



# The many tiers of British justice:

When identity politics and progressivist causes trump impartial policing

**Hardeep Singh**

CIVITAS

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# Contents

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Author	vi
Acknowledgements	vii
Foreword – Baroness Fox	viii
Introduction	xiii
1. The principle of police impartiality: why does it matter?	1
2. Two-tier policing: myth or reality?	4
Southport and the idea of police bias	8
Government crackdown on ‘far-right thuggery’	10
Aftermath of the Southport attack	12
Government blind spots: the white working class and the counter-protestors	16
Custodial sentences for some social media posts, not others	22
The Clumsy Swan (Birmingham)	26
Edward Colston, ‘grooming gangs’ and pro- Palestinian protests	28
Pro-Palestinian protest since 7 October 2023	31
Manchester Airport, Harehills (Leeds) and Notting Hill Carnival	32
Home Office social media – removing the principle of presumption of innocence	35
The illiberal ‘non-crime hate incident’ phenomenon	36
Rethinking two-tier rules for non-crime hate incidents	38
Non-crime hate incidents and two-tier policing of Britain’s faith groups	39
3. Interviews with Harry Miller (Fair Cop) and academic Lisa McKenzie	45
4. Factors contributing to the rise of two-tier policing	53
Conclusion and recommendations	65
Notes	69

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## **Acknowledgements**

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## Foreword – Baroness Fox

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On 5 March this year, the Sentencing Council – an unelected quango set up in the Gordon Brown era – published the revised *Imposition of community and custodial sentences sentencing guideline*, which was due to come into force on 1 April.<sup>1</sup> The revised guideline states: ‘When considering a community or custodial sentence, the court must request and consider a pre-sentence report (PSR)<sup>i</sup> before forming an opinion of the sentence’, and that a PSR ‘will normally be considered necessary if the offender belongs to one (or more) of the following cohorts’, which includes those ‘from an ethnic minority, cultural minority, and/or faith minority community’. Justifying this change, the Sentencing Council said the quiet bit out loud, admitting its aim was to help address racial and other disparities in outcomes in the criminal justice system. In other words, it moved from its dispassionate, impartial role of sentencing advice, based on judicial fairness, to a politicised attempt at manipulating sentencing outcomes to fix its perception of ‘institutional racism’.

There was a huge backlash against this blatant racialising of criminal justice that would – in effect – mean that minority defendants would be far less likely to serve custodial sentences for the same offences. It shouldn’t surprise us that the public were horrified by proposals that were such a blatant slap across the face of impartial justice. Perhaps more

surprisingly, however, one of the most vociferous critics of the guideline was Justice Secretary Shabana Mahmood. She was uncompromising when stating: ‘As someone who is from an ethnic minority background myself, I do not stand for any differential treatment before the law.’ She went on to vociferously oppose a ‘two-tier sentencing approach’.<sup>2</sup>

That mention of ‘two-tier’ justice from a government minister is important. After all, over the past year – specifically in the wake of the civil disturbances following the stabbings in Southport in 2024 – any mention of the phrase has been sneeringly dismissed as a far-right conspiracy theory. One article in *The Guardian* was titled ‘England riots: how has “two-tier policing” myth become widespread?’.<sup>3</sup> Metropolitan Police Commissioner Sir Mark Rowley described ideas of two-tier policing as ‘complete nonsense’.<sup>4</sup> In April 2025, the Home Affairs Committee Inquiry into the 2024 riots doubled down, talking about ‘Unsubstantiated and “disgraceful” claims of “two-tier policing”’, which have ‘served only to undermine police officers’.<sup>5</sup> Yet now, the Government has been forced to introduce new emergency legislation – the Sentencing Guidelines (Pre-sentence Reports) Bill – precisely to ensure that two-tier justice doesn’t become embedded in the system.

Hardeep Singh’s report is an invaluable record of why this all matters. It is rich in detail, and doesn’t flinch from complexity and nuance. It’s important we understand this two-tier phenomenon beyond the phrase, which is fast becoming a meme-like cliché, either used as an insult to denote ‘far-right’ adjacent wrong-think or a short-cut slogan to signify distrust in the establishment. At its heart is the story of rot at the heart of criminal justice, and state institutions more generally. Under the guise of ‘diversity is our strength’, we are in danger of allowing police impartiality to be fatally

compromised and a divisive, identitarian ideology to shatter the public's belief in even the possibility of the state's ability to treat everyone equally under the law.

While reading Hardeep Singh's substantial investigation into the underlying causes of the riots and the arguably one-sided responses from the police, the Crown Prosecution Service and media commentators to the riots in the summer of 2024, I could feel my blood pressure rising. Indeed, my blood was boiling at the injustice of it all, especially reading sections dealing with government blind spots in relation to, for example, the white working class versus the counter-protestors, or the differential custodial sentences doled out for some social media posts, but not others. 'Thank goodness this is being documented', I reflected. In our rapidly changing world, with so much extraordinary news being created daily, it can be too easy to forget details. And we should not forget.

But even more invaluable, the report helpfully creates a broader context. So much is covered: the 'non-crime hate incident' phenomenon; the Black Lives Matter and Edward Colston protests; the pro-Palestinian demonstrations since the 7 October attack by Hamas; and other examples of civil disorder, including at Manchester Airport, Harehills (Leeds) and the Notting Hill Carnival. It knits together a series of threads to reveal a fully formed garment that all policymakers, legislators, journalists and activists should read to help make sense of seemingly disparate phenomena.

Inevitably, the issue of 'grooming gangs' features in the report. I write this foreword in the aftermath of a furore about Lucy Powell, Labour's Leader of the House of Commons, making controversial remarks during BBC Radio 4's *Any Questions?* about a Channel 4 documentary, *Groomed: A National Scandal*, which detailed shocking accounts from

victims of sexual exploitation. Powell's retort, 'Oh, we want to blow that little trumpet now, do we? Let's get that dog whistle out, shall we?' are likely to join the history book of infamy, alongside Gordon Brown's 'bigoted woman' slur. Too often, identity politics are used to demonise opponents and shut down debate.

This Powell incident reminded me of a recent exchange in parliament when Tory MP Katie Lam gave a harrowing account of one victim's ordeal. She was then accused by other MPs of chasing headlines and privileging only one type of child abuse to stir up anti-Muslim tensions. Such uses of identitarian tropes – whether about race, ethnicity, religion or gender – to chill political debate is a scandal all democrats must confront. When I made a speech in response to the Inquiry into Telford Child Exploitation in the Lords some years ago, several of my fellow peers heckled 'SHAME'. This was not aimed at the rapist perpetrators but at me, for daring to raise the issue. This report arms us all with details and arguments that should ensure readers will not be shamed into silence about the problems associated with the many tiers of British justice.

*Claire Fox, Director, Academy of Ideas; Baroness Fox of Buckley*

# Introduction

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On 29 July 2024, a mass stabbing occurred during a children's Taylor Swift-themed dance workshop in the town of Southport, in Merseyside. Three girls were murdered: Bebe King (six), Elsie Dot Stancombe (seven) and Alice da Silva Aguiar (nine). Ten other people, including children, were injured. Between 30 July and 7 August 2024, around 29 anti-immigration protests and riots occurred across 27 towns and cities in the UK.<sup>6</sup> Some involved violence, with protestors attacking mosques and hotels housing asylum seekers.

Prior to and especially since the disorder, there has been a public debate as to whether British policing demonstrates impartiality when dealing with crime and protests/disorder amongst different communities or groups. Are some groups, like progressivists, climate change activists, or ethnic minorities, given a wider berth than others? Are police operational decisions (or prosecution decisions) influenced by the community being policed? Does political pressure influence the police to be more lenient with left-wing protestors, compared to right-wing groups? Are there examples of policing with fear and by favour, rather than without fear or favour? Is there the potential for political interference, which might result in a prioritised policing response? This report aims to delve into these admittedly contentious questions. It is an attempt to shed some light on whether the widely held perception of two-

## INTRODUCTION

tier, or multi-tier, policing is warranted. The views of experts from both academia and grassroots activism have been included.

THE MANY TIERS OF BRITISH JUSTICE

# 1.

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## The principle of police impartiality: why does it matter?

Public perception of the police's impartiality is something that impacts levels of trust across the 43 territorial police forces in England and Wales. We trust the police to do their jobs, which is essential for them to keep the public safe.

Indeed, acting with impartiality and without fear or favour is viewed as the essence of modern-day policing. When police leaders, or senior politicians, refer to the concept of 'policing by consent', they are talking about the long-standing philosophical principles behind how the police carry out their duty as public servants. These values stem from Robert Peel's nine principles of policing, which are considered 'General Instructions' and have been issued to new police officers since 1829. They include the following declaration emphasising a commitment:

'To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humour; and by ready offering of individual sacrifice in protecting and preserving life.'<sup>7</sup>

Impartiality is at the heart of policing and winning the public's support, confidence and approval. All new police

officers in England and Wales swear allegiance to the Crown through the oath officers swear on joining the police. This includes swearing that they will act with impartiality. Furthermore, the professional body the College of Policing – established in 2012 – refer to ‘ethical policing principles’, which includes the following few sentences on their website:

‘We work with, and for, the public. We earn the public’s confidence when we listen to what they have to say, make decisions that are fair and unbiased, and are open and honest about our decisions. Securing public trust also means working within the limits of the law and being accountable for our actions.’<sup>8</sup>

In short, police officers are in a profession role that upholds the rule of law without favour or affection, malice or ill will. The impartiality duty is set out in The Police Regulations 2003;<sup>9</sup> however this is limited to the section outlining restrictions on the private lives of officers.

As the chairman of Civitas, David Green, highlights in his book *Is Identity Politics Undermining Police Impartiality* (2021),<sup>10</sup> both the College of Policing and the Police Federation go to lengths to emphasise the importance of the police’s duty to impartiality. The College assert that:

‘We [the police] respond fairly, impartially and with sensitivity to people’s needs and situations. We accept this as part of the selflessness required to undertake our roles.’<sup>11</sup>

Meanwhile the ‘quick reference guide’ to the members’ main terms and conditions (2023) published by the Police Federation confirms:

‘Members [of the police] must abstain from any activity which is likely to interfere with the impartial discharge of duty or is likely to give rise to the impression that the activity may do so. Police officers are also required not to take any active part in politics.’<sup>12</sup>

On this point Green writes:

'No doubt with the intention of ensuring that even the impression of bias is not given, police officers are also required not to take any active part in politics. They can be ordinary members of mainstream political parties, but are banned from membership of the British National Party, Combat 18, and the National Front.'

Despite all this guidance, there is no definition of the impartiality duty for officers and staff.

According to a survey of police conducted by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) for the report *An inspection into activism and impartiality in policing* (September 2024), 75 per cent of police officers and staff interviewed believed the police act totally (or mostly) impartially. With 14 per cent feeling the police were partial.<sup>13</sup> On the police's duty of impartiality, one officer interviewed said – 'it's the grain of everything we do'.<sup>14</sup>

## 2.

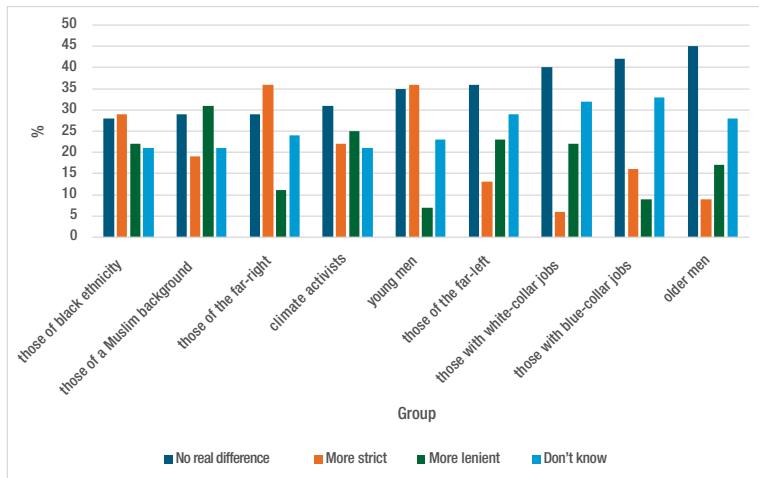
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# Two-tier policing: myth or reality?

A YouGov survey published in August 2024, towards the end of that summer's riots, shows there is a belief amongst the British public that 'the police are stricter with some groups and more lenient with others'.<sup>15</sup> However, the survey also showed some disagreement as to which groups this is applicable to and, furthermore, around perceptions of whether some groups are being under- or over-policed. Greater than a third of those surveyed (36 per cent) thought 'those of the far-right' were treated more strictly by the police (which also happens to be the same percentage who thought 'young men' were treated more strictly). Only 19 per cent believed the police treated 'those of a Muslim background' more strictly – with the equivalent figure for 'black ethnicity' being 29 per cent. Notably, 31 per cent also felt that the police were 'more lenient' with 'those of a Muslim background', and 25 per cent felt this was the case with 'climate activists'. However, only 11 per cent felt this to be the case with 'those of the far-right'. (See Figure 2.1 opposite.)

