



REQUEST FOR AN APPLICATION FOR A CROWN COURT SERIOUS CRIME PREVENTION ORDER (SCPO)

OPERATION NAME	OP *****
DEFENDANT(S)	*****
COURT	***** Crown Court
STAGE OF PROCEEDINGS	Trial
SWROCU SCPO Coordinator	DI 1655 Andy Fox

FACTS

Operation **** was an investigation into cross border Drugs trafficking, specifically Cocaine, by a ***** based organised crime group, which included in a leading role, *****.

The case demonstrated Cocaine supply conspiracy at a consistent multi-Kilo level, through January 2016-December 2020, which culminated in 4 kilograms of cocaine being seized in Bristol, which **** and ***** had been facilitating with others, and ultimately delivered to the customer ****. This investigation covered two conspiracy periods, where defendants entered the agreement at various points or appeared to leave it. Mr **** and ***** remained consistently involved throughout the 2016-2020 period, operating as senior, or leading players in the hierarchy.

Far from being local or street level supply, this was a fully-fledged business agreement between ****, ***** and others, including **** brother ***** in which large quantities of cocaine would be obtained by the brothers, and then divided into multi kilo or multi ounce deals to customers, or simply brokered onto other Kilogram and above level drugs suppliers in the South West of England as was the case in November 2020 when ***** took possession of four kilograms of commodity. As relationships and the business of selling cocaine developed, ***** appeared to operate separately to his brother for a time, and ***** began to drive the business, and established his own supplier, preventing the need to purchase drugs from the ***** brothers. This was via a London based Albanian Organised crime group, with **** and **** at the head of this group, with a direct importation means for the drugs, and a national distribution network. **** would later draft a contract of employment for ***** as a business development manager, again, in what the crown state is an attempt to conceal the true nature of their association.

A variety of businesses are alleged to have been used by Mr ***** in attempts to conceal his criminal gains, including his "employment" at **** tyres, a company owned and managed by Mr ****. It is the crown's case that the salary paid legitimately to **** by **** Tyres, including taxation and NI contributions were repaid by **** and his associates, to ***, and given the absence of evidence in this case of genuine employment are considered to be nothing more than a vehicle for legitimising funds and enabling the obtaining of credit, mortgages, phone contracts etc.

The case involved the use of PGP (Pretty,Good,Privacy) Encrochat devices and SKY ECC devices, all considered to be sophisticated encrypted handsets, utilised the crown say, to frustrate and evade law enforcement detection. These devices were used over a number of years to conceal the ongoing drug supply and establish a wide-reaching customer and supply base. Defendants including Mr ***** and Mr ***** denied using such phones and refused to provide the passcodes preventing timely downloading of them, and further extending the duration, scale and costs of the investigation.

Dedicated criminal couriers also played a part in delivering drugs to customers and collecting the vast quantity of cash that was being generated. One such Courier***** was utilising vehicles containing purpose built and highly advanced vehicle concealments, again an attempt to evade detection and minimise their risk of exposure. At least one of these vehicles had previously been purchased and provided to *****, by Mr *****, with **** attending when the vehicle's concealment was fitted. ***** also operates independently for Bristol and Thames Valley based organised crime groups as a dedicated criminal courier, advertising his services on Encrochat and Sky ECC, providing discrete drug and cash couriership on behalf of very high-level drugs traffickers.

Mr **** is known to have used vehicles himself, which were of extremely high value, often insured and registered to associates, again, the crown says to prevent them being directly associated with him. Likewise bank accounts of his female partners and associates were used to purchase such vehicles, and to store reserves of his money, as was the case with *****.

