



## **THE RECORDER OF SHEFFIELD**

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**SENTENCING REMARKS**  
**OF**  
**THE RECORDER OF SHEFFIELD**  
**HIS HONOUR JUDGE JEREMY RICHARDSON KC**  
**AT**  
**THE CROWN COURT AT SHEFFIELD**  
**ON**  
**MONDAY 24<sup>TH</sup> FEBRUARY 2025**

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**REX**  
**V**  
**MORGAN HEELEY**  
**And**  
**MASON LOWE**

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### **Preamble**

You may both remain seated. You must each listen with care to what I am about to say. I am afraid this will take some time as there is much to cover. It is my view these remarks will be of assistance to the Parole Board when the time comes for consideration of your release from custody.

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 be placed within the relevant section of the Digital Case System. These sentencing remarks will also be placed upon the Judiciary website for the public to read.

It is right the general public are made aware of what you did and the sentence to be imposed upon you.

There is legitimate public interest in this case and all of the cases stemming from the major public disorder in Rotherham in early August 2024.

### **Introduction**

Morgan Heeley you are aged 26 years. You were aged 25 when the crimes in respect of which you fall for sentence were perpetrated.

Mason Lowe you are aged 28 years. You were aged 27 when the crimes in respect of which you fall to be sentenced were perpetrated.

You are both to be sentenced in respect of your guilty pleas to the following crimes, both of which occurred on Sunday 4<sup>th</sup> August 2024:

- Arson with intent to endanger life.
- Violent Disorder.

The maximum sentence for Arson with Intent to Endanger Life is life imprisonment.

The maximum sentence for Violent Disorder is 5 years.

Although your cases are separate and were individually sent to this court, I heard both together as they are linked in the sense you were both independently involved in the same criminal conduct of public disorder.

You each have previous convictions to which I shall turn shortly.

In your case, Heeley, you indicated a guilty plea to Violent Disorder at the magistrates court. On that count you will receive full credit. In respect of the arson you pleaded guilty at a Further Case Management Hearing after the case was set down for trial, but before trial. You would be entitled to limited credit on that matter. As the sentence for that crime will be the lead sentence, it appears to me that a reduction of one-fifth achieves justice in your case as the overall reduction of sentence by reason of your guilty pleas.

In your case, Lowe, you pleaded guilty to both violent disorder and arson at the PTPH and, as a result, the sentence will be reduced by one quarter by reason of your guilty pleas and the stage at which you entered them.

I make it clear at the outset that the principle of totality is front and centre of my consideration in this case. I must pass a sentence upon each of you which reflects your overall criminality, perpetrated on a single occasion, which is both just and proportionate in all the circumstances. I have also been urged to keep a sense of proportion when sentencing you – and that I shall do.

There is no doubt that the families of each of you will suffer as a consequence of what you did. You both have partners and you both have young children. Their lives have been materially affected by your criminal conduct. It is a truism that the families of criminals suffer almost as much as the criminal himself and almost as much as the victims of the crimes.

Both of you had employment. In your case, Lowe, you were relatively affluent, providing an income and a good life for your family. That has been comprehensively sabotaged by your serious criminal conduct. In your case, Heeley, you have a limited history of employment, but you were training to be a barber. You have both produced misery for your families – there is no one else to blame for this, but yourselves.

It has been my misfortune – as well as my duty – to have sentenced most of the cases arising from the major public disorder in Rotherham. I am extremely familiar with the events and the CCTV footage. This case is unquestionably one of the worst of the many cases which have come before this court concerning the events at the Holiday Inn Express hotel at Manvers near Rotherham on Sunday 4<sup>th</sup> August 2024.

Those who involved themselves in the arson are unquestionably in the worst section of the mob on that day. You both intended to endanger the lives of the many people trapped in the hotel.

Both of you were involved in many of the arenas of racist criminal conduct at Manvers on that day. You were both at the forefront of it, playing your parts to the full. The venom of racism and racially motivated violence suffused the events from first to last.