This YouGov polling makes insightful reading, when reflecting on what transpired after the murders in Southport. Around the time of the disorder in the summer of 2024 and the state's response to it, the #TwoTierKeir hashtag trended on social media, pointing to the perception that some protestors were treated differently to others. The billionaire owner of X (formerly known as Twitter) Elon Musk, referred to Keir Starmer as 'Two-Tier Keir'<sup>16</sup> over the police response to the riots. The suggestion being that 'far-right' protestors are treated much more harshly than

*Figure 2.1: YouGov survey results on perceptions of two-tier policing amongst the British public for different groups*



Source: Smith, M. (2024) *Is there two-tier policing in the UK?* YouGov. Available at: <https://yougov.co.uk/politics/articles/50319-is-there-two-tier-policing-in-the-uk> (Accessed: 10 June 2025).

progressive and/or racial minority protesters. However, the allegation of two-tier policing has been dismissed as 'complete nonsense'<sup>17</sup> by Sir Mark Rowley, Commissioner of the Metropolitan Police (Met). Moreover, in a blog post for the London School of Economics, academics frame the claim with the following words:

'The myth [of two-tier policing] is, in this sense, a tactical claim to victimhood that positions people in general (and white men in particular) as the primary victims of domestic state violence.'<sup>18</sup>

Meanwhile, *The Guardian* posted an article titled 'England riots: how has 'two-tier policing' myth become widespread?',<sup>19</sup> only to be community noted on X, with links to articles in which *The Guardian* themselves highlighted 'two-tier policing' based on sexuality and race.<sup>20</sup>

In April 2025, the Home Affairs Committee inquiry

into the disorder in the summer of 2024, considering the policing response, reported its findings. It said there were ‘unsubstantiated’ and ‘disgraceful’ claims of ‘two-tier policing’, which ‘served only to undermine police officers’.<sup>21</sup> The Committee found the police’s response was ‘entirely appropriate’.<sup>22</sup> Many will agree that a firm policing response was indeed required. However, the Committee did not contrast the policing response to the disorder in the summer of 2024 with the specific examples that are highlighted in this report.

A contrasting view comes in an article highlighting the failures of multiculturalism, titled ‘Two-Tier Keir’, by former politician and high-profile ex-Muslim Ayaan Hirsi Ali, who writes:

‘The response to this rioting may tell us everything we need to know about the skewed preferences of Europe’s political elite and those of Britain’s in particular, the unabated demonization of the white working class, and the failure of the mass-immigration project to produce a society in which minority groups view themselves and the nation as part of a cohesive whole.’<sup>23</sup>

It’s fair to suggest Hirsi Ali doesn’t entirely buy into the tired and frequently deployed empty platitude that ‘diversity is our strength’, uttered by proponents of the policy of multiculturalism,<sup>24</sup> not least Sir Sadiq Khan, the Mayor of London.<sup>25</sup> Hirsi Ali’s view on the state’s bias against Britain’s white working class is a theme explored later in this report with academic Lisa McKenzie.

The perception of two-tier policing with reference to the disorder in the summer of 2024 has even been raised in Parliament. In a Commons debate in September 2024, former Home Secretary James Cleverley responded to a statement

on the disorder following the Southport murders made by the current Home Secretary Yvette Cooper. He said:

‘Does the Home Secretary now also recognise that the Labour leadership kneeling in the immediate aftermath of the Black Lives Matter disorder, when violent protestors attacked police officers, makes it look like her party takes some forms of violence less seriously than others? Does she accept that any perception whatsoever of treating the same crime differently, based on the race, religion or community of the perpetrator, increases tension rather than reduces it? Does she accept that, at times of heightened tension, Ministers must be, and must be seen to be, even-handed and demand even-handedness of others?’<sup>26</sup>

Indeed, Cleverley makes a fundamental point. Starmer’s miscalculated knee in solidarity with Black Lives Matter obviously raises serious questions when it comes to parity and Labour taking an even-handed approach, especially now they are in government. It’s notable that in 2020, Starmer received criticism for referring to the movement as a ‘moment’, where he also dismissed calls to ‘defund the police’, referring to these demands as ‘nonsense’. In his defence, he responded by saying:

‘What I was saying last week is that Black Lives Matter needs to be a moment, and I meant a defining moment and a turning point. I didn’t mean a fleeting moment.’<sup>27</sup>

Many ordinary white working-class people (and others) in Southport and beyond are probably likely to see protest after the murder of three innocent little girls as a ‘defining moment’ too. We must condemn the thuggery involved where hoodlums targeted a mosque and hotels housing asylum seekers. However, many ordinary non-violent protestors were simply expressing outrage over yet another

murderous attack against innocent children, for example following the 2017 Manchester Arena bombing. Despite the public solidarity shown through the Oasis song ‘Don’t Look Back In Anger’ being sung after Islamic terrorism struck in Manchester,<sup>28</sup> anger is a legitimate human response to these horrific events.

But unlike political heavyweight Mr Cleverley, those who raise the issue of potential bias or partial policing publicly sometimes do so at their own risk. In October 2024, the Chair of the Metropolitan Police Federation, Rick Prior, was suspended (and later sacked)<sup>29</sup> for a statement he made during a television interview on GB News in which he said fears over ‘vexatious complaints’ meant that police officers were hesitating before engaging with minority ethnic Londoners.<sup>30</sup> Referring to some Independent Office for Police Conduct (IOPC) investigations, he said that some police officers had stopped applying the law fairly to people of all backgrounds. Prior also said that the Met leadership were impeded by a ‘racism of low expectations’, and that they failed to call out the ‘bad behaviour’ of some individuals from ethnic minority backgrounds towards serving officers.<sup>31</sup> Following his suspension, Prior is being supported by the Free Speech Union (FSU)<sup>32</sup>, who are raising funds to launch a judicial review in response.<sup>33</sup>

### **Southport and the idea of police bias**

The perpetrator of the Southport atrocity, teenager Axel Rudakubana from Banks, Lancashire, was born in Cardiff to Rwandan parents.<sup>34</sup> However, false rumours circulating about the identity of the perpetrator being a Muslim asylum seeker who arrived on a small boat were disseminated widely on social media. One source of this disinformation was traced back to Pakistan, having been published on a website,

Channel3Now, in the hours after the attack.<sup>35</sup> Separately, it was reported Bernadette Spofforth from Chester, who has a 50,000 following on X, also wrongly suggested the 17-year-old was an asylum seeker who had arrived in the UK by boat.<sup>36</sup> This disinformation was widely quoted on social media. Farhan Asif (connected to Channel3Now) was arrested by the Pakistani authorities on suspicion of cyber terrorism.<sup>37</sup> Elon Musk posted on X about the events following the murders, writing: 'civil war is inevitable' to the chagrin of the UK government. The left-leaning US news network CNN said, 'He's [Musk's] part of the problem'<sup>38</sup> – the insinuation being that Musk's statement wasn't acting like a soothing balm given the febrile environment.

But despite both Asif and Spofforth's arrest (the latter by UK police), charges against both were dropped.<sup>39</sup> These false rumours were spread on social media and Telegram, contributing to parts of the serious civil unrest across the country, including in Southport, London, Hartlepool, Manchester and Aldershot.<sup>40</sup> Another false rumour posted by the head of the anti-racist charity Hope Not Hate on X suggested a Muslim woman had been a victim of an acid attack in Middlesborough during the rioting, for which he later apologised.<sup>41</sup> A senior Conservative politician described the disinformation as 'incredibly irresponsible'.<sup>42</sup> The police took no action over the post, leading to accusations of a two-tier approach.<sup>43</sup> Meanwhile, a suspended Labour councillor pleaded not guilty to encouraging violent disorder, for telling a crowd: 'we need to cut [the] throats'<sup>44</sup> of far-right rioters. The trial is not scheduled until August 2025<sup>45</sup> – the delay, again, leading to accusations of a two-tier approach.<sup>46</sup> (Several cases where social media posts at the time of the disorder resulted in custodial sentences are considered later in this report, along with the length of sentence.)

The disorder was significant. A mosque in Southport was targeted by rioters who fought against the police, with worshippers trapped inside the mosque.<sup>47</sup> Hotels that house migrants, like the Holiday Inn in Rotherham, were also targeted. Sixty police officers were injured in Rotherham alone.<sup>48</sup> Wider nationwide anti-immigration protests, like ones promoted on a poster titled 'Enough is Enough',<sup>49</sup> were co-ordinated across the country in response to the Southport murders, which led to counter-protests by predominantly Muslims,<sup>50</sup> and 'anti-racist' organisations like Stand Up to Racism who referred to the disorder as 'fascist riots'.<sup>51</sup>

### **Government crackdown on 'far-right thuggery'**

In response to the civil unrest in Southport, the government cracked down on what Starmer described as 'far-right thuggery'.<sup>52</sup> HMICFRS published a report on the riots in the summer of 2024 and the police response, entitled *An inspection of the police response to the public disorder in July and August 2024* (May 2025).<sup>53</sup> Contrary to the government's 'far-right' narrative, the HMICFRS report described protagonists involved in the disorder as rather, 'mostly disaffected individuals, influencers or groups that incited people to act violently',<sup>54</sup> as opposed to criminal factions or extremists. Moreover, 'it [the disorder] was mainly unrelated to their ideology or political views'.<sup>55</sup> The HMICFRS report indicates officialdom's 'far-right' narrative was false.

As the unrest took hold, the government announced 'immediate action'<sup>56</sup> and that those involved, either directly, or indirectly – online – 'will face the full force of the law'.<sup>57</sup> The Prime Minister talked of a 'standing army'<sup>58</sup> of police ready to deal with rioters. On the targeting of a mosque, the government said: 'we will not tolerate attacks on mosques or our Muslim communities', and announced emergency

funding for mosques.<sup>59</sup> Notably, in contrast, when a Hindu temple, or *mandir*, was vandalised by a Muslim during the 2022 Hindu–Muslim civil unrest,<sup>60</sup> and another, in Smethwick (Birmingham), was targeted by a mob of 200 Muslims shouting 'Allahu Akbar',<sup>61</sup> no 'emergency' funding was announced by the then government in order to protect Britain's Hindu temples. Furthermore, in 2024 Starmer also announced the creation of the new National Violent Disorder Programme, which includes wider deploying of facial recognition technology to target criminals to assist with swifter justice.<sup>62</sup> In September 2024, the Home Secretary Yvette Cooper confirmed that over a period of 10 days during the summer unrest a total of 40,000 shifts by public order officers had been worked, and 6,600 were deployed on one single day. Rest days had been cancelled, and officers were permitted to work extra hours.<sup>63</sup>

Moreover, the Crown Prosecution Service (CPS) deployed 100 additional prosecutors, or as Starmer put it, a 'ramp up of criminal justice'.<sup>64</sup><sup>65</sup> The Ministry of Justice (MoJ) worked to make 500 prison places available more quickly, due to ongoing serious issues of capacity within the prison system. To aid prison capacity issues following the summer disorder, the government released some prisoners early, specifically those who had completed a sentence for a serious crime and were serving a consecutive sentence for a lesser offence.<sup>66</sup> The scheme was called SDS40, or the standard determinate sentences early release scheme.<sup>67</sup> Yvette Cooper confirmed that over a thousand arrests had been made and hundreds of people were brought to the courts for a variety of offences, including violent disorder, arson and encouraging violent attacks online.<sup>68</sup> As of 13 November 2024, 1,711 arrests were reported to have been made with 1,041 charges brought.<sup>69</sup>

Indeed, there are some parallels between the state's action

during the disorder in Southport and those during the 2011 riots that started in Tottenham (London) and spread across the country, following the fatal shooting of gang member Mark Duggan by police.<sup>70</sup> At the time, a decision was made to keep some courts open into the night to tackle the volume of cases. Retired police officers were called back to help deal with the disorder. Over 3,000 cases were brought to court within a year of the rioting that broke out between the 6 and 9 August 2011.<sup>71</sup> Prime Minister Keir Starmer was the then Director of Public Prosecutions (DPP), and as the DPP he said, 'For me it was the speed [of processing cases] that I think may have played some small part in bringing the situation under control.'<sup>72</sup> One leading criminal barrister suggested the severity in sentencing in 2011 was 'over the top'.<sup>73</sup> Starmer's instincts as a prosecutor and his pivotal role back in 2011 would have undoubtedly influenced how the Labour government dealt with the disorder following the disorder in Southport. Tougher sentencing was justified in both instances to show that rioters and opportunistic criminals alike face serious consequences. In contrast, and although such events are rarely directly comparable, the Hindu–Muslim civil unrest in Leicester in 2022 resulted in only 32 people being found guilty (as of September 2023) at court for a variety of offences.<sup>74</sup> A Freedom of Information (FOI) response from the CPS confirmed no additional prosecutors were deployed in response to the Leicester disorder.<sup>75</sup>

### **Aftermath of the Southport attack**

On 23 January 2025, Axel Rudakubana was jailed for life at Liverpool Crown Court and will face a minimum of 52 years in prison.<sup>76</sup> He pleaded guilty to all the charges against him. On 15 October 2024, months after the events

that led to rioting, it was revealed that the CPS decision to charge Rudakubana with new offences had been stalled over concerns surrounding the decision in the case of Chris Kaba (who was shot dead by a Met firearms officer), and fears of provoking further rioting.<sup>77</sup> It has also been alleged the police were 'warned' by the CPS against releasing information about Rudakubana in the wake of the massacre. This includes publicly disclosing information about the poison found in his room, and details about his obsession with terrorism and violence.<sup>78</sup> Southport Detective Chief Inspector Jason Pye said he would have been 'happy' to declare the 29 July massacre as a terror attack 'all day long', but the CPS said it didn't meet legal requirements.<sup>79</sup> In February 2025, the government announced the Southport killer was being treated as a terrorist.<sup>80</sup> The Conservatives have requested that a public inquiry into the Southport murders investigates why authorities chose not to make public further details about the triple-murderer prior to the trial.<sup>81</sup>

The new charges that Rudakubana would face, which were later announced in October 2024, included:

1. Production of a biological toxin, namely ricin, contrary to Section 1 of the Biological Weapons Act 1974.
2. Possessing information, namely a PDF file entitled Military Studies in the Jihad Against the Tyrants: The Al-Qaeda Training Manual of a kind likely to be useful to a person committing or preparing an act of terrorism, contrary to Section 58 of the Terrorism Act 2000.<sup>82</sup>

At the time of this announcement, the Chief Constable of Merseyside Police confirmed:

'Axel Rudakubana already faces three charges of murder, 10 charges of attempted murder and one charge of possession of a knife – all relating to the incident at Hart Street, Southport on 29 July 2024.'<sup>83</sup>

In fact, a Home Affairs Committee report (April 2025) found the information ‘vacuum’ allowed disinformation to flourish.<sup>84</sup> Notably, Merseyside Police considered disclosure of Rudakubana’s Christian background, which the police considered publishing on 31 July 2024. Serena Kennedy, the Chief Constable of Merseyside Police, told the Home Affairs Committee ‘this was being considered because of the negative impact that misinformation was having on Merseyside’s Muslim communities’.<sup>85</sup>

The postponed announcement and overall lack of transparency suggests the state views the public as some kind of threat that needs to be managed, or manipulated. It sends a message that the public cannot be trusted with handling the truth. This, however, would not be the first time authorities have made decisions based on an assessment of the risk of rioting. The threat of civil disorder is alleged to have influenced the decision to declare the death of gang member Chris Kaba as a homicide probe, according to the Independent Office for Police Conduct’s former regional director Sal Naseem.<sup>86</sup> Met Commissioner Sir Mark Rowley has previously suggested his officers believe activist groups can influence accountability.<sup>87</sup> This raises questions around undue influence, the force’s operational independence, and its professional duty to impartiality.