R v *****

Case Reference Number:

THIS NOTICE is to tell insert defendant's full name

Date of birth:

Address:

Having been convicted on ***** at ***** Crown Court of one or more serious offences:

Full offence details – include dates, full offence wording

AND UPON THE COURT having reasonable cause to believe that an Order under section 19 of the Serious Crime Act 2007 would protect the public by preventing, restricting or disrupting involvement by the Subject in serious crime in England and Wales

IT IS ORDERED AS FOLLOWS:

This Order comes into force for a **PERIOD OF 5 YEARS BEGINNING WITH THE DATE UPON WHICH THE SUBJECT IS RELEASED FROM PRISON on Home Detention Curfew or on Conditional Release (but not release on temporary licence)**, whichever is later

1. NOTIFICATION

Any notification of information which the defendant is required to give within the terms of this Order should be made in writing to **insert name and address of team/department at (Name e.g. Wiltshire Police)** (or successor agency).

Any emails should be sent to **insert email address** for **eg Wiltshire Police Team/department** (or successor agency) and should be sent with the “delivery” and “read receipt” functions enabled to provide confirmation and retained to be shown to Police if requested.

Should the defendant permanently move or reside outside the Police area, details of the equivalent Law Enforcement Agency must be obtained by the Defendant at least 7 days prior to residing outside of the Police area.

Or if you chose to reside within another Police area upon this order coming into force you must immediately notify that new Police area of the details relating to this order. Any future or further changes to circumstances related to the contents of this order must be notified to their new home police area by contacting the closest police station to where you reside and informing them of the requirements of this order.

Any mention of **insert name** Police (**e.g. Wiltshire Police**) in this order will be replaced by the name of the new Police area once the defendant has moved to that new home police area.

THE TERMS OF THE ORDER the prosecutor wants the court to make are:

2. Restriction & Notification of Communications Devices

2.1. The Defendant shall not own, possess and/or control more than TWO mobile communication devices as set out in (2.2) & (2.3).

2.1.1 The Defendant shall not own, possess and/or control more than ONE mobile communication device for personal use.

2.1.2 The Defendant shall not own, possess and/or control more than ONE mobile communication device for the furtherance of any lawful business interest that the defendant may be involved in.

2.1.3 The Defendant shall not own, possess and/or control more than One Personal SIM card and One Business SIM card

2.1.4 The Defendant shall not own, possess and/or control more than One Computer with email software

2.1.5 the Defendant shall not own, possess and/or control more than one landline telephone number for one premises at which he lives, works or controls directly or indirectly and any such landline may be connected to any number of handsets and/or a fax machine

2.2 Save as set out in clause 2.1 to 2.1.5 above, the Defendant shall not own, possess, or use or control any communication device.

2.3 For the purposes of this Order, a communication device shall include, but is not limited to:

- i. A mobile telephone handset
- ii. A telephone landline (with or without handsets)
- iii. A SIM card
- iv. A eSIM card
- v. An internet telephone;
- vi. A satellite telephone;
- vii. A mobile VOIP (Voice Over Internet Protocol) device;
- viii. A Portable Digital Assistant (PDA)
- ix. A two-way radio;
- x. A computer;
- ix. A fax machine;
- xii. A games console with the instant messaging facility enabled;
- xiii. Any other device equipped to send or receive voice, images, text or data communications.

2.4 For the purpose of this Order, a computer includes but is not limited to:

- i. A desktop computer.
- ii. A laptop computer.
- iii. A tablet computer; or
- iv. A netbook

2.5 Any communication device that the Defendant owns, uses, possesses or controls must:

- (i) Not be encrypted.
- (ii) Not run messaging applications which remain encrypted once received or automatically deleted (self-destruct) a message once read.
- (iii) Not run software which is designed to prevent data from being retrieved from the communication device; and
- (iv) If capable of accessing applications including websites, must also be capable of retaining and displaying the history of the usage.

2.6 Any communication device which the Defendant owns must be registered with the service provider in the Defendant's full name as recorded in this Order or as changed by deed poll and notified to **insert named police** (or successor agency) in accordance with the terms of this Order.

