



Man freed after appealing against riots sentence 311224

Description



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An 18-year-old man jailed for smashing a restaurant window during the summer riots is to be freed after successfully appealing against his sentence.

Dylan Willis, 18, who admitted violent disorder after repeatedly smashing a Middlesbrough restaurant

window with a brick, had his 14 month sentence suspended for two years by Court of Appeal judges.

The panel of three senior judges said Willis' complex developmental and mental health background should have been taken into account.

Appeals on behalf of three other men – part of the first attempts to challenge riot sentences – failed to have their sentences cut.

Willis, from Hartlepool, will now be freed immediately from his young offenders' institution.

The panel of three senior judges said Willis' health meant he should have received a suspended sentence, with up to 40 days of rehabilitation activity.

The teenager, watching via a video link from HMP Holme House, appeared emotional as it was confirmed he would be freed.

The judges said that they had reached the "difficult decision" of changing his term to a suspended sentence because of his specific background.

Mr Justice Bennathan said that there had been clear evidence that Willis had ADHD and a low IQ.

These factors, as well as his autism spectrum disorder, had all affected his decision making, he said.

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'Sentences should be designed to deter'

The Court of Appeal said it would not alter the length of the sentences of three other men, saying they had been appropriate.

Paul Williams, 45, remains in jail serving a two year and two month sentence.

He was jailed in August when he threw metal fencing and a can of beer at police after goading officers during rioting in Sunderland on 2 August.

Ozzie Cush, 20, from Reading, will continue to serve a 10 month sentence after he assaulted an emergency worker after kicking a police officer during a central London protest.

Meanwhile, the Court of Appeal changed Aminadab Temesgen's sentence from one in prison to one in a Young Offenders' Institution due to his age. It remains the same length at 14 months.

Dame Sue Carr, the Lady Chief Justice, said the disorder earlier this year was "fuelled by misinformation and far right sentiment, spreading to various towns and cities across the nation".

She added that while offenders had to be sentenced for their individual crimes, the courts must also look at the bigger picture and the effect their actions has on spreading fear among the public.

“They must be punished accordingly, and the sentences should be designed to deter others from similar criminal activity,” she said.

Earlier on Thursday, Alex Granville, representing Cush, said there was “significant mitigation for each appellant and significant circumstances”, which may have not been properly considered.

He also told the court an immediate prison sentence is not the only way to deter potential offenders.

Duncan Atkinson KC, for the Crown Prosecution Service (CPS), told the court that each of the sentencing judges took the correct approach.

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