

UK: Colston Four acquittals fuel Johnson government's determination to intensify law-and-order agenda

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Boris Johnson's Conservative government has responded to verdicts acquitting four protestors who toppled a statue of slave trader Edward Colston with threats to change the law.

The verdicts cannot be overturned and the defendants retried without new evidence being presented, and the case set no legal precedent. However, Attorney General Suella Braverman is "carefully considering" referring it to the Court of Appeal to "clarify the law for future cases."

During protests across Britain against the police murder of George Floyd in the US in June 2020, Colston's statue was torn down and dumped into Bristol Harbour by a cheering crowd of 10,000. Between 1672 and 1689, Colston's Royal African Company shipped more than 84,000 branded West African men, women and children into slavery. Some 19,000 died on route and were dumped at sea.

Residents had long complained that the statue was an affront. Campaigners had been calling for its removal for decades.

The day after the protests, Home Secretary Priti Patel boasted, "The thugs and criminals responsible are already being brought to justice," and said the arrest total already stood at 135.

Patel noted that, even with social distancing, "As many as 137,500 people" had demonstrated nationally.

The government used criminal damage to property, citing the defacement of a statue of Winston Churchill in London and the toppling of Colston, to justify legal repression against such explosions of anger.

The "Colston Four," Sage Willoughby (22), Rhian Graham (30), Milo Ponsford (26) and Jake Skuse (33), were charged, with "others unknown," with damaging the statue and its plinth without lawful excuse. When they were charged last January, police used lockdown restrictions to deter supporters from sympathetic demonstrations outside court.

The defendants were told by a district judge they could be tried in a magistrates' court, but all four insisted on their right to be tried before a jury.

They drew attention to Colston's record, and to the calls for the statue's removal. They did not deny involvement but argued that the presence of the statue was a hate crime and so its removal was no offence.

Denying that they were trying to edit history, Willoughby pointed out that others were "whitewashing history." The statue's

plaque described Colston as "virtuous and wise."

The prosecution insisted it was "irrelevant" who Colston was. The case was about criminal damage.

Blinne Ní Ghrálaigh, representing Graham, said the verdict "demonstrates the fundamental importance of trial by jury."

This has triggered a right-wing fury against jury trials. Former communities secretary Robert Jenrick tweeted, "If you've broken the law and committed criminal damage you should be punished. If the jury is a barrier to ensuring they are punished then that needs to be addressed."

Editorialising against the Bristol verdict, the *Telegraph* stressed that a conviction for criminal damage to Churchill's statue was secured, with a fine and compensation imposed, because "Justice was done, though in a magistrates' court with no jury."

The government is looking to its legal options. Transport Secretary Grant Shapps spoke out against "destroying public property," and pledged that the new Police, Crime, Sentencing and Courts Bill will "provide other routes" to "fix any loopholes in the law."

This draconian bill, currently completing its passage through Parliament, has provoked widespread protests.

The 14-year prison sentence handed down last month to 25-year-old Ryan Roberts for his part in a Bristol protest against the Police Bill was an act of punitive class justice in order to intimidate all such demonstrations.

His disproportionate sentence confirmed the intensifying drive to authoritarian measures embodied in the bill, curtailing the right to protest and strengthening the sanctions available. It enables police to place greater restrictions on static "public assemblies," to impose conditions even on "one-person protests" and empowers the home secretary to decide what constitutes "serious disruption"

Convictions will be easier to obtain and carry greater fines and sentences. It limits a broader range of protest and empowers undercover police officers to commit "conduct ... which would otherwise constitute criminality."

Roberts is the twelfth person sentenced for the events of March 21, 2021, in Bristol and the first convicted of riot. Between them, the 12 have received combined prison sentences totalling nearly 50 years. Roberts was also convicted of attempted arson with intent to endanger life, attempted arson reckless as to whether life was endangered, and two counts of arson being reckless as to whether

life was endangered.