2.7 The Defendant shall notify insert **named police force** (or successor agency) in writing within 24 hours of obtaining, possessing, using or controlling any communication device or any account under which such a device is operated, stating (where applicable) the:

- (i) Make, model, serial number and colour of the device.
- (ii) The name of the network service provider.
- (iii) Details of where, when and from whom the device was acquired.
- (iv) Telephone number, SIM card number and IMEI number of the device.
- (v) Landline telephone number and place of installation.
- (vi) Internet service provider and account details, including any email addresses.
- (vii) VOIP service provider and account details.
- (viii) Name of any instant messaging and/or social networking provider used, together with the usernames and passwords for those accounts.
- (ix) Details of any domestic or international telephone routing service or telephone card service.
- (x) Details of any other service provider as may be applicable to the device;
- (xi) Any PIN code or locking password applied to the device.

(xiii). Details of any cloud storage accounts, together with username and password for those accounts.

(xiv). If a computer is a portable device, details of address(es) at which it is charged and/or synchronized.

2.8 If using a communications device not owned by the Defendant, details of the owner of the device, including:

a) the full name

b) the address and c) why the defendant is using this communication device

2.9 On the date of this Order coming into force, the Defendant shall notify **insert named police force** (or successor agency) in writing of any communication device(s) he owns, possesses, uses or controls, including in that notice the details set out in paragraph 2.7 of this Order.

2.10 The Defendant must dispose of all communication devices, other than those permitted by paragraph 2.1, within 7 days of this Order coming into force.

2.11 Any changes to the information required to be notified to the police pursuant to paragraph 2.7 must be reported to police within 24 hours of the change taking place.

2.12 The Defendant shall be allowed to use an electronic device that communicates automated data with a third party in the normal course of its activity, provided that it is not used or modified to communicate directly with an individual. Such items may include but are not limited to:

(i) Televisions, including those where programming is provided by satellite, cable or internet services.

(ii) GPS systems; or

(iii) Domestic appliances connected to the internet.

2.13 The Defendant shall not lend or otherwise permit any other person to use a communication device that he may own, possess or control in accordance with paragraph 2.1 of this Order.

2.14 The Defendant shall make available for examination on request by any officer(s) from **insert named police force** (or successor agency), any communication devices (mobile phone or computer) notified. The defendant must provide the details of any password, PIN or other security provision in place to the officers so the device (Including all applications) can be examined and if required, the removal of the mobile phone or communication device to a location where it can be examined, including the copying of the mobile phone for subsequent examination.

2.15 The production requirements in paragraph 2.14, will be such, that if the mobile phone is removed for inspection and/or examination, the mobile phone shall be returned to the Defendant within 24 hours, save that the mobile phone need not be returned if examination reveals reasonable grounds for suspecting the commission of criminal offences and/or a breach of this Order.

1. Appropriate	2. Proportionate	3. Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>Historically, those involved in organised criminal offences use multiple handsets, SIM cards and other communication devices, including encrypted devices in order to evade detection by Law Enforcement Officer's and carry out their criminal activity. The defendant has also used these types of devices to communicate and manage the activity of the OCG and those under his control. Phone work supports his connection to the other OCG members and his role within this OCG.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to communication devices only for law abiding reasons.</p>	<p>This restriction serves to disrupt the Defendant from re-engaging in serious criminality. The Defendant has shown capabilities of committing serious crime through the use of communication devices. It is therefore considered this condition will act to disrupt and prevent the likelihood of future serious crime committed by the Defendant. It is shown that due to the widespread network of the OCG that the use of mobile phones was necessary for the control of the criminal activity.</p>
4. Accountable	5. Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of access to communication devices which promotes law abiding behaviours. Alternatively, in the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public. The condition enables law enforcement to detect serious criminality throughout the duration of its term with provable links to enforce. Conditions of this order will be stored on PNC/PND and other Crime recording systems utilised by the Police.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to locate the Defendant, monitor activities and enable early intervention of harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to rely on valuable evidence, for instance means of cell site, data mapping and phone downloads to apply intervention at an early stage thus protecting the public from greater risk of harm.</p>	

3. Restrictions on Possession of Cash & Coin

3.1 The defendant shall not possess cash in any currency to a combined value more than £1000 unless he has a specific purpose for possessing it and has **notified insert named Police Force** (or successor agency) 7 days in advance of:

- (a) the amount of cash and currency to be possessed
- (b) the date(s) and time(s) he intends to take possession of it and the purpose of possessing it.