In relation to the postponed announcement of charges related to the Southport attack, a prominent Conservative politician went as far as questioning whether there could have been a ‘cover up’,<sup>88</sup> not least because the postponed announcement included a terror offence. The government denied this suggestion. However, the allegation was also levelled by Nigel Farage, the Reform UK leader.<sup>89</sup> The day after the atrocity he asked:

‘Was this guy being monitored by the security services? I just wonder whether the truth is being withheld from us. I think it is a fair and legitimate question.’<sup>90</sup>

He was accused by the Deputy Prime Minister, Angela Rayner, of leaning in to ‘fake news online’. Following Rudakubana’s sentencing, and details emerging during the trial, not least pointing to Rudakubana’s referrals to the government’s anti-extremism programme (Prevent), Farage asked Rayner for an apology. He said:

‘I was right all along. This man was known to the authorities, and the truth was withheld. As the independent reviewer of terrorism legislation confirmed, the public should have been told the truth without damaging the trial. This is an appalling cover-up, and I deserve apologies.’<sup>91</sup>

The delay in announcing additional charges and the lack of transparency, however, does also bring into question the impartiality of the CPS. The Chair of the Association of Police and Crime Commissioners, Emily Spurrell, said that a crisis of ‘trust in institutions’ leaves room for conspiracy theories.<sup>92</sup>

If the perception of two-tier policing already exists, then this, by extension, could be perceived as the existence of a two-tier prosecution approach or justice. This serves to undermine the effective operation of the rule of law, and to undermine the phrase ‘justice is blind’ (frequently symbolised by the image of Lady Justice blindfolded and holding scales and a sword). Spurrell plausibly suggests the timing of the new charges announcement could fall foul of those who have already lost trust in our institutions, not least those who sympathise with the former leader of the defunct English Defence League (EDL) Tommy Robinson. Robinson was accused of stoking the anti-immigration riots

in the summer of 2024 on X.<sup>93</sup> He was sent to prison in for 18 months in October 2024 for contempt of court, in relation to repeating libellous claims against a Syrian refugee,<sup>94</sup> although he was released in May 2025, after serving seven months, following a High Court ruling.<sup>95</sup>

### **Government blind spots: the white working-class and the counter-protestors**

What became evident following the immediate aftermath of the riots was that the Prime Minister's and government's focus had been almost entirely on the threat of 'far-right thuggery',<sup>96</sup> whilst failing to mention violence perpetrated by a minority of Muslim counter-protestors, which included those engaged in attacking white men.<sup>97</sup> They should have called out both groups in an even-handed way – but failed to do so. However, the Prime Minister's one-sided rhetoric would have resonated with disenfranchised Muslim youth, furthering the narrative they are collectively all victims of persecution, 'racism' and (or) 'Islamophobia'. Indeed, events triggered by the murder of girls in Southport initiated calls by one MP to adopt the contested All-Party Parliamentary Group (APPG) 'Islamophobia' definition.<sup>98</sup> This despite there being no evidence whatsoever that adoption of hate crime definitions reduces hatred. Following a subsequent intervention by the Network of Sikh Organisations, the government admitted that the said definition was not consistent with the Equality Act 2010.<sup>99</sup>

Unsurprisingly, the Labour leader made no mention of the fact that a police liaison officer in Stoke had been encouraging Muslim men to discard knives and weapons at the mosque.<sup>100</sup> In Birmingham, a group of counter-protestors, who appeared to be armed, chased a white journalist – LBC's Fraser Knight<sup>101,102</sup> – and a white man

was violently attacked outside a pub – The Clumsy Swan.<sup>103</sup> False rumours that the far-right were coming to the area had resulted in a large counterprotest.<sup>104</sup> An anonymous pubgoer told the *Daily Mail*:

‘As we’ve seen from the marches that have been going on around the country, they’ve been police-escorted. Now we have a march that has gone from Bordesley Green to here and they’ve not been followed. Literally two minutes away is the biggest police station in the area.’<sup>105</sup>

It is likely some will view this discrepancy in policing operations with serious concern. If the mob had been white working-class men armed and balaclava clad, surrounding an ‘Asian’ man and assaulting him outside a mosque, whilst carrying Union Jacks or the St George’s Cross and shouting ‘Rule Britannia’, then it’s hard to imagine the police taking such a hands-off approach. One serving police officer from London (who requested anonymity) expressed to this author that the events in Birmingham are ‘an example of a different policing approach for different communities’.

The Labour MP for Birmingham Yardley, Jess Phillips, was accused of making excuses for the behaviour of the ‘Asian’ mob that had first assembled in Bordesley Green. Some of them confronted female Sky News journalist Becky Johnson during a live broadcast. One masked man spoke to the camera and said: ‘free Palestine, F\*\*\* the EDL’, another hooded/masked man menacingly performed a threatening trigger gesture to the camera – Johnson was visibly distressed. Sky later released footage of a masked man trying to stab the tyres of their broadcast van as they left.<sup>106</sup> However, Phillips said:

‘These people came to this location because it has been spread that racists were coming to attack them. This misinformation was spread entirely to create this content. Don’t spread it Mr Tice!’<sup>107</sup>

(A reference to the Reform MP, Richard Tice, who tweeted in response to the Sky News video.) Phillips, the Minister of State for Safeguarding and Violence Against Women and Girls, later said she regretted her comments over the disorder.<sup>108</sup> There appeared to be no unequivocal condemnation of the threatening and thuggish behaviour on display, and intimidation of a female reporter on live television. Phillips did later concede that anyone 'committing criminality should face the law', however still emphasised the importance of understanding why hundreds of masked men had congregated in the area.<sup>109</sup>

In an op-ed, Tom Slater, the editor of *Spiked*, asked the pertinent question: 'What does a thug have to do to be called out by this Labour government?'.<sup>110</sup> Meanwhile, when disorder first broke out in the days following the Southport murders, Serena Kennedy, Chief Constable of Merseyside Police, was unequivocal when she uttered the words, supposedly directed at predominantly white working-class protestors, 'you haven't got away with it, we are coming for you'.<sup>111</sup>

During a visit to Belfast, Sir Keir Starmer referred to related disorder in Northern Ireland as 'racist' and 'intolerable' where ethnic minorities were targeted.<sup>112</sup> There is indeed evidence of racist attacks occurring across the UK following the Southport murders, like a video of an innocent South Asian man being punched in the face in Hartlepool whilst walking on the street,<sup>113</sup> and racist thugs in Middlesbrough stopping people to ask them if they are 'white and English' at a crossroads.<sup>114</sup> A mob in Middlesbrough shouted 'smash the P---s', and 'there ain't no black in the Union Jack', while targeting homes belonging to migrants.<sup>115</sup> A black man was beaten up by violent thugs in a Manchester park, Muslim girls with hijabs were spat at, a mob in Liverpool city centre

attacked an Islamic *Dawah* (the act of inviting others to Islam) stall,<sup>116</sup> and the Prime Minister referred to ‘Nazi salutes in the street’.<sup>117</sup> The government was right to condemn all of this racist and religious hatred, but the inability of Jess Phillips or Keir Starmer to equally and unequivocally condemn thuggery in Birmingham (and elsewhere) from a small section of the Muslim community was tantamount to creating a two-tier policy approach. One Conservative insider told GB News: ‘Two-tier Keir is either blind to the sectarian gangs or deliberately ignoring them under the false pretence of “community relations”’.<sup>118</sup>

Indeed, there were further reports of disorder, which didn’t fit with the government’s singular and later to be proven false ‘far-right’ narrative. Social media footage showed groups of ‘Asian’ men violently attacking white men. Indeed, some of the disorder was fanned by misinformation.<sup>119 120</sup> The BBC reported on clashes in Bolton between rival groups.<sup>121</sup> It predictably referred to one side with the fudge ‘Asian men’, while the other side were ‘waving England flags’. The article describes the ‘Asian men’ shouting ‘Allahu Akbar’, but it does not require a DPhil in theology to know that Sikh, Hindu, Buddhist, Christian, atheist and agnostic ‘Asians’ don’t use the phrase ‘Allahu Akbar’. Another video of gangs of armed men shouting ‘Allahu Akbar’ in Plymouth was also published on social media – but received scant attention from our elected representatives.<sup>122</sup> The majority of the men sentenced for their role in the Plymouth disorder were so called ‘far right’.<sup>123</sup>

By choosing to pin all the ills of the disorder following the Southport murders on the ‘very real threat’ of the ‘far right’,<sup>124</sup> the British state effectively ignored violence and thuggery emanating from counter-protestors, including a minority of Muslims (who were not representative of the

broader peace-loving Muslim community). Violent attacks against random white men weren't even mentioned. Maybe the state was worried that they would be labelled 'racist' or 'Islamophobic' if they did mention it? Or that even-handed condemnation would lead to further disorder and mayhem? Moreover, whilst rightly showing solidarity with Muslim communities under attack and offering 'emergency' security funding for mosques, the government has consistently failed to even acknowledge (let alone act upon) the legitimate concerns of other communities, including members of the white working class. Why not take time to understand grievances around the serious consequences of uncontrolled illegal immigration and unfettered legal immigration, and any implications for social cohesion, resources, women's (and girls') safety and crime in local communities? For example, government figures for between 2021–23 indicate foreign nationals are convicted of up to a quarter of all sex crimes.<sup>125</sup>

These are not difficult issues to grasp. Following the housing of 300 asylum seekers in a hotel in Altrincham (near Manchester) in November 2024, residents raised their concerns about safety at a public meeting. To a round of applause, one woman expressed her concerns to the police who were in attendance. She said the asylum seekers were '300 guys from a country which we know do not value women'. Another woman spoke of two all-girls schools within 10 minutes of the asylum hotel, and the concern of adding pressure to local GP services was raised.<sup>126</sup> This government, like the last, has failed to 'stop the boats'. However, valid concerns, like those raised by ordinary residents in Altrincham, have been absurdly categorised in a leaked Home Office document as being views held by 'right-wing extremists'.<sup>127</sup> The Altrincham residents are not the only people concerned by uncontrolled illegal

immigration. John Hayes, the hero who tried to tackle the Southport perpetrator, told BBC Radio 4:

'I actually don't think that the trouble and the riot has got anything at all to do with the Southport stabbings. There appears to have been a strong undercurrent of discontent for some time about the levels of immigration, and this [the Southport attack] is just a catalyst or a trigger, but I don't think it's the root cause.'<sup>128</sup>

Notably, this government has overseen record numbers of asylum seekers cross the English Channel. In 2024, 32,900 people had crossed the Channel by 11 November – this was higher than the total for the whole of 2023, which was under 30,000.<sup>129,130</sup> In March 2025, it was reported nearly 600 migrants crossed the Channel in a single day.<sup>131</sup> Then on 1 June 2025, it was reported that over 1,194 had crossed in one day, and the defence secretary admitted Britain had 'lost control' of its borders over the past five years.<sup>132</sup>

There is of course no justification for thuggery, which resulted in the targeting of hotels housing asylum seekers or mosques after the Southport murders, but what are the underlying reasons for the tensions that led society down this ugly and destructive path in the first place? It is the business of government to grasp concerns of ordinary members of the public and take steps to address issues in an even-handed way. Keir Starmer's broad categorisation of all protestors after the Southport murders as 'far-right thuggery', however, would have played into the hands of those propagating the toxic narrative that Britain is a fundamentally 'racist' and 'Islamophobic' society. In fact, one Muslim man sent to prison for violent disorder said he was 'defending [his] religion'.<sup>133</sup> The political rhetoric would have not only emboldened angry counterprotests, but

justified their cause, not least some sections of the Muslim community who took up arms looking for retribution against the so-called 'far right'. In their minds, this included an organisation that no longer exists<sup>134</sup> – the English Defence League (EDL). Meanwhile, it would have isolated many people who are genuinely concerned about the negative implications of uncontrolled illegal immigration and unfettered legal immigration, its detrimental impact on local communities and, ultimately, Britain's cultural fabric.

