

Rex -v- Lucy Connolly

His Honour Judge Melbourne Inman KC

Recorder of Birmingham

Sentencing Remarks

1. Lucy Connolly you have pleaded guilty to the offence of distributing material with the intention of stirring up racial hatred.
2. Sadly this is one of a number of cases that this court has had to deal with arising from civil unrest following the very tragic events in Southport on the 29th July 2024.
3. As everyone is aware some people used that tragedy as an opportunity to sow division and hatred, often using social media , leading to a number of towns and cities being disfigured by mindless and racist violence, intimidation and damage which has been summarised by the prosecution today.
4. It is strength of our society that it is both diverse and inclusive. There is always a very small minority of people who will seek an excuse to use violence and disorder causing injury, damage, loss and fear to wholly innocent members of the public and sentences for those who incite racial hatred and disharmony in our society are intended to both punish and deter .
5. At 8.30pm on the 29th July of this year you used the social media platform, then known as Twitter, to publish the following:

“Mass deportation now, set fire to all the fucking hotels full of the bastards for all I care, while you’re at it take the treacherous government and politicians with them. I feel physically sick knowing what these families will now have to endure. If that makes me racist so be it”

6. When you published those words you were well aware of how volatile the situation was. As everyone is aware, that volatility led to serious disorder in a number of areas of the country where mindless violence was used to

cause injury and damage to wholly innocent members of the public and to their properties.

7. Your message was widely read – it was viewed 310,000 times with 940 reposts, 58 quotes and 113 bookmarks.
8. By the time you were arrested on the 6th August of this year you had deleted the account. From enquiries made by that police they were able to establish that the individual tweet the subject of this offence remained available for at least three and a half hours.
9. The police were however able to trace other tweets that you had sent both before and after the 29th July which included further racist remarks. On the 5th August, the day before you were arrested you sent a WhatsApp message which included “..*raging tweet about burning down hotels has bit me on the arse lol* “ which is commonly understood to mean laugh out loud.
10. You also messaged that if enquiries of you were made, you would deny you were responsible for the message and if you were arrested you would “*play the mental health card* “.
11. I have to apply the Sentencing Council Guidelines for this offence.
12. In relation to your culpability this is clearly a category A case – as both prosecution and your counsel agree, because you intended to incite serious violence.
13. In relation to harm it is again agreed, correctly, that what you did encouraged activity which threatened or endangered life and therefore falls within category 1. There is also further relevant factor in relation to harm in that you sought, and achieved, widespread dissemination of your statement by posting it on social media.
14. The starting point after a trial is therefore one of 3 years imprisonment.
15. There is a further significant aggravating factor namely, the timing of the publication when there was obviously a particularly sensitive social climate. It would be difficult to think of a more sensitive such time than during the evening of the 29th July of this year.
16. All of those factors would require a significant increase in the sentence beyond the starting point.
17. As to mitigation. You are now 41 years of age. It is clearly a mitigating factor that you have no previous convictions. I have also read the character references on your behalf from those who know you. They speak of a caring person including those for whom you acted as a child minder for their children. You have a good family and a young daughter who is undoubtedly missing you terribly. I also take into account that this will be the first time you have been in prison and present circumstances.

18. In relation to the offence I have regard to the fact that although it was widely read, you did not repeat any such statement and in due course deleted it and you sent some messages to the effect that violence was not the answer.
19. You have had tragedy in your own life with the loss of your very young child some years ago. I have read the psychiatric report from some twelve years ago as to the psychiatric difficulties you then suffered.
20. I accept that you still very keenly feel that loss.
21. There is no recent psychiatric evidence and whilst you may well have understood the grief of those who suffered their own tragic losses in Southport you did not send a message of understanding and comfort but rather an incitement to hatred. There is no evidence of any mental disorder having any material affect on you committing this offence.
22. Similarly whilst I accept you regret your actions and I have been referred to messages in which you say that you disagree with racism and violence, it is clear from the evidence of your own words in the days following your actions, what you said to the police and what you said to the probation officer that you have little insight into, or acceptance of, your actions.
23. I have to balance all of those factors.
24. The minimum sentence after a trial would have been three and a half years imprisonment.
25. You pleaded guilty at the Plea and Case Management hearing and you are therefore entitled to a reduction in that sentence of twenty five percent.
26. The sentence on count 1 therefore is one of 31 months imprisonment. You will serve forty percent of that sentence. When you are released you will remain on license for the balance of the sentence and if you fail to accord with the terms of the license or commit any further offence you can be returned to serve the balance of the sentence.
27. I make a deprivation order in relation to the digital device seized.
28. The victim impact surcharge will apply.