3.2 For the purposes of this Order:

- (a) "cash" includes banknotes and coins in any currency, postal orders, travellers' cheques, bearer shares and bearer bonds.
- (b) the sterling value of foreign currency is to be calculated by reference to the exchange rate as reported by the Financial Times on any day that the Defendant possesses the foreign currency.

1. Appropriate	2. Proportionate	3. Necessity
Why is there a need for the Restriction?	How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?	What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?
<p>It is appropriate to allow the police to monitor the Defendant's activities in this area and ensure any cash in his possession or under his control can be attributed to a legitimate source. Furthermore, those involved in the supply of controlled drugs are usually generously remunerated or have a lifestyle often not commensurate with their declared income. The defendant has been evidenced to being in control of, and involved in the movement of significant amounts of cash generated by the OCG in the region of hundreds of thousands of pounds.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it measures the Defendant's income to an attributable legitimate source. Within the current turn towards a "cashless society" it is highly unlikely that anyone would have the need to be in possession of large amounts of cash.</p>	<p>The Defendant business activities has shown the ability to generate and handle large sums of cash. Which correspond with laundering of monies derived from criminal activities. This condition will disrupt the Defendant's ability to purchase large quantities of controlled drugs or receive payment for selling large quantities and/or conveying large amounts of money.</p>
4. Accountable	5. Outcomes	
How is this condition enforceable or how can this restriction be used for intelligence purposes?	Possible outcomes for criminal justice system and law enforcement	
<p>Non-compliance can be detected if the individual fails to meet the prohibitions remits meaning law enforcement will have sufficient evidence to intervene to increase protection to the public. The conditions of this order will be stored on PNC/PND and other Intel systems utilised by the Police, which in turn will enable any officer encountering the Defendant to have knowledge of the conditions he should comply with.</p>	<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The condition enables law enforcement to further their monitoring and detection of serious criminality throughout the duration of its term with provable links to enforce.</p> <p>The proceeds of income from the Defendants acts have been of significant value which does not attribute to his financial means. This restriction will establish casual links to any illegitimate income. Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to identify any breaches exhibited by the Defendant, detect the necessity of any cash and coin in his possession for its legitimacy and apply intervention in the event of non-compliance.</p>	

4. Restriction and Notification of Bank Accounts

4.1 The defendant shall notify **insert named police force** (or successor agency) in accordance with the terms of this Order of all bank accounts that he holds, and any such account or accounts shall be in the Defendant's full name as recorded in this Order or as changed by deed poll.

4.2 Any account or accounts held by the Defendant above shall be held at a bank or building society within England and Wales that operates under a licence issued by the Financial Conduct Authority or its successor as regulator.

4.3 The defendant must not use any other person's current, savings or credit card accounts for his own purposes, or hold, have an interest in or control any monies held in such accounts in the name of third parties.