### **Custodial sentences for some social media posts, not others**

During the disorder in the summer of 2024, more than 30 individuals were arrested over social media posts. The BBC reported that 17 of them were charged.<sup>135</sup>

Some were given custodial sentences for posting social media posts, including:

- One admitted a charge of sending a communication threatening death or serious harm. On a Facebook post, she wrote: 'Blow the mosque up with the adults in it.' She was jailed for 15 months<sup>136</sup> and was denied parole after serving three months of her sentence because her post included a threat to kill.<sup>137</sup>
- Another was given a 31-month prison sentence for an expletive-ridden post on X, in which she called for 'mass deportation now' and for hotels that house asylum seekers to be set on fire.<sup>138</sup> Despite having no previous convictions, deleting the post soon after publication, and having good character references, including from people whose children she had childminded for, the sentence was significant. Although a guilty plea meant she received a reduction in the minimum sentence, by 25 per cent, if it had gone to trial.<sup>139</sup> In sentencing remarks, His Honour Judge Melbourne Inman said:

'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 ... sentences for those who incite racial hatred and disharmony in our society are intended to both punish and to deter.'<sup>140</sup>

(The 31-month jail term was longer than that given to a man who joined a racially aggravated mob attack on a mosque and threw missiles at the police during disorder in Southport.)<sup>141</sup> In April 2025, she was denied temporary release.<sup>142</sup> An appeal to reduce her sentence the following month was unsuccessful.<sup>143</sup>

- One other was jailed for three years for posting material on social media to stir up racial hatred. His posts on 29 July 2024 included the allegation that the Southport attack was carried out by a Muslim.<sup>144</sup>
- One young woman live streamed a gang of masked and hooded men on TikTok following a riot in Staffordshire (at the time of the disorder in the summer of 2024). She was jailed for nine months for uploading the TikTok footage. The Judge said her comments on the livestream were abhorrent and had the 'potential to fan the flames'.<sup>145</sup>
- Another man pleaded guilty to making racially aggravated comments. In videos referring to Muslims, he said, 'young white girls are being raped by these grooming gangs'. The prosecution said his comments were 'inflammatory' in the context of the disorder following the Southport murders. The prosecution said his videos were created for the 'purpose of causing distress or anxiety'.<sup>146</sup> He was jailed for 10 months in December 2024.<sup>147</sup>

It's important to look at these cases in the context of the harsher sentences also handed down for the English riots in

2011. For example, at that time, there had been some protest from MPs and justice campaigners over the sentencing of two men who were jailed for four years for using Facebook to incite riots. Another was handed an 18-month sentence for being in the possession of a stolen TV in his vehicle.<sup>148</sup> A student with no criminal record was jailed for six months for stealing a £3.50 case of bottled water.<sup>149</sup> Tougher sentencing is viewed as a deterrent under these exceptional circumstances – and the 2011 riots were arguably some of the worst the country has ever seen. Online posts at the time of the disorder in the summer of 2024 (as in 2011) were clearly taken much more seriously by the judiciary.

Judges will of course consider Sentencing Council guidelines for different offences, guilty or not guilty pleas and mitigating circumstances. Custodial sentences were handed down for making factual statements at the height of the disorder in the summer of 2024, as highlighted in one such case, in which the sentencing judge said: 'You did this [published the inflammatory content] at a time of great unrest and concern.'<sup>150</sup> Custodial sentences were handed down to 'both punish and deter'. Indeed, these examples starkly contrast with sentencing in other reported cases that did not take place at a time of civil unrest. The following is by no means an exhaustive list, but a few examples for the purposes of illustration.

- The CPS ended up dropping charges against men who had allegedly travelled from Blackburn in a pro-Palestinian convoy that drove through London in 2021. The CPS said there wasn't a realistic prospect of conviction. The men had been arrested following the circulation of a video in which antisemitic abuse could be heard being shouted as vehicles decorated with Palestinian flags drove through areas in which

significant Jewish communities reside. Whilst honking horns, screams of 'F\*\*\* their mothers, rape their daughters', can be heard.<sup>151</sup>

- In 2023, a former Labour councillor and academic was investigated by the police for a social media post calling on someone to 'blow up' a Jewish Labour Movement meeting. The retired professor in sociology apologised and deleted the post. Her university stripped her of her Emeritus and Honorary Status.<sup>152</sup> Upon reviewing the evidence, the CPS decided no charge should be brought. No further action would be taken.
- In November 2024, it was reported that a violent mob of seven men who used weapons to trigger disorder described as 'horrific public violence' were not sent to prison following sentencing at Birmingham Crown Court, because of the jail overcrowding crisis and court delays.<sup>153</sup> They received a suspended sentence and there was a lengthy delay in bringing the case to court.<sup>154</sup>
- In August 2024, it was reported that a mother of a teenage boy who was killed in a machete attack was left distraught on learning that one of the boy's killers was to be released from prison only six months into the jail term, because of prison overcrowding.<sup>155</sup> Following his release, the killer lost his appeal against deportation and was forced to leave the country in March 2025.<sup>156</sup>
- In February 2025, it was reported that an MP, who admitted repeatedly punching a constituent, had a 10-week prison sentence suspended for two years following an appeal.<sup>157</sup> He resigned as an MP the following month.<sup>158</sup>

Without necessarily casting judgement over one decision as compared with another, most people will find the discrepancy in sentencing here compared to the Southport

social media cases troubling. Another notable social media case is that of ex-Royal Marine Jamie Michael. In February 2025, it was reported that he was cleared by a jury in just 17 minutes, having been accused of stirring up racial hatred online for a Facebook post published on 31 July, entitled 'This is what I think'. He had previously been remanded in prison for 20 days, after the initial decision to prosecute him.<sup>159</sup> The Free Speech Union paid his legal fees.<sup>160</sup>

The muscular, fast-track justice seen after the Southport disorder, along with announcements from Keir Starmer – 'you will regret' this,<sup>161</sup> and 'action will be taken'<sup>162</sup> – contrasts with the state's comparatively muted response to The Clumsy Swan pub incident in 2024, Roma riots in Harehills, protest outside Rochdale police station following an incident at Manchester Airport, pro-Palestinian protests since 7 October 2023, and disorder during Notting Hill carnival, where two people were in fact killed.<sup>163</sup> We look at the aforementioned examples in the next section, as they each bring forth further legitimate concerns about two-tier policing.

### **The Clumsy Swan (Birmingham)**

On 5 August 2024 a mob, some armed, some with balaclavas and Palestinian flags, surrounded The Clumsy Swan pub in Birmingham. They violently attacked one white man (whose liver was reportedly left lacerated) outside and smashed the pub's windows with terrified customers inside, having barricaded themselves in for fear of their safety.<sup>164</sup> It is important to note, the vague word 'Asian' was used by the media to describe the thugs<sup>165</sup> rather than specifically highlighting they were of predominantly Pakistani Muslim heritage. (This reporting trend is not dissimilar to what we continue to see with reports on 'grooming gang' convictions in places like Telford, Rochdale and Rotherham.) One

teenager was jailed for his role in trying to kick down the door of the pub, because of false rumours the defunct English Defence League (EDL) were inside.<sup>166</sup> The people inside the pub were from a wide variety of ethnicities, and the EDL has not existed for nearly a decade.<sup>167</sup> Although it's clear it was eventually infiltrated by neo-Nazis and white supremacists.<sup>168</sup> Notably, in 2009, the then Head of Scotland Yard said the EDL was not in fact viewed as an 'extreme right wing' group.<sup>169</sup>

Despite a police station being a short distance along the road (Stechford)<sup>170</sup> from the incident, reporters described a 'lack of a police presence'.<sup>171</sup> Justifying the police's entirely hands-off approach when it came to The Clumsy Swan, West Midlands Police Superintendent Emlyn Richards remarkably said:

'We have really strong business and community relations and because we were aware through intelligence that there was a potential protest because of misinformation we had the opportunity to meet with community leaders, business leaders, prior to that event to understand the style of policing we needed to deliver. We knew there was going to be a large amount of people out on that counterprotest, and we knew who the vast majority of those people were. We had conversations what that was likely to look like.'<sup>172</sup>

It is not clear if there is any distinction between 'community leaders' and 'business leaders', or if individuals can fall into both categories simultaneously. It is clear, however, that no 'standing army' of specialist officers were deployed by West Midlands Police, and a lack of police presence was reported.<sup>173</sup> As to whether the police force would offer the same approach to right-wing groups, Richards said: 'we policed in response to the

intelligence that we receive at that moment in time'.<sup>174</sup> The Clumsy Swan incident clearly highlights 'an example of a different policing approach for different communities' (to re-quote the anonymous officer from London, see page 17) and certainly brings into question whether what transpired in the summer of 2024 was policing without fear or favour. In October 2024, it was reported 20 people had been arrested in relation to the incident and a dozen had been charged.<sup>175</sup> Strikingly, the judge who sentenced a woman for 31 months for an X post sentenced a member of the mob outside The Clumsy Swan for just 20 months for violent disorder.<sup>176</sup> It is important to note the government rejected the allegation of two-tier policing in relation to Birmingham, with a minister telling the *Independent* that the police purposefully made a tactical decision to 'withdraw and regroup'.<sup>177</sup>

### **Edward Colston, 'grooming gangs' and pro-Palestinian protests**

Of course, allegations of two-tier policing predate the civil disorder following the Southport murders. On 7 June 2020, a group of protestors hauled down the statue of Edward Colston in Bristol and threw it in the river whilst the police watched on and did nothing, and for which they received criticism at the time.<sup>178</sup> In contrast to the nonchalant response in Bristol, in March 2021, the Met Police were criticised for 'heavy-handed' policing of a vigil for murder victim Sarah Everard at Clapham Common in 2021, with ugly optics of some women being bundled to the ground. The event was held during Covid lockdown restrictions. Two women arrested at the time were subsequently given 'substantial' payouts from the Met Police.<sup>179</sup>

However, the policing of protests and riots aren't the only area of concern. The way in which British authorities have

dealt with the national scandal of 'grooming gangs' has also brought their impartiality into question. In the *Independent assurance review of the effectiveness of multi-agency responses to child sexual exploitation in Greater Manchester* (2020),<sup>180</sup> a detective superintendent refers to 'community tensions' in relation to investigating a previous case involving the Kurdish community. He explains that despite concerns about creating 'further community tensions' with Operation Augusta (which investigated 'grooming gangs' involving predominantly Pakistani heritage perpetrators) this did not impact his work. However, he says it 'clearly had to be considered by the gold command group'.<sup>181</sup>

Gold command comprises the top officers strategically in charge of policing operations. If the perpetrators were predominantly white men targeting girls from an ethnic minority, would the same sensitivities and considerations have even existed? We know political correctness isn't without consequence. The inquiry into historical child sexual exploitation in Telford, for example, referred to a 'nervousness about race',<sup>182</sup> and that a failure to act due to it had 'emboldened offenders'.<sup>183</sup> The Telford inquiry highlighted how abuse of white working-class girls had gone on for generations, with gangs abusing children since the 1980s.<sup>184</sup> Victims of perpetrators from Rochdale and Rotherham have stated that racist epithets about their white race ('white slag' and 'white c\*\*\*'),<sup>185</sup> and reference to them being *Kuffars* (a derogatory term for non-Muslims), featured as part of their abuse. Sikh girls have also been targeted.<sup>186</sup>

But unsurprisingly, anti-white racism, or anti-Kuffar hatred, is invariably neglected, and not mentioned, by our elected leaders. Commenting on the 'grooming gang' scandal, Robert Jenrick, now Shadow Lord Chancellor and Secretary of State for Justice, posted on X:

‘The rule of law was abandoned to sustain the myth that diversity is our strength, destroying the lives of thousands of vulnerable white working class girls in the process.’<sup>187</sup>

The Home Secretary announced a series of government backed local inquiries into ‘grooming gangs’ in January 2025, along with a separate three-month national audit.<sup>188</sup> This followed Elon Musk’s intervention in the debate, which triggered international media scrutiny. However, this commitment appeared to be diluted by a government announcement in April 2025. The £5 million funding pledged for the local inquiries were earmarked for ‘locally-led work’, adopting a ‘flexible approach’ instead.<sup>189</sup> Following a deluge of complaints to Labour MPs from constituents,<sup>190</sup> the Home Secretary subsequently announced a U-turn, emphasising the government’s commitment to local inquiries.<sup>191</sup> In June 2025, the Prime Minister finally announced a full national statutory inquiry into grooming gangs, further to a recommendation from Baroness Casey, on completion of her national audit.<sup>192</sup>

Moreover, ex-Muslims have complained that doctrinally-inspired antipathy and incitement towards them isn’t treated on a par with so called ‘Islamophobia’ either. Some are bravely marking ‘Ex-Muslim Awareness Month’<sup>193</sup> and referring to ‘apostophobia’.<sup>194</sup> Although anti-white racism should already be protected under the existing legal framework, it is not so clear when it comes to anti-apostate hatred. The five hate crime strands specified in the Criminal Justice Act 2003<sup>195</sup> include ‘religious’ only. This is different to the nine protected strands in the Equality Act 2010, which refers more widely to ‘religion or belief’.<sup>196</sup> The push to protect other characteristics in law is ongoing. Former Spice Girl Melanie Brown (‘Mel B’) says she is in