The new feature in this case is that I have seen video footage from the police helicopter which has given a fresh perspective on events and the acute difficulties of the police endeavouring to protect the hotel from the large mob.

On that Sunday in August there was major civil disorder in the Manvers area of Rotherham. It was an incident which may have started peaceably enough, but it soon developed into criminality on the grand scale where several hundred people were intent on mob rule, inflicting violence, causing major damage to a building, provoking the police, and massive disorder.

That will never be tolerated in this country. It should never be countenanced in any civilised country.

The hotel was used to house those seeking refuge in the United Kingdom. There is no doubt the issue of immigration is a legitimate matter for public and political debate. Public protest is capable of being a lawful form of expression. We live in a free and democratic country where public debate and freedom of expression is entirely acceptable.

What took place in Rotherham that day had nothing whatever to do with legitimate public protest. It was a desire to perpetrate racist mob rule and commit very serious criminal offences in the process.

The incident was part of wider national civil unrest fostered by a form of malignancy in society spread by malevolent users of social media. The disorder was racist and extremely frightening for anyone who was there. It was perpetrated by an ignorant and extremely violent mob of which you were part.

Your conduct, and the conduct of that mob, has cast a dark and ugly stain across the reputation of Rotherham and South Yorkshire. There are many decent people who live in that town.

Most people in Rotherham were badly affected by what occurred.

There was serious violence and extremely threatening conduct towards two groups:

1. Those in the Holiday Inn Hotel which included residents and staff.
2. Police officers on foot, on mounted duty, with police dogs, and in police vehicles.

It was not only officers from the South Yorkshire Police, but other police forces too who came to assist. All of those officers are deserving of the highest praise for the way in which they resisted provocation and handled an immensely challenging situation with bravery, professionalism and skill. Each one of the officers was doing his or her duty to maintain order and quell disorder in very difficult circumstances. It is my intention, yet again, to call the attention of the Chief Constable to these sentencing remarks. I trust she will pass on these observations to the chief officers of other relevant police forces who came to help.

As a measure of how serious the incident became; 64 police officers were injured, several seriously; 3 police horses were injured; and 1 police dog was also injured. They required veterinary care.

Those in the hotel were terrified by what occurred outside and inside the hotel when the building was entered. When the fires were deliberately set, they thought they were about to die. They could not leave the hotel for fear of what

would happen to them. They had to remain and were therefore in acute danger by reason of the fire. In your case, Lowe, you placed a piece of plywood across a fire door to prevent those seeking to extinguish the fire from within, doing so.

There were 22 members of staff in the hotel. There were approximately 200 hundred residents in their rooms on the upper floors. They could not comply with the automated emergency recorded messages and fire alarms instructing them to leave the premises at once.

None were physically injured, but many have been mentally scarred. They were all in peril of being killed or seriously injured.

You intended to endanger the lives of them all.

Immense damage was caused to the hotel and the surrounding area.

I make no apology for stating yet again that which I have stated on several occasions when passing sentence in these cases.

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.

Three of the several statutory purposes of sentencing are the punishment of offenders, the protection of the public, and the need for deterrence.

Those three matters must be accentuated in a case of this kind.

I have paid close attention to the judgment of the Court of Appeal delivered by the Lady Chief Justice (Baroness Carr of Walton-on-the-Hill CJ) in the recent case of **R v Cush and other appeals** [2024] EWCA Crim 1382 in particular between paragraphs 3 to 21. I call specific attention to paragraph 8.

It is not simply a case of what each of you did as an individual that matters for the purposes of sentencing you. It is the whole scenario that is of importance – a scenario in which you both (as many others too) took a full part.

You were both prominent participants.

As I have already stated, you played a part in almost every aspect of the racist mob violence on that terrible day in August last year in Rotherham.

### **The Backdrop Facts**

In the week before 4<sup>th</sup> August 2024 the South Yorkshire Police were made aware there was likelihood of public disorder and violence at a hotel in Rotherham where those seeking refuge in this country were housed by the immigration authorities.