4.4. Within 7 days of this order coming into force and within 21 days of any replacement account or accounts being opened by the defendant must send written notice to the **insert named police force** (or successor agency) in accordance with the terms of this Order setting out details of:

- i. the financial institution.
- ii. the account name and type.
- iii. the branch location.
- iv. the account number.
- v. the sort code; and
- vi. the opening or current balance.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>These restrictions are necessary and proportionate to allow the police to monitor the defendant's activities and ensure any monies paid into bank accounts can be attributed to a legitimate source. The investigation has shown that **** has access to numerous bank accounts in the names of his partners and family members, but none used in his own name. Proceeds of crime have been laundered through these accounts This course of conduct makes it extremely difficult for law enforcement to find proceeds of crime which he has used as a deliberate tactic to frustrate law enforcement. Notification of bank accounts and restrictions on using the accounts of third parties will prevent further offending, as it will ensure money goes through a registered bank account attributed to ****and ensure compliance to the order.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it measures the Defendant's income to an attributable legitimate source. It is accepted that it is not unusual to have more than one bank account and as such no restriction has been placed on the number of accounts held. Therefore, it is believed proportionate to restrict the accounts as stated. This allows flexibility for **** but will reduce the opportunity for him to offend in the future</p>	<p>Proceeds of crime have been laundered through numerous bank accounts of which ***** has access and control. This condition would prevent the defendant from being able to hide any financial transactions that may aid his criminal enterprise. It would prevent him for hiding any monies and avoid any taxes that may incur from his criminal business.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>These restrictions are necessary and proportionate to ensure the police can monitor the Defendant's financial activities ensuring any income can be attributed to a legitimate source and identify any evidence of changing risks through the financial behaviour of the defendant. Additionally, non-compliance can be detected if the individual fails to meet the prohibitions remits meaning law enforcement will have sufficient evidence to intervene in order to increase protection to the public.</p>	<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The condition enables law enforcement to further their monitoring and detection of serious criminality throughout the duration of its term with provable links to enforce.</p> <p>The proceeds of income from the Defendants acts have been of significant value which does not attribute to his financial means. This restriction will establish casual links to any illegitimate income. Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to identify any breaches exhibited by the Defendant and apply intervention in the event of non-compliance.</p>	

5. Restriction on Virtual Currency

5.1 The Defendant must not have, use, or be a signatory to a virtual currency account or any other system or trading platform/exchange that uses or processes virtual currency.

5.2 A virtual currency is a type of unregulated, digital money, which is issued and usually controlled by its developers, and used and accepted among the members of a specific virtual community. For the purpose of this Order, virtual currency includes, but is not limited to, Bitcoin, Ethereum, USDT, USDC, Solana, XRP, BNB and other cryptocurrencies, or their equivalent or successor.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>Defendants in this case, and partners of ***** are known to have been users of virtual and crypto currency in order to invest or store money.</p> <p>Whilst crypto currency is known to be used by organised crime for the buying and selling of drugs and other illegal commodities, more frequently its use prevents or frustrates attempts to locate, identify and track the movement of funds, and to properly assess a persons income and net holding.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Subject. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Subject without this condition. The condition has been considered in accordance with the Subject's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society. There is no legitimate or documented reason why the Defendant needs to possess drug manufacturing equipment and any future employment linked to the use of manufacturing equipment would heighten the Defendant's risk.</p>	<p>Drug trafficking is a major source of revenue for organised crime groups. Illegal drugs are a global threat and have a devastating impact on communities. Virtual Currency is often used to hide or move illegitimate money obtained through crime as well as move illegal commodities, and it is necessary to be able to reduce the ability of such activity of this defendant by preventing the use of such currency and platforms to further his criminality and threat to the public.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Subject's likelihood of future offending. In the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public. The condition enables law enforcement to detect potential serious criminality throughout the duration of its term with provable links to enforce. All conditions attached to the Order will be uploaded and stored on PNC/PND and other Police Intelligence systems, thereby making the conditions available to any officer during the execution of his duty to ensure compliance.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to ensure the Subject is complying with the terms of the order whilst monitor activities and identify patterns of behaviour. The restriction enables Law Enforcement partners to identify potential non-compliance and serious criminality. Furthermore, this condition reduces opportunities for the Defendant to re-engage in similar offending patterns and inevitably preventing future serious crime being committed. The restriction enables law enforcement to detect demonstrated criminal methods exhibited by the Defendant which will allow early intervention, disruption and prevention of future harm.</p>	