'support [of] World Afro Day in its call for the Equality Act to protect against afro hair discrimination in the UK'.<sup>197</sup> Meanwhile some police forces are already recording hate crime against goth and emo subcultures.<sup>198</sup> Should ginger hair be protected too, or those of us who are left-handed? In his Civitas report *How hate crime policy is undermining our law and society* (2021),<sup>199</sup> Richard Norrie observes that hate crimes have more broadly 'introduced inequality before the law' by legislating 'against people with some characteristics but not all characteristics'.<sup>200</sup>

### **Pro-Palestinian protest since 7 October 2023**

There have been questions around how the Met Police have dealt with pro-Palestinian protests since 7 October 2023. In particular, in footage from one pro-Palestinian rally in October 2023, organised by the since proscribed Hizb ut-Tahrir,<sup>201</sup> a man discussed Palestine, asking what the solution was, before the word 'jihad' is shouted. Rather than make any arrests, the inhouse theologians at the Met Police proceeded to remarkably provide a philosophical explanation as to the different possible meanings of the word 'jihad' on X.<sup>202</sup> The Met later confirmed no offences had taken place. The then Conservative minister, Robert Jenrick, criticised the police and said people shouting 'jihad' were inciting terrorism and should face the full force of the law.<sup>203</sup> Contrast for a moment, the Met's conciliatory approach to loud calls for 'jihad' on the streets of London with the treatment of a Christian army veteran who was prosecuted for the Orwellian style thoughtcrime of praying silently outside an abortion clinic in Bournemouth,<sup>204</sup> a decision that is subject to an appeal and to be heard on 28 July 2025.<sup>205</sup> Meanwhile, Muslim protestors were left free to pray out loud with no police interference whatsoever on Kensington

High Street, near the Israeli embassy – days after the Hamas terrorist attack on 7 October 2023.<sup>206</sup>

Indeed, policing counter-protestors at the pro-Palestinian marches since 7 October 2023 has further fuelled the perception of two-tier policing. One aspect of this is in relation to the arrest of individuals for holding banners condemning Hamas as terrorists.<sup>207</sup> Despite these arrests, the banners are only stating the government's official legal position, given that Hamas, the Sunni terrorist group, is proscribed by the Home Office in its entirety.<sup>208</sup> One video widely circulated on social media shows police removing a woman from a pro-Palestinian protest for carrying a banner stating: 'Hamas Is Terrorist'. The officer threatens to put her in handcuffs for a Section 5 breach of the Public Order Act 1986, for causing 'harassment, alarm and distress'.<sup>209</sup> Jewish leaders like Gideon Falter, Chief Executive of the Campaign Against Antisemitism, have expressed their disapproval at what's been happening. On X, he wrote:

'We live in a country where you can hold up a sign saying that Jews control politics but be arrested for holding a sign saying that Hamas is a terrorist organisation (which is simply stating the law of the land) because it offends people.'<sup>210</sup>

### **Manchester Airport, Harehills (Leeds) and Notting Hill Carnival**

In July 2024, a video went viral showing a police officer, with a taser in hand, kicking and stamping on a man's head whilst he was lying on the floor. The footage triggered protest outside Rochdale police divisional headquarters, with an estimated 200 people<sup>211</sup> in attendance. The Assistant Chief Constable of Greater Manchester Police, Wasim Chaudry, said:

'We have spent the evening listening to community feedback and will continue to engage with communities and elected members to maintain strong partnership links and understand local views'.<sup>212</sup>

The protest ended without incident and some fireworks were set off. However, a speaker at the protest declared: 'tomorrow ... if we don't get justice, these mother\*\*\*\*\* [the police] are gonna get it'.<sup>213</sup> The words 'Allahu Akbar' were also shouted outside the police station during the protest.<sup>214</sup> There was no visible police presence in footage of the protest.

Leaked footage of events leading up to the 'stamp' incident later emerged. It showed police officers (included females) being assaulted and hit to the ground, before a man was tasered, and two men detained. Four men were arrested and bailed. A Greater Manchester Police statement of 7 October reads: 'we await a charging decision'.<sup>215</sup> Two police officers were under criminal investigation by the Independent Office for Police Conduct (IOPC) for assault, one had been suspended,<sup>216</sup> and a criminal investigation began into the source of the all-revealing CCTV footage in the run-up to the 'stamp' video clip provided to the *Manchester Evening News*.<sup>217</sup> The political party Reform announced that they would bring a private prosecution over the Manchester Airport incident, if the men who allegedly assaulted the Greater Manchester Police officers were not charged by the CPS.<sup>218</sup> Reform said a failure to charge the men was evidence of 'two-tier policing'.<sup>219</sup>

On 20 December 2024, nearly five months on from the incident on 23 July, the CPS announced that brothers Mohammed Amaaz, 20, and Muhammad Amaad, 25, of Rochdale, were charged with assaulting police officers, and that no charges were being brought against any of the police

officers.<sup>220</sup> In February 2025, the brothers pleaded not guilty to assaulting police officers and a trial, expected to last three weeks, has been scheduled to take place from 30 June 2025.<sup>221</sup>

There appeared to be no government announcement of fast-track justice for perpetrators, or a stark 'you will regret' this warning, in response to disturbances in Harehills, a Leeds suburb, in July 2024. This civil unrest began as a result of false rumours that Roma children were being mistreated by the authorities.<sup>222</sup> A police car was overturned, a double-decker bus was set on fire, and missiles were thrown at the police. At one point, the police even retreated after becoming the target of the mob themselves.<sup>223</sup> Remarkably, just a day after the disorder, Leeds City Council issued a joint statement 'with the Romanian and Roma community',<sup>224</sup> praising their contribution to 'the diversity and richness of the Harehills'.<sup>225</sup> Is this not yet another example of treating minority communities differently? Four men were later jailed in October 2024 (months later) for arson and violent disorder.<sup>226</sup> A fifth man was jailed in December 2024 for an attack on a police car during the disorder.<sup>227</sup> In comparison, despite the events taking place in the same month, the protestors responsible for the disorder following the Southport murders were dealt with much more swiftly – the disorder broke out on 30 July and the first prison sentences were announced just a week later.<sup>228</sup>

Another example is the Notting Hill Carnival (August 2024) – where 349 arrests occurred.<sup>229</sup> There were stabbings, sexual offences, robberies and violence, which included police officers and emergency services personnel being assaulted over two days. Two people were killed at the carnival.<sup>230</sup> There were no announcements of extra prison spaces to be made available, or tough grandstanding against the perpetrators of violence. Contrast this with the social

media message by Yvette Cooper after the riots following the Southport murders, which read:

‘Police officers show great bravery keeping us safe – it’s a disgrace they were subjected to violent attacks. Time to restore respect for the police, for law & order and for each other.’<sup>231</sup>

There was no such post immediately following the criminality at the Notting Hill Carnival, which included the assault of police officers. However, on 31 August, Cooper did post a message of condolence to the two individuals who died following attacks at the carnival, along with the words: ‘This terrible and appalling violence has no place on our streets.’<sup>232</sup>

### **Home Office social media – removing the principle of presumption of innocence**

Notably, the Home Office X (formerly Twitter) account referred to post-Southport atrocity protestors as ‘criminals’ even before they had been tried in court,<sup>233</sup> removing the legal principle of the presumption of innocence. This resulted in an intervention from the Free Speech Union, who posted on X:

‘Why is the Home Office X account describing people who’ve been arrested in connection with the recent riots as “criminals”? If a journalist did this, they would risk being in contempt of court and could be sent to prison. The post needs to be deleted.’<sup>234</sup>

Despite widespread perception of two-tier policing since the disorder following the Southport murders, Keir Starmer insisted it was a ‘non-issue’ and that policing was conducted ‘without fear or favour’.<sup>235</sup> When Sir Mark Rowley, the Met Police Commissioner, was asked by a journalist: ‘Are you

going to end two-tier policing?', he did not respond but appeared to grab the reporter's microphone and throw it to the ground,<sup>236</sup> although he subsequently apologised.

### **The illiberal 'non-crime hate incident' phenomenon**

Events over the summer of 2024 bring into question police impartiality, but the question of impartiality is not limited to the way the police deal with disorder. My co-authored volume with Richard Norrie, *We Need to Check Your Thinking: How identity politics is warping police priorities from within* (2022), investigated police impartiality when it comes to benchmarks set in the College of Policing's Code of Ethics.<sup>237</sup> We looked at what we referred to as an 'infrastructure of identity politics' within the police – independent advisory groups (IAGs), along with identity-based staff associations, and Lesbian, Gay, Bisexual, Trans (LGBT) liaison officers. IAGs were set up following the Macpherson inquiry (into the death of black teenager Stephen Lawrence, who was murdered in 1993) and aimed to increase confidence and transparency through oversight and scrutiny from members of the public. The Macpherson inquiry concluded: 'institutional racism' is something that 'exists both in the Metropolitan Police Service and in other Police Services and other institutions countrywide'.<sup>238</sup>

Our 2022 volume concluded that the police are in breach of the College of Policing's own Code of Ethics regarding impartiality. Moreover, we argued that police priorities are being distorted by identity politics, with activists of various stripes being able to influence policing priorities from within. They are, in short, given recognition for being in possession of 'victim' identities. But not all groups have the same sway, which creates an element of bias. Much of this internal influence focuses on the concept of hate

crime and non-crime hate incidents. In fact, both stem from Macpherson, which called for Codes of Practice to create 'a comprehensive system of reporting and recording of all racist incidents and crimes'.<sup>239</sup>

As stated on their website, the CPS and the police define 'hate crime' as:

'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.'<sup>240</sup>

However, 'hostility' is not defined in law, so the CPS state they use: 'the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.'<sup>241</sup>

Non-crime hate incidents are 'non-crime' and are defined by the Home Office as:

'...an incident or alleged incident which involves or is alleged to involve an act by a person ("the subject") which is perceived by a person other than the subject to be motivated – wholly or partly – by hostility or prejudice towards persons with a particular characteristic.'<sup>242</sup>

Non-crime hate incidents are said to be 'vital for helping police to understand where they must target resources to prevent serious crimes which may later occur'.<sup>243</sup> However, Freedom of Information (FOI) requests by campaign group Fair Cop in 2025 revealed the police don't know if recording non-crime hate incidents actually helps tackle crime, as many of the big forces do not analyse non-crime hate incident data they collect.<sup>244</sup> Richard Norrie and the present author previously made the recommendation to:

'Abandon the practice of non-crime hate incidents – police officers must log their conversations with the public but advise them that trivial incidents are "not really something we deal with". Vexatious, politically-motivated reports should be dealt with as wasting police time and prosecuted.'<sup>245</sup>

### **Rethinking two-tier rules for non-crime hate incidents**

During her tenure as Home Secretary, Suella Braverman rightly introduced new rules<sup>246</sup> for the police to use their common sense and consider the right of freedom of expression, prior to the recording of a non-crime hate incident. This effectively raised the threshold for officers to record a non-crime hate incident in the first instance. Harry Miller's (a former police officer who challenged police guidance on the recording of 'hate incidents')<sup>247</sup> case of allegedly 'transphobic' tweets was central to these rule changes, given the Court of Appeal ruled his right to freedom of expression under Article 10 of the European Convention on Human Rights had been infringed by 2014 guidance on non-crime hate incidents.<sup>248</sup> The Labour government, however, is looking to expand on the recording of non-crime hate incidents with a new 'zero-tolerance' approach to ensure that antisemitic and Islamophobic 'hate speech', which does not meet the criminal threshold, is still recorded by the police.<sup>249</sup>

This later change in policy is likely to reverse the sensible measures put in place under Braverman. The attempt to police more thinking inevitably draws the police into ideological disputes – be it the trans lobby versus gender critical feminists, Islam versus critics of Islam, or any other adversarial groupings. Societal tension is created based on how the police treat competing identity groups, whilst remaining within the confines of the Equality Act 2010, and

fairly implementing the Public Sector Equality Duty (PSED) stemming from the Act.<sup>250</sup> Should non-crime hate incidents be the business of the police in the first place, when police in England and Wales are reported to have not solved a single burglary in almost 50 per cent of neighbourhoods in a three-year period?<sup>251</sup>

A non-crime hate incident is, in effect, a bit like a shadow criminal record – it may appear on an advanced Disclosure and Barring Service check. Reports indicate that greater than 250,000 non-crime hate incidents have been recorded between 2014 and 2024, which remarkably equates to an average of 65 a day.<sup>252</sup> Absurdly, non-crime hate incidents recorded include one against a nine-year-old who called a classmate a ‘retard’, and two schoolgirls who’d told another pupil they smelt ‘like fish’.<sup>253</sup> More absurdly still, they even include one recorded against a pair of ‘soiled underpants’ on a washing line.<sup>254</sup> It is not clear how recording such an incident would assist the police in targeting resources for more serious crime, which may later occur. Money laundering is of course a police matter, dirty laundry isn’t.

### **Non-crime hate incidents and two-tier policing of Britain’s faith groups**

The government’s proposed policy focus on Muslims and Jews when it comes to the recording of non-crime hate incidents is yet another example of hierarchical (or two-tier) policing when it comes to Britain’s diverse faith groups.<sup>255</sup> There are already special definitions for hate crime for both Muslims and Jews that have been adopted by political parties, local government and universities. In the case of antisemitism, the International Holocaust Remembrance Alliance’s working definition was adopted by the UK government in 2018.<sup>256</sup> Even the 2024 version of the Judicial

College's *Equal Treatment Bench Book* includes reference to the contested All-Party Parliamentary Group (APPG) definition of 'Islamophobia', emphasising that it 'has gained traction in private and public spheres'.<sup>257</sup> Despite all major political parties (bar the Conservatives) adopting the APPG definition of Islamophobia – including almost one in seven councils in England<sup>258</sup> – the Labour government recently indicated the APPG definition does not fit with the Equality Act 2010, in its conflation of race and religion.<sup>259</sup>

However, a government working group, launched by Deputy Prime Minister Angela Rayner in February 2025, will be formulating a new definition of 'Islamophobia'.<sup>260</sup> It will be chaired by former attorney general Dominic Grieve KC, who gave a glowing foreword to the report that launched the contested APPG definition.<sup>261</sup> The group will be essentially operating in secret with, remarkably, little public disclosure or scrutiny permitted.<sup>262</sup> Will the new definition act like a new blasphemy law,<sup>263</sup> and will it eventually be incorporated into the proposed Equality (Race and Disability) Bill? At the time of writing, none of this is clear.