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 incident from beginning to end lasted from before 12 noon to after midnight.

Approximately 400 people descended upon the Manvers area of Rotherham.

At the outset there were two groups:

1. Those who were seeking to support the occupants of the hotel.
2. Those who opposed that group.

It appears the police managed to lead the first group away to safety.

It is those in the second group, of which you were both a part, who indulged in major public disorder in different incidents during the course of a protracted attack upon the police and the occupants of the hotel.

It is clear the second group was desirous of provoking police officers, damaging the hotel, as well as threatening and injuring the occupants of the hotel. I have now watched much recorded CCTV and other footage of the events. It is now of pellucid clarity that you, and many like you, were intent on spreading a hateful message of violence and racism.

From first to last the venom of racism infected the entirety of what occurred.

The very serious variation on a theme in this case is that you were part of the group who participated in setting fire to the bins near the hotel and you intended thereby to endanger the lives of the many people, in effect, trapped in the hotel. The fact that it appears neither of you started the fire is, in my judgment, immaterial. You each sought to keep the fire burning.

I am entirely satisfied you went to the area of the hotel with a view to participating in racist mob violence. You may not have planned the extent of it, but once it eventuated, you were each a full participant in it for a protracted time.

I shall come to what each of you did in a short while.

### **The Detailed Facts**

At about 12.30pm after the first group had been led away to safety the police cordon was broken by protestors who had turned very rapidly into a mob.

The first incident was in the vicinity of the Aldi supermarket when police vehicles were under attack by the mob of which you, Heeley, were part. You

Heeley, you were parading around on a quad bike draped in the flag of St George – that was shameful.

The focus then changed to the hotel.

It is right to observe that you were part of a group – and well to the fore in that group – who were chanting high octane racist abuse at the occupants of the hotel.

Many members of the mob entered the Holiday Inn, where windows and doors were smashed and damaged. Fire extinguishers were stolen and subsequently sprayed onto police cordons so they could not see through their shields.

A fire was started outside one of the fire doors of the hotel and missiles were thrown towards officers who were trying to manage and de-escalate the increasing violence.

The disorder carried on well into the early hours of the following morning, almost 12 hours after the start of the incident, with violence spilling out into nearby businesses and residential streets.

You participated in many of the very serious incidents during the day.

You were both well to the fore in all of this.

The CCTV recording of what you did reveals the ferocity and seriousness of it. It is truly appalling to watch. It is almost hard to believe this form of behaviour took place in the United Kingdom, but it did.

I shall now set out the conduct of each of you.

### **Heeley**

The incidents in which you were involved were these:

1. You were wearing a black balaclava as camouflage.
2. You opened the door of a moving police van in the midst of a concerted attack upon that van and its occupants who were police officers doing their duty.
3. You obtained a supermarket shopping trolley to use as a weapon. You were seen pushing it around. Others used those items as weapons to throw at the police.
4. Outside the hotel you pushed over a woman police officer – the mob cheered.

5. You kicked at the fire door of the hotel to smash the glass – the mob cheered.
6. You threw a wooden plank into the hotel
7. You threw a wooden plank at police officers who were trying to protect the occupants of the hotel.
8. At approximately 2.30pm you were throwing a series of missiles at the police line. An officer was hit with a piece of wood you threw. You were also throwing other missiles at the police.
9. You entered the hotel through the damaged fire door and obtained a fire extinguisher – not with a view to using it properly, but to aim the contents at police officers to prevent them from seeing where they were going. Once emptied you threw the cannister at the police officers in the line.
10. You threw further missiles at the police officers.
11. You endeavoured to set fire to a curtain of the hotel which was billowing through a damaged window. You failed to set it on fire.
12. Thereafter you went to the large refuse bin which had been placed near the fire door by others and had been ignited in part by others. You added an item to the bin. You did so very delicately and the inference is clear that you were holding some form of match or smouldering item with a view to igniting the bin further. I do not accept your account it was a blooded tissue. It appears to have had limited, if any, effect.