6. Notification of Finances and Assets

6.1 Within 21 days of the start of this order the defendant shall submit a report of their finances and assets to **insert named police force** (or successor agency). Each report shall include:

i. A schedule of any current salary or other form of income or monies received including interest received, detailing its source and amount, (whether in the United Kingdom or overseas), identifying the amount paid, by whom it is paid and the account or accounts into which such sums are paid. The report shall include copies of all payslips for the relevant period. Where the income derives from self-employment or a Partnership, a copy of the relevant business accounts shall be provided

ii. A copy of all bank statements for the preceding 6 months for all accounts held by the defendant

iii. list of all assets and investments held by Defendant - including land, buildings, shareholdings with number of shares, bonds, valuable goods and vehicles - worth £5,000 or more. This includes the name of companies such are held with, and account numbers were applicable.

iv. statement of truth, signed and dated by the defendant, namely "I certify that the information provided in this report is accurate and complete"

6.2 Thereafter, within 21 days of the end of each succeeding period of 12 months, make further reports to **insert named police force** (or successor agency). The report shall be in writing and submitted to **insert named police force** (or successor agency).

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>The current state of **** finances are unclear, it is not known whether he possesses additional properties (phone evidence implies he may own 3 or more properties) and had repeatedly registered assets including vehicles in other persons names, as well as making unrecorded investments into a variety of small businesses and Ltd trading companies. **** prior employment with ***** was believed to be a money laundering method, and the nature of any future employment would need assesment by relevant persosn to determine whether they are legitimate employment or simply an exercise in laundering money/legitimising income. Mr ALLISON is believed to have been, and moreover, claims to have been the recipient of substantial “Loans” which were unrecorded and had no clear documentation.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to premises only for law abiding reasons</p>	<p>The offending was financially motivated, and **** personally gained from his offending. Numerous credits and cash deposits have been received in several **** bank accounts, inclusive of accounts in 3rd party names proved to be controlled by ****. Numerous cash withdrawals have also been made via ATM / Bank branch visits. High levels of unaccounted spending have been identified, indicative of serious crime and such it is necessary to ensure that all sources of finance are from a legitimate source to prevent further crime. It is believed **** will re-offend given the opportunity, and taking into account the level of previous and current offending, this condition will enforce control measures on how he handles money in the future and will enable funds and assets to be traced and prevent further offending. It will show the source of funds and will require **** to advise of income or assets, over the set amounts. It is acknowledged the level of intrusion this can present, however ***** offending has proved to be consistent, and this condition will enable law enforcement to see an audit trail of money and assets being handled by ****, and ensure compliance to the order. It is accepted that only assets over £5000 are to be notified.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Subject's likelihood of future offending. In the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public. The condition enables law enforcement to detect potential serious criminality throughout the duration of its term with provable links to enforce. All conditions attached to the Order will be uploaded and stored on PNC/PND and other Police Intelligence systems, thereby making the conditions available to any officer during the execution of his duty to ensure compliance, alongside POCA activity.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to ensure the Subject is complying with the terms of the order whilst monitor activities and identify patterns of behaviour. The restriction enables Law Enforcement partners to identify potential non-compliance and serious criminality. Furthermore, this condition reduces opportunities for the Defendant to re-engage in similar offending patterns and inevitably preventing future serious crime being committed. The restriction enables law enforcement to detect demonstrated criminal methods exhibited by the Defendant which will allow early intervention, disruption and prevention of future harm.</p>	

7. Notification of Business Interests

7.1 On the date of the coming into force of this Order, the Defendant shall notify **insert named police force** (or successor agency), in writing of any business interests he has (whether as a director, shareholder, employee or otherwise and whether receiving an income or not). Any such notice shall include in respect of each business the following information:

- i. the name and address of the business in which the Defendant has the interest.
- ii. the nature of the business.
- iii. the Defendant's role within the business; and
- iv. the Defendant's income or proposed income from the business.
- v. the name, address, occupation of all existing clients within [14 days] of the signatory of a client care letter, or equivalent