For now, the government indicates that a proposed definition will be 'non-statutory'.<sup>264</sup> What is clear, however, is that 'Islamophobia' remains a vague catch-all term, which covers anti-Muslim hate, but also serves to shut down legitimate criticism of Islamic doctrine, historical truths, the bad behaviour of extremists and instances where non-Muslims are mistaken for being Muslim, like Sikhs, Rastafarians or Coptic Christians. The formulation of this new group, along with the expansion of non-crime hate incidents to include the nebulous term 'Islamophobia', does not bode well, regardless of Keir Starmer's emphasis on the history of Britain's freedom of speech in a meeting with Donald Trump at the Oval Office in February 2025

and his failure to rule out blasphemy laws when a Muslim-heritage Labour MP demanded he prohibit the ‘desecration of religious texts’, including the Koran.<sup>265</sup>

The government has historically funded third-party hate crime reporting monitors — like Tell MAMA (anti-Muslim) and the Community Security Trust (CST) (antisemitism). There are data sharing agreements between the police and the big third-party reporting organisations on crimes and incidents, which includes the CST, Tell MAMA, Galop (LGBT+) and Stop Hate UK. By April 2024, Tell MAMA has received over £6 million in government funding since it was set up in 2012.<sup>266</sup> A Freedom of Information (FOI) response<sup>267</sup> from the Ministry of Housing Communities and Local Government shows that for 2022/23 and 2023/24, £841,000 and £1,001,230 respectively had been awarded to Tell MAMA. The Ministry FOI response also confirms:

‘The Department has funded the police operated hate crime reporting service, True Vision, £100,000 and £80,000 respectively in 2022/23 and 2023/24. This project has operational independence from the Department, but exists to facilitate the reporting of all kinds of hate crimes. Over the years in question they have undertaken work to encourage increased reporting of hate crime targeting Sikhs, including paying £6,422 to Rakkah and £2,200 to the National Sikh Police Association.’

A new Combatting Hatred Against Muslims Fund was announced by the government in April 2025.<sup>268</sup> In addition, the government has set up stand-alone security funding for Jews and Muslims – the Jewish Community Protective Security Grant, established in 2015, and the Protective Security for Mosques Scheme (delivery commenced in 2024)<sup>269</sup> – to protect institutions and places of worship. Reports of increased incidents of hate crime against both

communities following the 7 October 2023 Hamas terror attack in Israel was cited as a reason for announcing further funding packages under the last government.<sup>270</sup> For the Jewish community, £36 million was made available across 2023–24 and the following financial year.<sup>271</sup> Subsequent to the targeting of a mosque in Southport – during the disorder in the summer of 2024 – the government provided additional ‘emergency’ security for mosques.<sup>272</sup> This, the government said, would ‘build’ on the £29.4 million already allocated for protecting mosques and Muslim faith schools in 2024.<sup>273</sup> In May 2024, the government confirmed £117.6 million in taxpayer funds had been allocated to protect mosques and Muslim faith schools across the country until 2028.<sup>274</sup> For clarity, the allocated (or available) spend referred to above is different to the taxpayer money issued to the various faith groups per year, which can be viewed in the table below.

*Table 2.1: Protective security funding issued per year by faith group*

	Jewish	Muslim	Christian	Hindu	Sikh	Other
2016/17	£13,400,000	£73,147.98	£352,979.47	£0.00	£9,319.20	£0.00
2017/18	£13,400,000	£190,345.17	£107,322.82	£23,385.60	£119,149.79	£0.00
2018/19	£13,400,000	£375,413.19	£126,832.32	£8,559.36	£295,477.05	£0.00
	Jewish	Muslim	All other faith groups (Christian, Hindu, Sikh, Other)			
2019/20	£14,000,000	£1,004,826.16	£713,937.56			
2020/21	£13,500,000	£257,822.03	£1,446,415.42			
2021/22	£14,000,000	£646,798.05	£1,721,160.29			
2022/23	£14,000,000	£2,925,310.84	£3,863,183.33			
2023/24	£18,000,000	£8,568,560.41	£2,517,004.77			
2024/25	Applications are still being processed and delivery of protective security is ongoing					

Source: Provided in a Home Office Freedom of Information (FOI) response.<sup>275</sup>

In contrast to the inordinate focus of policing and security for some Muslim and Jewish groups, there has been no formal adoption of hate crime definitions for any other group by political parties, local councils, universities or the government. This includes Christians, Hindus, Buddhists and Sikhs. Both an ‘anti-Hindu’<sup>276</sup> and ‘anti-Sikh’<sup>277</sup> definition is being mooted, words that are much

more accurate in meaning than ascribing an unsolicited psychological diagnosis ('phobia' as a suffix) to someone with opinions you don't like. (Jews are defined as an ethnic and religious group under the Equality Act 2010,<sup>278</sup> so this needs to be taken into consideration when specifically discussing antisemitism.)

The lack of attention given to anti-Christian hatred does not stack up, especially given that Christians are the largest religious group in England and Wales. We know that 46.2 per cent of people who responded to the 2021 Census identify as 'Christian'.<sup>279</sup> Figures for 2020/21 indicate there were over 4,000 incidents of crime against churches (data from 40 police forces).<sup>280</sup> These included theft, vandalism, assault and burglary – some of which may well fit into the subjective category of 'hate crime' – if perceived as such by a victim, 'or any other person'. However, there remains little focus on anti-Christian hate, despite attacks on Christians<sup>281 282</sup> and horrific incidents like the Magdeburg and Berlin Christmas market attacks (in 2014 and 2016, respectively), nor calls to criminalise 'Christianophobia', with a legal definition to be incorporated into law. There are no dedicated stand-alone pots of funding allocated to any other faith group within the broader Places of Worship Security Scheme. It is fair to say government policy since the publication of *Action Against Hate* (2016)<sup>283</sup> – the government's hate crime action plan – is amplifying a hierarchical approach when it comes to Britain's diverse faith groups.

Sikhs often receive a backlash following jihadist attacks, due to a conflation of their religious identity, the *dastaar* (turban) and beard, with the attire of Islamic extremists like Osama bin Laden and the Taliban, and their places of worship have previously been targeted.<sup>284 285</sup> This phenomenon has been explored by the current author in a co-authored volume

with Professor Jhutti-Johal: *Racialization, Islamophobia and Mistaken Identity The Sikh Experience* (2020).<sup>286</sup> However, both Sikhs and Hindus have not featured as a government priority, ever since the launch of *Action Against Hate* (2016).

This ongoing hierarchical approach in public policy with the skewed allocation of taxpayer funding to Britain's faith groups, as well as Yvette Cooper's proposed non-crime hate incident recording focus on Jews and Muslims, has not gone unnoticed, nor unchallenged. In a House of Lords debate on 'anti-Muslim prejudice and hate crime' in September 2024, crossbencher Lord Singh of Wimbledon pleaded with the government for parity in hate crime policy for all religions and those of no belief. He said:

'To borrow from Shakespeare, if a member of those other faiths is cut, do they not bleed? Will the Minister confirm that the Government will be even-handed in looking at the needs and concerns of all religions and those of no faith?'<sup>287</sup>

## 3.

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# Interviews with Harry Miller (Fair Cop) and academic Lisa McKenzie

In order to draw on their respective expertise, the author interviewed grassroots activist Harry Miller and academic Lisa McKenzie.

*Harry Miller is a former police officer from Humberside and the founder of campaign group Fair Cop. Harry Miller's challenge against police guidance on the recording of 'hate incidents' set a legal precedent, with a Court of Appeal ruling in 2021.<sup>288</sup> The court ruled that the guidance unlawfully interfered with the right to freedom of expression. Harry Miller's case was initially heard in the High Court, where the court upheld that Humberside Police's actions against him, by recording a non-crime hate incident, breached his Article 10 rights.<sup>289</sup> He now helps others through the campaign group Fair Cop, which describes itself as: '... a group of individuals who have come together over shared concerns about police attempts to criminalise people for expressing opinions that don't contravene any laws'.<sup>290</sup>*

*Lisa McKenzie is an academic and author of books including *Getting By: Estates, Class and Culture in Austerity Britain*.<sup>291</sup> She is a senior lecturer in sociology at the University of Bedfordshire.<sup>292</sup> Her research and expertise is on class inequality, social justice and British working-class culture.*

**QUESTION I. Hardeep Singh:** What are your views on the concept of multi-tier policing/justice, especially when focusing on the fast-tracked justice with the deployment of additional police/prosecutors seen in the wake of the disorder following the Southport murders? (We did not see a similar impetus from the state following disorder in Harehills (Leeds), or at the Notting Hill Carnival, the latter where two people were in fact killed.)

**Harry Miller:** There are two considerations here. The first is based on the deployment of limited resources. The public will not be aware, during any given shift cycle, of the various demands that are simultaneously placed on finite police resources. Judgement calls made by commanding officers in seeking to triage police attendance may, at times, seem unreasonable to a member of the public. This is inevitable. Indeed, when I interviewed an Assistant Commander of the Met Police about this in 2022, he sought to pass off all policing deployment decisions based on these practical factors, and that public perception of politics playing a part in the allocation process was entirely misconceived. This brings us to the second problem, which is one of perception. The Code of Ethics read in its entirety elevates the importance of public perception. Association with politics is restricted. The bar is set low: at the perception of the reasonably informed member of the public. This means that if the public reasonably perceives political affiliation, then academic defence is largely moot.

The College of Policing Code of Ethics reads:

'Associations

'6.3

'Membership of groups or societies, or associations with groups or individuals, must not create an actual or apparent conflict of interest with police work and responsibilities.

'6.4

'The test is whether a reasonably informed member of the public might reasonably believe that your membership or association could adversely affect your ability to discharge your policing duties effectively and impartially.

'Political activity – police officers only

'6.5

'Police officers must not take any active part in politics. This is intended to prevent you from placing yourself in a position where your impartiality may be questioned.'<sup>293</sup>

Members of the public reasonably perceive that the police favour left-leaning, pro-Palestinian, climate catastrophising, woke ideology over conservative, orthodox ideology, and appear to deploy resources with either a light touch, or a heavy hand, based more on ideological favour than on practical resource management. (Even if this was not the case, the perception that it is, indeed, the case, is not a trivial matter.)

**Lisa McKenzie:** In 2011, the state reacted to the riots started in Tottenham in a similar way to 2024. Starmer was head of the CPS – he kept courts open throughout the night and long sentences were given to anyone involved including looters (of water) and the first of the Facebook posts. It was a template for what would happen in 2024 – two-tier policing is apparent, but not perhaps in the way people think it is.

The state sees 'the mob', especially when they are working-class people, as a threat to its existence and in recent years have reverted to the principles of 'reading the riot act' where the state sees what on any other day would be minor incidents, throwing stones, smashing windows, swearing at the police or making uninformed social media posts, as a direct threat to its power.

I don't think it is two-tier on race as others might, but I do see how the police treat different groups and incidents – the police seemed to treat Harehills as a community matter rather than a riot that is a threat to the state.

Consequently, the sledgehammer effect we saw a few weeks later did not happen – I also believe and have seen through many years of direct protesting that police like to work with 'community leaders', so if a community like the Muslim community have leaders, the police will work with them – where it becomes two-tier is when the police and the state don't recognise 'white working-class' as a specific group.

**QUESTION II. Hardeep Singh:** What examples of multi-tier policing/justice are the most egregious in your mind and why? These could be historical or related to the disorder in the summer of 2024.

**Harry Miller:** The public is not stupid. Its perception of two-tier policing is based on the accurate observation of patterns, where one can predict the nature of a police response with a high degree of accuracy based on the ideological cause in question. The response to Southport was highly predictable and followed this pattern. The belligerents were, in the main, white, and their concern centred largely around uncontrolled immigrants. This was predictably seized upon by the government as being a public order criminal

event centred around racial hatred. The response included the police working across county borders, and a judiciary that was placed on notice to place such belligerents to the front of the justice queue. This was inarguably a politically motivated decision, and encouraged by a Prime Minister who has brought his natural instinct to prosecute to the primary office of government. Rather than reaching across the aisle and recognising the legitimate concerns of a section of the public, he condemned them out of hand. This is in marked contrast to the comments he made during the Black Lives Matter riots where he condemned the behaviour but argued that the case promoting the behaviour was just.

**Lisa McKenzie:** The political narrative was set immediately – racist – white – thugs – while the Muslim community who were involved, as they might say in a defensive role, were treated as I previously mentioned as ‘a community matter’ ... I fear now that if I was to write or try and do research on this issue as I did in 2011, it would not be published and I would be cancelled for trying to think through the wider issues, which would be more nuanced than current narratives.

**QUESTION III. Hardeep Singh:** One of the arguments I’m putting forward to explain the phenomenon of multi-tier policing relates to the policing of different communities through gate keepers or ‘community leaders’. What are your thoughts on the reasons as to why trust is being eroded, and what can be done to alleviate concerns about a lack of impartiality?