### **Lowe**

The incidents in which you were involved were these:

1. You were involved in several of the incidents throughout the day. You were trying to camouflage your face by wearing a mask.
2. At 12.30pm you were on your quad bike parading around the scene draped in a flag of St George. You eventually abandoned the quad bike.
3. You were seen to be drinking alcohol on a number of occasions.
4. The large refuse bin had been set on fire by others and it was adjacent to a railing and the fire door of the hotel. You climbed on top of the railing and propped a piece of plywood you had obtained against the fire door which had been smashed. The occupants of the hotel – almost certainly a police officer – were trying to extinguish the fire in the bin with fire extinguishers. Your conduct prevented the fire being



put out and you also thereby prevented egress from the building via that door. You plainly aided and abetted the arson and you plainly intended to endanger the lives of those in the hotel thereby.

5. You pushed out at police officers. You were gesticulating at police officers with high octane abuse. You were plainly trying to goad and provoke police officers whilst they were trying to do their duty. You had the flag of St George shamefully draped across you.
6. You also tried to grab the shields of the officers. Some of your number managed to obtain police shields which were dropped by officers. You further kicked out at the police in the cordon.
7. At approximately 5pm you were involved in more observed criminal conduct, by yet again trying to goad police officers with abuse.
8. You were also seen talking to a woman in a Mercedes car. She, among other things, said you should "grow up". It was your partner and your children were in that car crying. You later told the police that you told her to move away as you did not want your Mercedes car damaged.

It is very important I set out the impact of this.

### **The Impact of these serious crimes**

Chief Inspector Spratt led the team of police officers who managed to gain entry to the hotel to assist those trapped inside. He found the occupants of the hotel in a terrified state. They did their best to protect themselves. Two police officers were also trapped in the hotel. Mr Spratt had to discharge a PAVA cannister at the mob in order to try to protect the occupants of the hotel.

Mr Paul Coulson was the maintenance manager of the hotel. He has set out the position from the viewpoint of staff. Members of staff of the hotel were taken to the hotel panic room. They barricaded themselves in with freezers against doors to protect themselves. Mr Coulson has stated staff were "panicking and crying" and "were scared to death". They were terrified they were about to die.

Police officers were adversely affected as set out in the statement of the Chief Constable. Well over 50 officers were injured.

I have also considered the witness statements of individual officers who were on the front line of this. Several thought there was a real risk of being attacked and killed, such was the ferocity of the attack. That is entirely verified by the CCTV material.

Local residents heard the disturbance and were scared that the offenders would try to get into their homes. One resident was at home with her children and saw protesters climbing over her garden fence. She was fearful of her

windows being smashed. She describes in her statement of being petrified and has been scared to leave her own home since.

The impact financially upon the police is estimated to be in excess of £1 million. Thousands of pounds worth of damage was caused to the hotel.

### **Previous Convictions**

You both have previous convictions.

In your case, Lowe, these are primarily for driving crimes. These are noted but will not affect sentence.

In your case, Heeley, you have relevant previous convictions covering affray, Assaults – including upon police officers, taking weapons into a prison, wounding, and threatening behaviour. I cannot ignore this, but I shall not allow this to overly affect the sentence. It largely deprives you of the mitigation that you are a man free from crime in the past. That approach may be regarded as generous to you.

### **Sentencing Guidelines**

I must, and will, pay close attention to the individual guidelines of the Sentencing Council for the separate crimes.

It is also the case that the principle of totality is front and centre of my consideration in this case.

It is right to observe that both advocates representing you, accept that in respect of each crime the correct categorisation is A1. That was a proper concession.

I shall address the individual crimes and then weigh carefully the principle of totality.

It is my intention to pass concurrent sentences, but treat the arson as the lead offence and I shall increase that sentence to reflect overall criminality.

