



THE RECORDER OF SHEFFIELD

SENTENCING REMARKS

OF

THE RECORDER OF SHEFFIELD
HIS HONOUR JUDGE JEREMY RICHARDSON KC

AT

THE CROWN COURT AT SHEFFIELD

ON

FRIDAY 9TH AUGUST 2024

REX

v

KENZIE ROUGHLEY

Preamble

You may remain seated. You must listen with care to what I am about to say.

In the printed version of these sentencing remarks there will be headings for ease of reference.

These sentencing remarks will be made available to you, your lawyers, the press and the public a short while after the conclusion of this hearing. I also direct that the printed version of these remarks shall be placed within the relevant section of the Digital Case System.

Introduction

Kenzie Roughley, you are aged 18 years.

You fall for sentence in respect of your guilty plea to Violent Disorder which you entered at the magistrates court in Sheffield yesterday. District Judge Gould committed you for sentence today.

There is absolutely no need for a PSR as this criminality plainly warrants an immediate custodial sentence.

On Sunday 4th August 2024 there was major civil disorder in the Manvers area of Rotherham. The incident was part of wider national civil unrest fostered by some form of malignancy in society spread by malevolent users of social media. The disorder was racist of character and extremely frightening for anyone who was there. It was perpetrated by an ignorant mob of which you were a part.

I have little doubt many decent people in Rotherham were badly affected by what occurred. There was violence and very threatening conduct towards police officers in particular.

Those officers are deserving of high praise for the way in which they resisted provocation and handled an immensely challenging situation with skill.

I repeat – you were part of this mob of ignorant and violent individuals.

Even though you are only 18 and have been brought up by truly dreadful parents – one of whom went with you to this event – you have a record of violence and threatening behaviour with the admixture, on occasion, of racist abuse. You have highly relevant previous convictions. You were on bail for assault at the time and had only been sentenced one month before for racially aggravated threatening behaviour.

I am, however, not unmindful of your age and your deplorable upbringing.

It must be made clear that those participating in this form of violent disorder will be punished severely by the courts. It is the duty of the court to do what it can to protect the public. Two of the statutory purposes of sentencing are the punishment of offenders and the protection of the public. Those two matters must be accentuated in a case of this kind.

The maximum sentence for violent disorder is 5 years.

It is a matter for Parliament to decide whether that is in need of revision, in the light of these recent events. I must pass sentence based upon the law as it is.

The crime of violent disorder has been considered by the Sentencing Council. I shall follow the guideline in this case.

There is no dispute; this case falls into category 1A where there is a starting point of 4 years and a range of 3 years to 4 ½ years.

For the avoidance of doubt the analysis is as follows:

1. You targeted a police vehicle and the police generally
2. You participated in an incident which involved widespread acts of violence and public disorder.
3. There was serious disruption and severe detrimental impact upon the community.
4. The incident caused substantial costs to the public purse.

Hence the case is 1A

Furthermore there are the following aggravating features:

1. You have highly relevant previous convictions – even though you are young.
2. The offending was committed whilst on bail.
3. This was a racist event.
4. Some children were present during this incident.
5. You have plainly failed to comply with current court orders.

The Facts

The South Yorkshire Police were made aware last week that there was likelihood of public disorder and violence at a hotel in Rotherham where those seeking refuge in this country were housed.

It is clear the Chief Constable and other senior officers took appropriate steps to deal with this situation. This had a considerable impact upon police resources and manpower which has been set out in the community impact statement of the Chief Constable.

The major disorder with which I am concerned occurred in the vicinity of the Holiday Inn hotel and the Aldi supermarket in Rotherham on Sunday 4th August 2024. Approximately 400 people descended upon the Manvers area of Rotherham. I have seen the video of the portion of the events in which you were closely involved. It is clear you were part of a group mainly consisting of men of all ages – although there were some women present. Their conduct was vile towards police officers.

You were part of a group desirous of provoking police officers and spreading hate.

It was an incident of major public disorder which has badly damaged the reputation of Rotherham and South Yorkshire. It would have – and doubtless did – terrify the ordinary decent citizens of that town.

There were two parts of the incident.

The first involved you participating with a group of men in taunting the police. That was a very threatening incident and you were well to the fore. Even though you are just 18 years of age, you were entirely at ease in the company of men much older than you.

Police officers had their body worn cameras activated and there were other cameras too.