7.2 During the operation of this Order, should the Defendant acquire any business interests (whether as a director, shareholder, employee or otherwise and whether receiving an income or not), he shall notify **insert named police force** (or successor agency), in writing within [24 hours] of acquiring that interest. Any such notice shall include, in respect of each business, the following information:

- i. the name and address of the business in which the Defendant has the interest.
- ii. the nature of the business.
- iii. the Defendant's role within the business; and
- iv. the Defendant's income or proposed income from the business.
- v. the name, address, occupation of all existing clients within [14 days] of the signatory of a client care letter, or equivalent

7.3 The Defendant shall hold all his business interests in his full name as recorded in this Order (or, in the event of a change of name by deed poll, as notified to **insert named police force** (or successor agency), in accordance with the terms of this Order).

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>***** was the registered company director of several businesses, some of which appeared to “trade” and some which did not. No company records appear to have been kept, nor specifics of *****s role, financial or legal liabilities to or from the company, nor any revenue generated for or by him as part of work within these companies.</p> <p>It is suspected that these companies may have been attempts to fraudulently obtain business loans, and/or as attempts to money launder and generate “legitimate income” via illicit means.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to premises only for law abiding reasons</p>	<p>Without such a condition law enforcement will be unable to monitor the use of business interests of the defendant which are used to facilitate serious and organised crime, thus the ability of law enforcement to protect the public will be significant reduced. The defendant has demonstrated himself to be astute with the use of businesses as part of his criminal activity and it is a key part of his criminal enterprise, it is necessary to reduce the defendants to manoeuvre and manipulate systems to facility his criminality.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of ownership, possession and other suitable requirements relating to access to any business interests held by the Defendant. The condition is required for the purpose of preventing offending occurring at future premises the Defendant may directly or indirectly have access too.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to locate the Defendant, monitor activities and enable early intervention of harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. This restriction enables the police to monitor any premises the Defendant has access to and endeavours to prevent the Defendant from re-engaging in serious crime activity at premises' he has access to. It also assists Law Enforcement Officers in monitoring the Defendant's legitimate activities in the community. As a result, this will enhance public protection and assist in the disruption of future risk to the public posed by the Defendant. In the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public.</p>	

8. Notification of the Ownership and Use of Vehicles

8.1 On the date of the coming into force of this order, the defendant must send written notice to **insert named police force** (or successor agency), in writing of any private motor vehicle which he owns, possesses, or drives. Any such notice shall include in respect of each vehicle the following information:

- i. the vehicle's registration number.
- ii. the vehicle's make, model and colour.
- iii. the identity of the insurer and the number of the insurance policy permitting the defendant to use the vehicle or someone permitted by the defendant to use the vehicle, together with a copy of the insurance certificate.
- iv. the name and address of the person from whom he bought the vehicle or who permitted the Defendant to possess, or use the vehicle; and
- v. the time he intends to own, possess, or use the vehicle for.

8.2 The defendant shall notify **insert named police force** (or successor agency), within 24 hours of any changes in his ownership, possession, or use (drives) of vehicles during the period the order is in force, and he shall include in any such notice the following information:

- i. the vehicle's registration number.
- ii. the vehicle's make, model and colour.
- iii. except where the defendant has sold the vehicle, the identity of the insurer and the number of the insurance policy permitting the defendant or someone permitted by the defendant to use the vehicle, together with a copy of the insurance certificate.
- iv. either
- v. the name and address of the person he acquired the vehicle from or who permitted the defendant to possess, or use the vehicle, or
- vi. the name and address of the person he sold or otherwise disposed of the vehicle to or who he permitted to possess or use the vehicle.
- vii. except where the Defendant has sold the vehicle, the time he intends to own, possess, or use the vehicle for or the time he intends to allow possession or use by another of the vehicle for.

