



JUDICIARY OF
ENGLAND AND WALES

ISLEWORTH CROWN COURT

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-V-

TRENTON OLDFIELD

SENTENCING REMARKS OF HH JUDGE ANNE MOLYNEUX

19 OCTOBER 2012

On 7th April 2012 you swam into the River Thames during the University Boat Race. You intended to disrupt the race and you did so. You have been convicted of Public Nuisance. Thousands of people had lined the banks of the river to enjoy a sporting competition. Many more were watching at home on live television.

The race officials were alarmed that you were at risk of death or serious injury, or that you might cause a crash between the 20 or so launches which were following the rowers. They took swift and decisive action to stop the race. The crews of both boats responded quickly and you were not harmed. You were arrested and the Police acted with great diligence to ensure that you were kept safe from the angry crowd. It is a fact, upon which you should reflect, that the first thought of all those you came to disrupt was to ensure your safety.

It took some 25 minutes to restart the race. At your trial you placed great emphasis on the fact that the race was restarted and was completed. That is so. No one will ever know what the outcome would have been if you had not acted as you did. What we do know is that you spoiled the race. You caused delay and disruption to it and to the members of the public who had gone to watch it and to enjoy the spectacle of top athletes competing.

The rowers had trained for many months. You had no regard for the sacrifices they had made or for their rigorous training when you swam into their paths.

You gave evidence at your trial of your views that this was an elitist race supported by an elite society. You said that you acted as you did to draw attention to inequality. You said that you planned to disrupt the race, that you are content with what you did and that you have no regrets. You said "I knew that there would be people upset. There is a long history of protest, it is part of British culture, and unfortunately delays are a part of protest". It is a fact, upon which you should reflect, that the race you interrupted is a free spectacle open to all.

Lord Hoffman said, in a speech upon which you rely, “It is a mark of a civilised society that it can accommodate protests, but there are conventions which are generally accepted by the law breakers on one side and the law enforcers on the other. Protestors behave with a sense of proportion and do not cause excessive damage or inconvenience. And they vouch for the sincerity of their beliefs by accepting the penalties imposed by the law”.

You have drawn that speech to the attention of the court, together with the case of Anwen Jones and other cases to suggest that your sentence should be a conditional discharge. Each case must, of course, be considered on its own facts. It is notable that those who protested in the Anwen Jones case did so with some elements of spontaneity. Your actions were planned. The offence they were convicted of was different from that for which you have been convicted. They all accepted responsibility for their actions and pleaded guilty to them. That cannot be said of you.

The prosecution accepted that you are a man with a social conscience. A great many good people gave evidence at your trial on your behalf. A great many more have written in your support. You have worked for the benefit of the community both paid and unpaid over the last 11 years since you came to the UK. You are a man previously of good character. You are an intelligent man. You have observed the strict conditions of your bail for many months. A full pre sentence report has been prepared and the court has had regard to it. All of those matters are taken into account in your favour.

On 7th April at least 5 elements of your decision and behaviour were wrong:

1. You acted disproportionately. There were many other ways in which you could have promoted your views more effectively. It was not clear to anyone who saw what you did what your views actually were.
2. There was no immediate or instant need to act as you did. Other means were available to you of drawing attention to your cause. As Lord Justice Buxton said “in those circumstances, criminal self help can not be reasonable”.
3. Your actions were dangerous. You placed your life at risk and in so doing endangered the health and safety of others.
4. You decided that you had the right to stop members of the public enjoying a sporting competition which they had chosen to go and watch. You did not have that right. You did nothing to address inequality by giving yourself the right to spoil the enjoyment of others. In doing so you acted without regard for equality and contrary to the meaning of it.
5. You made your decision to sabotage the race based on the membership or perceived membership of its participants of a group to which you took exception. That is prejudice. No good ever comes from prejudice. Every individual and group of society is entitled to respect. It is a necessary part of a liberal and tolerant society that no one should be targeted because of a characteristic with which another takes issue. Prejudice in any form is wrong.

Your offence was planned. It was deliberate. It was disproportionate. It was dangerous. You have shown no regret.

The court has regard to the principles of sentencing as set out in the Criminal Justice Act. The Court has weighed the culpability and harm of your actions.

I sentence you to six months in custody.