**QUESTION IV. Hardeep Singh:** My previous research looked at the role of internal police advisory groups and staff networks, promoting the agenda of identity groups within the police – especially around hate crime. What role has

identity politics and Critical Race Theory (CRT) played in all this, and do you believe the police are at risk of bringing into question impartiality based on the Peelian principles, the College of Policing's Code of Ethics, and the police oath?

**Lisa McKenzie:** The white working-class, along with perhaps the West Indian (Windrush) community, are not as community organised as other groups and are seen as 'mob', but more importantly without power and representation and advocacy – particularly for the white working-class, who have no representation at all. This was evident in 2011, where rioters and looters were given swift and harsh sentences but within days there were questions being asked about the social issues that might have sparked off the riots – poverty, lack of opportunity, policing etc. In 2024, the riots were much smaller in scale and destruction – and yet 5 months later there is no public, or academic discourse about the social issues around the riots. It has been met with the one-dimension narrative of racism and thuggery. *[McKenzie addressing question iii only in December 2024.]*

**Harry Miller:** A fundamental problem with policing is the Police Reform Act 2002 which altered the Oath of Attestation. Traditionally, constables swore an oath to keep the sovereign's peace and uphold the law. Since 2002, the police have been burdened with the additional duty of upholding 'human rights'.

This is problematic because it opens up the possibility for certain 'human rights' to be treated as though they were in fact law. When respected bodies such as Amnesty International, Stonewall, Mermaids UK and the European Commission claim that pronouns are a 'human right', police forces tend to adopt these aspirational values, and treat political objectors as criminals. [...]

Where law is no longer the single and dominant locus of control, and when influential voices can gate-keep and lobby what human rights should be given the de facto status of law, then it is inevitable that the police will enforce the ideologies which they favour, and persecute, through the use of non-crime hate incidents, dissenting voices where there can be no reasonable expectation of a successful prosecution. *[Miller addressing both questions iii and iv.]*

**QUESTION V. Hardeep Singh:** Does class play a role in the way communities were dealt with after the Southport atrocity or more broadly, and is it fair to demonise all working-class white people who were protesting following the Southport atrocity as 'far right'?<sup>294</sup>

**Lisa McKenzie:** The grooming gangs have been a massive issue in specific communities – where this practice has been very widespread and has deeply damaged those communities, the police, authorities, government local and national acted in very bad faith and continue to do so. This is because the children involved were worth nothing in society, absolutely valueless – poor, white working-class girls. I wrote a book in 2015 – *Getting By* – about the devaluing process of the working class – 10 years on that devaluing process has continued where the whiteness of working-class bodies is also racialised – as abject and nothing.

The white middle-class have always determined how the working-class body, values, and identities can be delineated from their own – working-class animalistic, emotional, hedonistic, and previously when whiteness was about middle-class purity, the white working-class were 'the dirty white'.

Now that the middle-class are cosmopolitan and progressive, the white working-class are ostensibly white –

think Jon Snow's comments about a Brexit rally, 'I've never seen so many white people in one place' despite Snow going to Glastonbury year on year. But what he was referring to was a specific whiteness that sits on the bodies of working-class people – he delineated that whiteness from his own progressive and cosmopolitan whiteness. *[McKenzie addressing questions iv and v.]*

**Harry Miller:** If this government could repeal the 1918 Representation of The People Act, it would. Since Brexit, the views of the British working-class by repeated governments (excluding Johnson) have been derided to the point of making them akin to criminals. Criticism of immigration and immigration policy may result in the recording of a non-crime hate incident (see the 2020 iteration of the hate crime guidance issued by the College of Policing). The flags and emblems beloved of the working-class (Union Flag, George Cross etc.) are equated with violence and racism ... whereas the flags and emblems of woke ideology fly over police stations, are emblazoned on police cars, and are stitched into police uniforms. All of it is designed to show that working-class values are outdated, offensive and criminal adjacent. *[Miller addressing question v only.]*

## 4.

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# Factors contributing to the rise of two-tier policing

The August 2024 YouGov survey showed there is indeed a public perception that 'the police are stricter with some groups and more lenient with others',<sup>295</sup> but there is disagreement over how this applies to different groups. The perception of two-tier policing is based on the view that political pressure influences the police to be more lenient with left-wing, progressivist, Black Lives Matter and Islamic protestors, compared to working-class, 'far-right thuggery'. The former Chairman of the Conservative Party, Sir Jake Berry, suggests the problem in trust with the police started with the Black Lives Matter protests.<sup>296</sup> He said:

'I think the big mistake that the government's made is it feels to me like the government has picked a side. It has labelled one group of people as completely far right, and it is virtually, chucking the book at them.'<sup>297</sup>

There are, as this report has documented, examples of where a variation in policing approach (or delayed prosecution) has indeed occurred – be it at Harehills, The Clumsy Swan, Notting Hill Carnival or Manchester Airport. But as Harry Miller points out, the bar is set low when it comes to the test of impartiality in the Code of Ethics. So, even the perception of two-tier policing by a 'reasonably informed member of the public' is not a trivial matter. Even the progressivist newspaper *The Guardian* are asking the question, "Protests that were not allowed": does Britain have a two-tier policing problem?'.<sup>298</sup> Freedom of Information

(FOI) responses covered in the article demonstrated that of 24 planned protests banned under Section 13 of the Public Order Act 1986 (in the past three decades), 21 were proposed by far-right groups.<sup>299</sup>

How did we arrive at this juncture? There is a panoply of reasons. Lisa McKenzie highlights the disempowered status of the white working class who don't possess advocacy, power or representation akin to some ethnic minorities. This creates an inequality with reference to police relations. Harry Miller refers to the change in the police oath to include upholding 'human rights' in 2002. This has been, in part, responsible for what could be described as ideological capture. People who have strayed from progressivist orthodoxy, such as merely asserting the seemingly benign opinion that pronouns are a nonsense (or have used the wrong ones)<sup>300</sup> have found themselves in difficulty with the police because 'human rights' have evolved into a proxy for law. Activists weaponise non-crime hate incidents against their ideological opponents. After all, it's not unusual for activists to utter the words, 'trans rights are human rights'. (On this, the Supreme Court judgment – in *For Women Scotland Ltd versus The Scottish Ministers*<sup>301</sup> – will no doubt change the status quo.)

But having an alternative opinion should not be a matter for the police, even if it is considered 'offensive'. What's more, something 'offensive' to one person could be viewed as 'funny' by a second or 'stupid' to a third. That said, it wasn't long ago that Merseyside Police had to apologise for claiming that 'being offensive is an offence', as part of a hate crime reporting campaign.<sup>302</sup> This alone surely points to a pressing need to train the police on freedom of speech – in particular, Article 10 of the Human Rights Act 1998.<sup>303</sup> A 2023 Free Speech Union report by Carrie Clark showed

that 78 per cent of 41 police forces surveyed provide either zero training on the right to freedom of expression, or 'only provide the bare minimum'.<sup>304</sup> The report, however, also demonstrated a significant focus on diversity, equity and inclusion training.

The disorder following the Southport murders was touched upon in the King's Christmas 2024 speech. King Charles III said:

'I felt a deep sense of pride here in the United Kingdom when, in response to anger and lawlessness in several towns this summer, communities came together, not to repeat these behaviours, but to repair. To repair not just buildings, but relationships. And, most importantly, to repair trust; by listening and, through understanding, deciding how to act for the good of all.'<sup>305</sup>

The King also said that 'diversity of culture, ethnicity and faith provides strength', a variation of the metropolitan liberal class' tired mantra – 'diversity is our strength'. But despite the King's overly optimistic take on 'repair' and fashionable opinion about diversity, there is an undeniable and gaping schism in our society and several questions arise from the current status quo.

Firstly, why does public disorder from some groups receive a speedier and more muscular response from the state, and why are we not punishing all online comments that meet a criminal threshold equally? The scale of the disorder following the Southport murders was significant, but the crackdown against 'far-right thugs' was, on the face of it, much more swift and severe compared to responses in both Harehills and Birmingham. Moreover, the suspended Labour councillor who pleaded not guilty to encouraging violent disorder in the summer of 2024 is going to trial in

August 2025 – a year on. Pakistani heritage men charged in relation to events at Manchester Airport back in July 2024 go to trial June 2025. With reference to social media, compare the aforementioned academic's post calling for 'somebody to blow up the venue'<sup>306</sup> whilst Jews were inside, to a separate and contrasting Facebook post: 'Blow the mosque up with the adults in it'.<sup>307</sup> On the face of it, the posts are almost identical. The former wasn't even charged by the CPS; the latter received a 15-month prison sentence.<sup>308</sup> Even when we factor harsher sentencing handed down during times of civil unrest, it is, in this instance, reasonable to point out an ostensibly two-tiered approach to justice. The woman sentenced to 31 months in jail for a post on X during the disorder in the summer of 2024 was later denied temporary release.<sup>309</sup> Former Home Secretary, Suella Braverman, described her unequivocally as a 'victim of a politicised two-tier justice system in Starmer's Britain'.<sup>310</sup> The appeal to reduce her sentence later failed.<sup>311</sup>

But none of what's being discussed here has happened overnight or in isolation. We've witnessed an underlying cultural shift in policing since the publication of the Macpherson report (1999) – primarily because Macpherson prioritised subjective feelings over objective facts. This goes against the previous established legal tradition of how evidence is handled but is based on Macpherson's insistence on under-reporting of racist crime as being evidence of 'institutional racism'. As my previous research for Civitas along with Richard Norrie has highlighted, identity politics is shaping policing from within too. The introduction of identity-based independent advisory groups (IAGs) and staff associations that influence policing and the post-Macpherson obsession with reporting and recording 'hate crime', which can even capture trivial incidents like an

argument in a supermarket car park, have slowly changed the narrative and prevailing culture.

The police have been drawn into ideological disputes over pronouns, with some forces even choosing to wear rainbow lanyards and epaulette sliders, or display rainbow flags on their buildings.<sup>312</sup> But only some political views are endorsed by the police: the same forces are likely not to wear t-shirts that define what a biological woman is, or ones emblazoned with 'no to sharia'. This appears to suggest the police have become subject to a form of ideological capture by particular identitarian groups. Various groups lobbying government with a vested interest in presenting their specific group as victims of hatred have emerged. Joanna Williams coined the term 'hate crime entrepreneurs', describing groups lobbying along identity lines in her Civitas report, *Policing Hate* (2020).<sup>313</sup> She argues: 'these groups are effectively paid by the government to tell government ministers (via civil servants) what they want to hear'. Indeed, we've seen the emergence of third-party reporting organisations like Galop ('LGBT+'), Stop Hate UK, CST and Tell MAMA, who are all given taxpayer funding. To save taxpayer money and ensure equal treatment, surely all strands of hate crime should be reported via True Vision,<sup>314</sup> a police website that is owned by the National Police Chiefs' Council?

It's remarkable that the recording of non-crime hate incidents was an innovation of the College of Policing, not something that has been passed in law. However, there is hope on the horizon, with the chairman of the College, Lord Herbert of South Downs, saying the government should consider scrapping the recording of non-crime hate incidents in their current form.<sup>315</sup> The Conservatives have tabled an amendment to the Crime and Policing Bill, which could end the recording of noncrime hate incidents.<sup>316</sup> On

non-crime hate incidents, and hate crime more broadly, the government's primary focus on Jewish and Muslim faith groups since the publication of *Action Against Hate* (2016) could be considered hierarchical too, when it comes to Britain's faith groups. Christians, Sikhs and Hindus are amongst those standing at the lower rungs of the religious 'hate crime' pecking order. Moreover, if politicians<sup>317</sup> and public institutions (like the NHS) mark 'Islamophobia Awareness Month',<sup>318</sup> or 'Muslim Heritage Month',<sup>319</sup> what about equal treatment for other faiths or beliefs?

Charles Moore, Chairman of the *Spectator* magazine and member of the House of Lords, expands on how attitudes stemming from multiculturalism have embedded themselves in 21st century Britain, when he refers to 'the idea that ethnic minority communities must be dealt with chiefly through gatekeepers drawn from their own race or religion'.<sup>320</sup> Moore plausibly argues that this is an unshaken remnant of Britain's colonial past – and does not fit with the concept of common rule of law and citizenship for all British citizens. Politicians and the police often refer to the vague and unhelpful term 'community leader'. This leads to the question of whether a different approach is taken with ethnic minorities. On this, Lisa McKenzie observes (see Chapter 3) that Harehills was dealt with as 'a community matter' (which was certainly not the case in Southport) and how the police liaise with 'community leaders' in some communities, like the Muslim community, when they don't apply the same with the white working class. This, in effect, serves to creates a two-tier approach.<sup>321</sup> In Birmingham, we also had police refer to 'business leaders' – this is unlikely to encompass a white working-class manager of the local launderette, cafe or chippy. Notably, more than half of those charged with offences over the summer of 2024 (like violent

disorder) came from the country's most deprived 20 per cent of neighbourhoods.<sup>322</sup> So, there's something to be said about the lack of opportunity, education and social mobility amongst the communities involved in the disorder too.

As already discussed, the root cause of the way police deal with minority groups today can indeed be traced back to the recommendations from Macpherson. Existing hate crime reporting based on perceived hatred emanates from Macpherson. So, if someone perceives they are a victim of racism, or possesses any of the other protected characteristics – religion, disability, sexual orientation, transgender identity<sup>323</sup> – then the police cannot question or challenge that assumption, and a 'victim' and 'perpetrator' (or 'suspect') status is automatically afforded to parties based entirely on subjectivity. This creates an immediate bias. Remarkably, no corroborating evidence is required. The more awareness that is raised about hate crime, the more likely people will perceive themselves as 'victims' and seek the support of the police and judiciary. This in turn perpetuates a never-ending cycle of awareness and increasing reporting for select groups (some of whom are provided significant state funding to do so) whilst relegating freedom of expression and equality before the law.