You picked up what appeared to be small paving slabs from the pavement area. It was plainly your intention to use these as missiles in the disorder. You were prevented from doing so by police action. You shouted at the police "Dirty Bastards". You then continued in your abuse by saying that "she was fucked by a teacher and the teacher raped her when she was 12". Thereafter you had a cigarette in your hand which it appeared you wanted to flick towards a police officer because you said "I'll flick it in your face". You then said "- - need bricks, scare all you fannies mate. I hope you get hit over the head by a brick and curl over you fat cunt." A short while later you exclaimed "- - him here, I feel like lifting up his helmet up and going smack right under his chin."

You said these things whilst the ignorant mob, of which you were a part, were chanting racist abuse: "Allah, Allah, who the fuck is Allah".

That was vile racist abuse.

The police officers on the scene displayed were not provoked and behaved with immense professionalism in the face of a determined and violent mob. It was a terrifying incident. To see it via DVD footage in court was bad enough, but to have been present was truly frightening.

That episode lasted 10 minutes from 12.43pm to 12.53pm

The second part occurred a few minutes later at approximately 1pm adjacent to the Aldi supermarket where a police vehicle was parked. It was the vehicle in which the incident was being monitored on screens by a PCSO on his own.

You, together with other youths, began to rock the large police van. You tried to get into the van and kicked out at it. You were behaving very violently. The scene was volatile and you were adding to the volatility of it by doing as you did. The officer in the vehicle was scared for his life and thought the vehicle might be turned over – which was plainly your aim. The officer managed to scramble through to the driving area and drove away. This plainly reduced operational efficiency in the area.

You handed yourself into the police on 7th August 2024. When interviewed, you made no comment.

Previous Criminality

You have a highly relevant list of previous convictions.

There are two conditional youth cautions for affray and another public order incident in January and February 2021.

In April 2022 you were part of a group who assaulted a police officer who was seriously injured as a result. Your role was relatively peripheral as you threw a can. You were made the subject of a referral order by a youth court. That order plainly failed, because on the day it expired you were being arrested by the police for other alleged crimes and you were racially abusive to a police officer. This was in the midst of you being very obstructive to the police generally. Another referral order was imposed.

It is of significance that order was imposed just one month before this disorder.

Furthermore at the time of this incident you were on police bail for an assault following arrest in March 2024. You were scheduled to be before Barnsley Magistrates Court on 7th August 2024. That has been adjourned because of this.

Mitigation

The most important mitigation is your guilty plea. The inevitable sentence of custody will be reduced by one-third.

Your age is of importance.

I have read the report of the Youth Offending Team for your last appearance at court. It is clear you have endured an appalling and baleful upbringing at the hands of abusive parents. You have been the subject of a child protection plan and you were for many years a child in need. You do not have a diagnosis of ADHD, but the reason you are as you are is due to your truly deplorable upbringing.

I have that backdrop in mind when I pass sentence upon you.

There is nothing before me which indicates intellectual impairment or anything which suggests you were operating at anything other than as a regular 18 year old youth. Certain it is you had an easy way with adults and participated with them in this very serious violent disorder.

Notwithstanding, I will recue the sentence by reason of your age.

Miss Clubley has, in effect, asked me to keep a sense of proportion about this case – and I will.

Conclusion

I am very mindful of your age and the fact that someone does not suddenly transform to an adult at the age of 18, but you were behaving in the past as a youth who was basically out of control at a young age. The time has now come

for you to be punished for your role in an exceptionally serious incident of public disorder.

There will be those who come before the courts in due course who will have conducted themselves in a worse fashion.

You were part of a violent mob – and you were playing your part to the full. You were not being directed by others. You were doing this of your own volition.

Even though I would be entitled to move upwards from the starting point of 4 years in this case given the aggravating features, I will not do so, born of the need to keep a sense of proportion. It is as high as that because of the racist backdrop which was a major component of this public disorder. As an adult much older than you but in the same position of you, the sentence would have been 4 years imprisonment. Given your age and the deplorable upbringing you have endured I will reduce that to 3 ½ years following a trial. There is no other mitigation apart from your guilty plea. That reduced the sentence to 2 years and 4 months.

You have brought shame on yourself and the town in which you live. You must be punished for what you did.

Stand up.

The sentence I pass upon you is Detention in a Young Offender Institution for 2 years and 4 months.

The necessary statutory charge is imposed upon you.

Take him down.