Worker* describing “anti-social gangs that lurk on our council estates” and accusing the youth of having “wreaked wanton destruction”.

The judicial authorities carried out the dictates of the political parties to the letter. Those arrested were arraigned in front of magistrates’ courts, many sitting through the night. Contrary to claims that the disturbances were the result of underworld criminals, many of those arrested had no previous criminal convictions. Statistics revealed they were predominantly youth, including college and university students and unemployed graduates. Many of those who were employed were in low-wage jobs.

In addition to court-sanctioned punishment, some defendants were evicted from council housing or had their welfare benefits taken away. In some areas a form of collective punishment was imposed, with the families of those convicted being evicted from council housing.

The *World Socialist Web Site* noted in its article *Social deprivation led to UK riots*, the figures showing the undue harshness of the punishments handed down, and that 21 percent appearing on riot-related offences were aged between 10 and 17, with a further 31 percent between 18 and 20.

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