In the book *We're Nearly All Victims Now! How the politics of victimhood is undermining our liberal culture* (2019), David Green says the concept of victimhood is not compatible with moral equality. He argues that:

'A desire to sympathise with victims has also led us astray, particularly by encouraging a flight from personal responsibility. Victim status is closely allied with the medicalisation of life. Conditions like "stress" have been reinterpreted as states of mind that can only be overcome with expert therapy or counselling. But they are further examples of the escape from personal responsibility.'<sup>324</sup>

None of this is to say there are not genuine victims of crimes motivated by a hostility directed towards the five types of protected characteristics under law.<sup>325</sup>

But what other factors are at play? Author Alex Klaushofer questions whether a shift in policing occurred during 2020, when the police 'acquired unprecedented powers' at the time of the Covid pandemic. She argues:

'The policing of the anti-lockdown demonstration in September 2020 was so different from that of the BLM [Black Lives Matter] protests that it might have well have taken place in another country.'<sup>326</sup>

This argument has some traction and furthermore supports Sir Jake Berry's position on how public trust in the police began to flounder with the Black Lives Matter protests, but one can also attribute what happened in the aftermath of the Southport murders to the spread of disinformation too. Disinformation also added fuel to the fire in Leicester during the Muslim–Hindu disorder in 2022. Rob Nixon, the then acting Chief Constable in Leicester, said disinformation was one of the 'biggest challenges' police faced amidst the unrest.<sup>327</sup> This is echoed in the HMICFRS report into disorder in the summer of 2024, which says the police were unable to keep up to speed with online communications and sufficiently challenge fake news.<sup>328</sup>

Indeed, over the summer of 2024, bad faith actors and extremists compounded the levels of toxicity – exacerbating community tensions. The messaging service Telegram was used by the far-right to stir anti-Muslim and anti-migrant hate.<sup>329</sup> However, a significant source of initial disinformation originated from a source in Pakistan, an Islamic republic, born from the violent schism of an undivided India in 1947. Indeed, some of the sentencing for

social media posts reflect the seriousness of adding fuel to the fire, given that major civil unrest was erupting across our country. In addition, allegations of two-tier policing are also born from the political rhetoric of our elected leaders. ‘Far-right’ protagonists responsible for attacking mosques and asylum hotels were rightly condemned, but the government seemingly overlooked incidents elsewhere, like in Birmingham, Bolton and Plymouth, and in Stoke where a police liaison officer negotiated with Muslim counter-protests encouraging them to put their weapons in the mosque.<sup>330</sup> The Prime Minister should have condemned thuggery from all sides, but he deliberately chose not to – which provided subsequent legitimacy to the slogan ‘Two-Tier Keir’. West Midlands Police’s decision in February 2025 to reissue a mugshot of a convicted Islamic State terrorist, following her complaint she wasn’t wearing a niqab in the original photo, only adds to the perception of two-tier policing when it comes to police’s dealing with reference to Islam.<sup>331</sup>

The state of policing itself and reform must be considered too. Of course, there are some bad actors amongst the police (such as the infamous murderer Wayne Couzens)<sup>332</sup> but most officers are good people striving hard to serve their communities with integrity. It’s not an easy job, and it is one for which public trust is essential. In support of rank-and-file police officers, *The Telegraph* columnist Camilla Tominey argues:

‘If you’re having to spend your days putting your life on the line catching murderers, rapists, drug dealers and other wanton criminals then there needs to be carrot as well as stick.’<sup>333</sup>

However, in recent years, there appears to be an absence of carrot, but plenty of stick to go around. Indeed, policing as

a profession is under huge internal and external pressures. The reforms to police pensions under Theresa May in 2012 was a significant blow, as it raised the police pension age from 55 to 60,<sup>334</sup> with other changes to police pay and conditions overall.<sup>335</sup> We've witnessed a high 'leaver rate' (the number leaving as a proportion of those who started the year) amongst the police,<sup>336</sup> alongside the treatment of, for example, Sergeant Martyn Blake – the firearms officer who was cleared of the murder of Chris Kaba (who has since been accused of gross misconduct)<sup>337</sup> – demonstrates the huge risks some officers have to take in the line of duty.

All of this is further compounded by the progressivist culture of complaint, with the fear of career-threatening or career-ending predicaments (as highlighted by the Rick Prior case) as well as being drawn into ideological disputes with the unhealthy obsession with hate crime and Orwellian non-crime hate incidents. Alarmingly, Harry Miller claimed the officer who investigated his alleged 'transphobic' tweet told him: 'we need to check your thinking'.<sup>338</sup> Combined, all of this serves to dilute the public's belief in police impartiality, whilst also hitting police morale. A report from His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), *An inspection into activism and impartiality in policing* (2024),<sup>339</sup> makes the point that police decisions relating to the Equality Act 2010 have attracted criticism, which can make both members of the public and the police themselves question impartiality of the police service.

Adding to our cup of miseries was a recent proposal for new 'two-tier' prison sentencing guidelines (England and Wales), which suggested that pre-sentence reports (documents providing background information on a defendant's circumstances in order to help decide whether a custodial sentence is appropriate) should be 'considered

necessary' for cohorts from a 'faith minority community' and those from an 'ethnic minority'.<sup>340</sup> This was the subject of much public concern and was due to come into force 1 April 2025.<sup>341</sup> If the guidelines had been implemented, they would have disadvantaged Christians, and straight white men. They were abandoned after the government introduced emergency law to set them aside.<sup>342</sup> The Justice Secretary Shabana Mahmood said she opposed a 'two-tier sentencing approach', and 'did not stand for any differential treatment before the law'.<sup>343</sup> This clearly demonstrates that the idea of 'two-tier' justice is no longer simply a far-right conspiracy theory, but something a quasi-autonomous, non-governmental organisation attempted to implement.

The government has set up an independent public inquiry into the Southport murders.<sup>344</sup> Meanwhile, the Women and Equalities Committee has launched a separate inquiry into community cohesion, which will include taking evidence on the disorder in the summer of 2024.<sup>345</sup> The findings of these inquiries may shed some more light on the various themes explored in this report. Let's hope they are willing to grasp the nettle of legitimate concerns about police impartiality.

The existing policing approach reflects that rather than operating on a colour-blind or community-blind basis, the attempt was made by police to compensate for the allegation stemming from Macpherson of 'institutional racism' by policing different communities in different ways. Although this is well intentioned, it is unhelpful and not without consequence. In part, this approach includes co-operation with so-called 'community leaders' (for example in The Clumsy Swan incident) – that is, different treatment for different groups with different needs; or in other words, two-tier or multi-tier policing. Whilst this has been the official policy since 1999, it still appears to be denied by the

police, who maintain there is equality before the law – the principle that all people are subject to the same laws and are treated equally by the courts, regardless of who they are.

# Conclusion and recommendations

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Stories referring to ‘two-tier’ policing and justice have now become a regular feature of the reporting press. Take, for example, the husband of the woman sentenced to 31 months in prison for a social media post during the disorder following the Southport murders. In May 2025, he said the unsuccessful appeal to reduce her sentence ‘feels like two-tier justice’.<sup>346</sup> When rapists, paedophiles and terrorists are given lesser sentences, there is legitimate ground to raise concern.<sup>347</sup> The White House is ‘monitoring’ the case<sup>348</sup> and former Prime Minister Boris Johnson said the case shows Britain is ‘turning into a police state’.<sup>349</sup> This may well be considered an exaggeration by some, but even the perception of a tiered approach to justice for different groups is deeply harmful to public trust in our key institutions. Of course, the government does not agree with such framing. In fact, the Home Affairs Committee Inquiry into the 2024 riots (April 2025) referred to ‘disgraceful’ and ‘unsubstantiated’ claims of ‘two-tier policing’,<sup>350</sup> which it said served to ‘undermine’ officers.<sup>351</sup>

However, the various case studies and examples highlighted within this report were not sufficiently taken into consideration by the Home Affairs Committee Inquiry. It is difficult not to acknowledge some discrepancy in a policing/justice approach when we compare the robust response to disorder (and tough rhetoric) in the aftermath of the Southport atrocity, to the rioting in Harehills (Leeds), or disturbances in Bordesley Green (Birmingham). When in opposition, Starmer showed bias by ‘taking the knee’ in solidarity with Black Lives Matter, and how the police have

dealt with pro-Palestinian protests since 7 October 2023 has increasingly come under scrutiny. Moreover, for far too long, racial and religious sensitivities have impacted justice for 'grooming gang' survivors. Although, Starmer announced a national statutory inquiry into grooming gangs in June 2025, only six months prior, he'd accused those calling for exactly that, as jumping on a 'far-right bandwagon'.<sup>352</sup> Indeed, evidence in this report demonstrates a clear hierarchical approach with faith groups, when considering taxpayer funding allocated/issued and government policy in officially defining and recording hatred, or 'hate incidents' for some religions, but not others. This is, by no means, a level playing field – it is, rather, the very definition of a multi-tiered approach.

Everyone must be treated equally before the law, but public perception as to whether this is a reality has gradually been eroded over the decades since Macpherson. Although the government will dismiss claims of 'two-tier' justice, it was forced to introduce emergency legislation to 'Prevent potential differential treatment arising from the Sentencing Council guidelines and avoid any unintended discrimination'.<sup>353</sup> There are many examples of where identity politics and progressivist causes have trumped impartial policing. It is time to reinstate equality before the law for all citizens, regardless of their politics, religion or identity grouping.

There are several plausible ways of addressing these challenges and not leaving police forces open to questions of partiality:

- The College of Policing (CoP) should introduce new guidance and training programmes to clarify and emphasise the importance of the impartiality duty,

with the inclusion of scenarios in which this has been brought into question, be it the recording of non-crime hate incidents, 'grooming gangs', or dealing with public disorder.

- The police should review the Equality Act 2010 and the Public Sector Equality Duty (PSED) that stems from the Act, to better understand how being drawn into ideological disputes could breach their obligation under law to 'advance equal opportunities' between people who possess a protected characteristic and those who do not, and to 'foster good relations' between those who possess a protected characteristic and those who do not.
- The government should provide assurances to adherents of all faith groups in England and Wales that hate crime against Abrahamic faiths, non-Abrahamic faiths and those of philosophical or no belief will be treated equally and fairly in terms of (i) government policy focus; (ii) resource distribution; and (iii) recognition of official definitions of hatred – regardless of the size or voting influence of the respective community.
- Police should abandon the practice of recording non-crime hate incidents – officers must log their conversations with the public but advise them that trivial incidents are not a police matter. Vexatious and politically motivated reports should be dealt with as wasting police time.
- Guidelines for police staff associations should be updated and strengthened, providing clarity on the role of independent advisory groups (IAGs) to emphasise the need for police impartiality, and to ensure political activists are not influencing the police with their own agendas from within.

- The police should receive mandatory training and new guidance on freedom of speech – in particular, under Article 10 of the Human Rights Act 1998.
- Taxpayer funding to all ‘third-party’ hate crime reporting organisations should be scrapped. To save taxpayer money and ensure equal treatment, all strands of hate crime should be reported via True Vision,<sup>354</sup> a police website that is owned by the National Police Chiefs’ Council.

# Notes

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i A pre-sentence report is a document prepared by probation officers that gives information about a defendant's background and circumstances in order to inform the decision of what sort of sentence would be appropriate.

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## THE MANY TIERS OF BRITISH JUSTICE

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In the wake of the civil disturbances following the Southport tragedy, any mention of the phrase ‘two-tier policing’ has been dismissed. This report questions why progressive political leaders refer to it as the language of far-right thugs, the media cast it as ‘myth’, and a high-profile Select Committee refers to it as an ‘unsubstantiated’ and ‘disgraceful’ concept in relation to the police.

The government has since been forced to introduce emergency legislation precisely to ensure that two-tier justice doesn’t become embedded in court sentencing guidelines – while separately, the Prime Minister felt obligated to announce a national inquiry into grooming gangs, based, in part, on the question of whether public authorities took appropriate actions to protect young white girls as a consequence of concerns over racial or ethnic sensitivities.

Prior to and especially since the disorder following the Southport tragedy, there has been a growing public debate as to whether British policing demonstrates impartiality when dealing with crime and protests and public disorder amongst different communities or groups.

This report by Hardeep Singh examines whether a ‘tiered’ approach goes to the heart of policing and the wider criminal justice system. After all, impartiality had always been written into the historic founding principles of policing: ‘To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law’.

But are some groups, like progressivists, climate change activists, or ethnic minorities, given a wider berth than others? Are police operational decisions (or prosecution decisions) influenced by the community being policed? Does political pressure influence the police to be more lenient with left-wing protestors, compared to right-wing groups? Is there the potential for political interference, which might result in a prioritised policing response?

The apparent differential treatment, along ethnic and religious lines, for incidents in Birmingham, Bristol, Manchester Airport, Harehills (Leeds), the Notting Hill Carnivals, plus the various Israel-Palestinian protests, combined with the tiered policing approach towards faith groups in the reporting of non-crime hate incidents, all underline this continuing trend.

Drawing upon numerous case studies, this report aims to delve into some of these important but admittedly contentious issues. It is an attempt to shed some light on whether the widely held perception of two-tier, or multi-tier, policing is warranted.

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