### **Arson**

There can be no doubt the arson with intent to endanger life falls into category A1 where there is a starting point of 8 years and range of 5 to 12 years.

For the avoidance of doubt the analysis is as follows:

You intended to endanger life – the case falls within culpability category A.

By your conduct there was a very high risk of very serious physical and psychological harm

There was very serious consequential economic and social impact – this all took place in the midst of major public disorder.

Considerable economic damage was caused by your conduct.

The aggravating features are these:

This whole episode was suffused with racism.

This was planned and premeditated, albeit your role in the arson may not have been planned by you.

You attacked a public amenity – namely a hotel

Multiple people were endangered

The impact on emergency services was exceptionally serious

The community impact is considerable.

This case plainly falls into category A1.

### **Violent Disorder**

There is no dispute; this case falls into category A1 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:

Police and/or the occupants of the hotel were targeted.

The incident involved widespread acts of violence and public disorder.

There was serious disruption and severe detrimental impact upon the community as revealed in personal statements and community impact statements.

The incident caused substantial costs to the public purse.

This was a racist incident.

### **Totality**

The principle of totality requires me to pass an overall sentence which is both just and proportionate which is reflective of your criminality taken as a whole.

It is important I demonstrate that.

I shall indicate the individual sentences – had they each stood alone – and then I shall indicate my overall sentence which will be passed upon the lead offence.

The evaluation of totality is not an arithmetical exercise, but requires the court to utilise its judgment based on all the circumstances of the case so that a just and proportionate sentence is achieved.

### **The Pre Sentence Reports**

I shall cover the PSR for each of you. I have read them with care.

The conclusion in each of your cases is that you are a dangerous offender. That is a conclusion with which I agree. It is, however, important that I keep a sense of proportion in each of your cases. I have been urged to do so by counsel. It is a submission I accept.

#### **Heeley**

The report in your cases sets out:

- (1) You told the probation officer you went to the scene because of social media posts.
- (2) The probation officer says there was a level of planning on your part due to you taking a balaclava as a means of disguise.
- (3) The probation officer felt you were trying to minimise your involvement and you lacked empathy for the victims of your crimes.
- (4) Your previous criminality was closely analysed.
- (5) You have very limited education and were expelled from school. You can barely read and write.
- (6) Your behaviour is impulsive.
- (7) It was thought there had been some improvement following your release from prison in terms of your maturity, but this was not sustained.
- (8) The report concludes that you are at high risk of causing serious harm to the public.

It will be appreciated that I have much summarised the report.

#### **Lowe**

The report in your case sets out:

- (1) The probation officers reports you saying you went to the scene out of curiosity. I make it clear, if that was your intention at the outset, it ceased to be so after a very short time as events unfolded.
- (2) You have a strong work ethic and have worked for your adult life providing for your family.
- (3) You have been with your partner for 12 years.

- (4) You express considerable concern for your partner and her ability to cope given your imprisonment.
- (5) The report concludes that you are at high risk of causing serious harm by reason of your involvement in all of this offending.

Again, it will be appreciated that I have much summarised the report.

### **Mitigation**

I shall cover the mitigation advanced on behalf of each of you.

### **Heeley**

I have considered all of the material I have been invited to read:

- The PSR
- The letter you have written where you express remorse
- The letter from your partner where she sets out that you are a good father and the problems she is facing by your imprisonment
- The sentencing note prepared by Miss Tanner

Your solicitor, Miss Tanner, has made the following important points of mitigation on your behalf:

1. You have pleaded guilty to these crimes and I should reduce sentence by one-fifth given all the circumstances. I accept that submission.
2. It is submitted your involvement was to aid and abet the arson and it was not you who started the fire. I accept that submission, but you were part of the group closely connected to the fire and by your conduct you plainly wanted the fire to take hold.
3. At the time you were training to be a barber and had a partner with two young children. You have limited education.
4. Miss Tanner emphasises your lack of maturity – albeit you were aged 25 at the time – and you were seeking some form of cudos with your friends by doing as you did.
5. Miss Tanner concedes that you are eligible to be adjudged a “dangerous offender” as the statutory criteria is met, but she asks me to keep a sense of proportion in all the circumstances of the case.
6. You now feel remorse for what you did, as well a shame.
7. You are taking the opportunity to take education courses and you are making the best of your time in prison.