A vulnerable individual with many problems, Roberts's mental state at the time was raised by his defence. The 25-year-old is diagnosed with ADHD and had taken cocaine and been drinking prior to the protest. Defence barrister Nicholas Lewin said Roberts was "perhaps not equipped to be fully integrated" within society. "The issue of impulsive behaviour becomes more acute for someone who suffers from that condition," Lewin said. "Custody for him will be considerably more difficult than it would be for somebody without his difficulties."

No matter. He was made an example of. Judge James Patrick's summary presented Roberts as "actively involved in committing violence" and having "carried out a leading role in the encouraging of others in the setting of other fires." Detective Superintendent James Riccio said Roberts's actions "escalated the level of violence directed at officers that night."

Roberts's account matched other evidence of mounting anger at the police, who instigated the violence in Bristol. He described how, as night fell, riot police attacked protestors, "pushing, shoving and hitting" them with shields and batons.

He said he got "carried away" and was "fighting for a cause I felt strongly about," freedom of speech, as the Bill would ban peaceful protest. Roberts was accused of leading chants of "ACAB: All cops are bastards" outside Bridewell police station, throwing cans, bottles and placards at officers, and verbally abusing and kicking them. He pushed burning cardboard under two police vans and set light to industrial bins around an already partially burnt police car. He smashed the windows of a mobile police station and helped roll it over and torch the cab.

Demonstrations defending the right to protest have been routinely met with brutal police attacks, while the media parroted police and government propaganda that the violence came from the "mob" of demonstrators.

In Bristol, riot police launched repeated assaults, including mounted charges and using dogs, to disperse a peaceful sit-down protest. Mobile phone footage shows police officers repeatedly assaulting protestors. The *Daily Mirror's* Matthew Dresch posted footage of his own assault by police, even though he had identified himself as a journalist.

Avon and Somerset police initially claimed 20 officers were assaulted or injured, two hospitalised with broken bones, and one suffered a punctured lung. This was widely circulated by the press before the police admitted that the officers had *not* suffered broken bones, and no officer had a punctured lung.

Yet Bristol's Labour Mayor, Marvin Rees, praised the police for having "shown they are capable of managing protest well and with sensitivity."

Rees expressed "surprise" at the Colston Four verdict, given the footage shown during the trial, but said he was "not particularly interested in what happened to four individuals." With finely tuned racist sleight of hand, he concluded, "We're not even talking about racism now. We're talking about, to be perfectly frank, four white guys who got found 'not guilty'."

He added that it was important not to alienate those who "still feel a connection to Colston," or there was a risk of "sowing the seeds of social division."

The reality of the social divisions in society upheld by the legal system was underscored by the contrasting treatment meted out to Ryan Roberts and 21-year-old Ben John.

John, tried last August under the Terrorism Act, was described by police as a "white supremacist with a neo-Nazi ideology". In 2018, he appeared on the radar of counter-terrorism police after writing "Eternal Front—Lincolnshire Fascist Underground," denouncing gay people, immigrants and liberals.

He was charged in January 2020 with offences including possessing documents on combat, homemade weapons and explosives. Judge Timothy Spencer QC said John's cache of 67,788 documents on hard drives largely related "to Nazi, fascist and Adolf Hitler-inspired ideology. But there was also a substantial quantity of more contemporary material espousing extreme right-wing, white-supremacist material."

A jury found John guilty of possessing information likely to be useful for preparing an act of terror, which carries a maximum jail sentence of 15 years.

However, describing John's actions as "an act of teenage folly" and an isolated incident, the judge gave him two years' imprisonment, suspended, plus a further two years on licence.

After requesting the fascist avoid reading far-right material, the judge recommended he read instead some of the classics of English literature and vowed to test him on his progress at a later hearing!

Two days after the verdict on the Colston Four provoked Tory wrath, reports of John's sentence review hearing at Leicester Crown Court noted that he had brought copies of Jane Austen's *Pride and Prejudice* and Shakespeare's *Twelfth Night* with him. Asked by the judge whether what he had read was "of more satisfaction to you than some of the material we heard about in front of the jury," John said evasively that he preferred Shakespeare to Austen, "but I still enjoyed Jane Austen to a degree." The judge replied, "Well I find that encouraging."



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