8. You are desirous of stabilising your life and resuming a relationship with your family and children. You are deeply unhappy at being separated from your children
9. I have been asked me to pay particular attention to the principle of totality.

### Lowe

In your case, Lowe, I have read all the relevant material including the PSR.

Mr Adams, on your behalf has advanced the following points of mitigation:

1. You were a hard working family man with a good job as a plumbing engineer. You have a partner and young children. All will suffer due to your criminal conduct.
2. Your family are supportive and many of them were in the public gallery to support you at a difficult time for you.
3. You are now remorseful for what you did.
4. Your conduct in relation to the fire amounted to approximately 10 seconds worth of involvement and was limited.
5. I have read the many references about you. Many speak well of you. Your mother wrote movingly about you and the way she sees you.
6. You are now a “trusted prisoner” and making the best of your time whilst in custody. I am pleased to hear this.

### Conclusion

It has not been argued that I should adjourn for a psychiatric report in either of your cases. There is no suggestion you were mentally disordered at the time of these crimes or have a constitutional desire to set fire to property.

I have sufficient information in the material I have.

In respect of both of you I must consider whether you are each a dangerous offender. In this regard I am very mindful of section 308 of the Sentencing Act 2020. I may only determine you to be a dangerous offender if you pose a significant risk to members of the public of serious harm occasioned by the commission by you of further serious crimes of violence (specified offences).

I am not prevented from making an assessment of dangerousness because one of you has limited previous convictions and conviction several years ago. I accept it is necessary to analyse the circumstances with particular care and apply the statutory test with rigour in a case such as this.

In making my assessment I must take into account all the circumstances of your current offending and all the information which is before the court including the contents of the PSRs about each of you. I judge you as individuals – there is no collective assessment.

The circumstances of this case are exceptionally serious, as I have set out. The involvement of each of you was not short-lived or peripheral.

Anyone who viewed the compilation video of the conduct of each of you would be left in no doubt whatsoever, that what you did that day reveals you to be a dangerous offender. It is conceded on behalf of each of you, that the criteria for adjudging you to be a dangerous offender is met.

I am entirely satisfied you are both dangerous offenders and that an extended sentence is plainly demanded in each of your cases in order to adequately protect the public.

My reasons are very straightforward.

You are both demonstrably capable of executing very serious mob violence and seriously endangering the lives of people whom you appear to despise.

You both materially assisted others in relation to the fire adjacent to the fire door of the hotel. The serious violent criminality in which you both involved yourselves was not short-lived or peripheral. You were both in the thick of it and each played a prominent role. You are both unquestionably dangerous offenders.

Even though both of you deny this, I am also sure you had a racist mindset at the time. Your conduct exemplifies this – despite your protestations to the contrary to the relevant probation officers. The circumstances of all the very serious criminality in which you both involved yourselves over a prolonged period of time clearly demonstrates you are each dangerous by reference to the statutory test.

It is my judgment you will both need careful monitoring when the time comes for your release. It is to be hoped the racist malignancy within you both can be eradicated whilst in custody.

It is my view standing alone, and following a trial, these notional determinate sentences would have been justified in the absence of mitigation:

Arson with Intent to Endanger Life – 9 years

Violent Disorder – 4 years and 6 months

I am conscious that each of you had less involvement in the fire than others, and that is why the sentence for that is slightly less than others who were marginally more involved, but the role you took was such as to warrant a substantial sentence.

The fact this immensely serious criminality, taken as whole, was perpetrated in the midst of exceptionally vicious public disorder which was suffused with racism, whereby you were seeking to harm the many occupants of a hotel – who were terrified inside that they were about to die – coupled to the concurrent attack upon the police, makes this an example of one of the worst cases of arson with intent to endanger life, of its kind, which has come before the courts.

In my judgment I am entirely justified in moving towards the upper range of sentence within the guideline. Notwithstanding it is important to keep a sense of proportion about what you did.

You intended that the occupants of the hotel should come to very serious harm and you plainly participated in a brutal attack upon the police who were bravely trying to keep order. I accept that you did not start the fire, but you both – in differing ways – materially aided and abetted that crime.

You were leading participants in an ignorant racist attempt at mob rule.

You were both well to the fore, indeed you were right at the front, in this truly appalling civil disorder of major proportions.

An exemplary and deterrent sentence is necessary.

It is important I do not double count factors and I have guarded against that.

It is my view that following a trial a notional determinate sentence of 11 years would have been passed upon each of you, absent mitigation. That sentence reflects overall criminality by reference to the principle of totality. You not only committed the crime of arson, but there were other very serious acts of violent disorder perpetrated by you both.

I have noted your previous convictions – where relevant – but given the level of sentence warranted in any event, I have decided to make no upward adjustments because of them. That is particularly relevant to you, Heeley. I would have been entitled to do so, but given the argument about your maturity – which is valid to a limited extent – I will reflect that by not making any upward adjustment.

It is my view I should reduce the sentence in each of your cases by 1 year to take account of the personal mitigation.

Accordingly, before taking account of the reduction in sentence by reason of your guilty pleas, the notional sentence would have been 10 years in each of your cases.

By reason of your guilty pleas the sentences would be reduced as follows:



In your case Heeley – the custodial sentence is 8 years in total by reason of a reduction of one-fifth.

In your case Lowe – the custodial sentence is 7 years and 6 months by reason of a reduction of one quarter.

I have then stood back in each of your cases to assess whether any further reduction is warranted having regard to the principle of totality. In my judgment there is no need to make any further adjustments.

Because you are both dangerous offenders I shall extend the sentence by 3 years in each of your cases for the protection of the public. The full extension period permitted by law is not necessary in each of your cases.

For the avoidance of doubt, although the entirety of the violent disorder was racist, I am required to indicate the uplift by reason of that factor. I adjudge that to be 6 months in this case in respect of the concurrent sentences for the violent disorder.

### **Sentence**

You must now both stand.

**The sentence I pass upon you, Heeley, in total, is an Extended Sentence of 11 years.**

The custodial term is 8 years.

The extension period is 3 years.

I shall pass that sentence on the lead offence of Arson with intent to endanger life. It reflects overall criminality.

The individual sentences are as follows:

Arson with Intent to Endanger Life – an Extended Sentence of 11 years in the way I have just explained. I repeat, that reflects overall criminality.

Violent Disorder – 3 years and 4 months imprisonment to be served concurrently.

The necessary statutory charge is imposed upon you with the appropriate ancillary order.

**The sentence I pass upon you, Lowe, is an Extended Sentence of 10 years and 6 months.**

The custodial term is 7 years and 6 months.

The extension period is 3 years.

I shall pass that sentence on the lead offence of Arson with intent to endanger life. It reflects overall criminality.

The individual sentences are as follows:

Arson with Intent to Endanger Life – an Extended Sentence of 10 years and 6 months in the way I have just explained. I repeat, that reflects overall criminality.

Violent Disorder – 3 years and 9 months imprisonment to be served concurrently.

The necessary statutory charge is imposed upon you with the appropriate ancillary order.

In each case, I have decided not to make you the subject of a Criminal Behaviour Order, as I am imposing an Extended Sentence upon you both. It is much better the Parole Board control your behaviour in due course, for the entirety of this sentence.

You will in the future be released on licence when the Parole Board determines. If you breach the terms of that licence you may be recalled to prison and you may be required to serve the entire term.

I appreciate these are severe sentences – they are intended to be severe, given the circumstances of this exceptionally serious criminality of its kind.

Take them down.