8.3 The Defendant may not drive any vehicle that he is not the owner or registered keeper of, unless prior to driving the vehicle he provides to **insert named police force** (or successor agency), in writing.

- i. the vehicle's registration number.
- ii. the vehicle's make, model and colour.
- iii. the name and contact details of the vehicle's owner.

iv. the identity of the insurer providing the insurance policy permitting the defendant to use the vehicle.

8.4 The Defendant may only hire a vehicle for his personal use provided that:

i. the vehicle is hired in his full name as recorded in this Order (or, in the event of a change of name by deed poll, as notified to **insert named police force** or successor agency, in accordance with the terms of this Order); and

ii. he has given **insert named police force** (or successor agency), 7 days advance notice in writing of his intention to hire the vehicle and that such notice shall include:

a. the name and address of the hire company.

b. the date on which he intends to take possession of the vehicle.

c. the time he intends to hire the vehicle for.

iii. within 24 hours of any commencement of vehicle hire the Defendant shall notify Wiltshire Police (or successor agency), in writing details of:

a. the vehicle's registration number.

b. the vehicle's make, model and colour.

c. the identity of the insurer and the number of the insurance policy permitting the defendant to use the vehicle, together with a copy of the insurance certificate.

8.5 Except when test driving a vehicle with a view to its purchase, the defendant may not rely on motor trader insurance when using a vehicle.

8.6 The defendant shall not modify, adapt or permit another to modify or adapt any vehicle owned or used by him during the terms of this Order. This includes any concealments or compartments, beyond the standard specification of the vehicle.

8.7 The defendant shall not purchase or take ownership of a vehicle, knowing it contained a vehicle concealment or compartment, made or adapted for such a purpose.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>In this case, **** repeatedly purchased and sold vehicles using other persons bank accounts/bank cards, and frequently registered vehicles in the name of criminal associates, companies, the names of family members, or left vehicles registered in the name of the companies from whom he had purchased them. This inevitably leads to difficulties in ascertaining who has purchased a car, its purchase value, and who the intended user is.</p> <p>The group were known to hire vehicles to make criminal journeys across the country to meet with their associates, again to avoid detection by law enforcement. It prevents law enforcement from making effective checks on persons involved in illegal activity using systems like the Police national computer and National ANPR systems.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to premises only for law abiding reasons. This is no more than necessary to allow for the public to be protected from the serious criminality committed by the defendant and the continued threat that he poses.</p>	<p>***** appears to have also been purchasing cars for other people,, and effectively "owning" a dedicated criminal courier vehicle, without ever being a registered keeper of the car. This case involved the use of at least two vehicles accepted by ***** to have had purpose built, and sophisticated vehicle concealments, used by him and his associates to deliver drugs and collect hundreds of thousands of pounds of cash without detection.</p> <p>. At the point of arrest, *** was "hiring" a VW GOLF R from a criminal associate and paying for the vehicle in cash monthly. This vehicle was neither registered nor insured to Mr ALLISON. In addition, the Audi RS6 he had purchased prior to his arrest, was almost immediately "given" to a female associate. The nature of the financial agreement in relation to this transfer of ownership is still unknown.</p> <p>This condition is essential to effectively manage defendant so to prevent them using various vehicles in order to carry out further offending.</p>
<p>Accountable</p>	<p>Outcomes</p>	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of ownership, possession and other suitable requirements relating to access to any vehicles used, accessed, bought or controlled by the Defendant. The condition is required for the purpose of preventing offending occurring through the use of vehicles that the Defendant may directly or indirectly have access too.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to establish the Defendant's associations with former OCG members, monitor activities and enable early intervention of potential harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to apply intervention at an early stage thus protecting the public from greater risk of harm. The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending.</p>	

9. Prohibition on the Possession of Anti-Surveillance Technical equipment

9.1 The defendant shall not possess, own or use any equipment that could be used for anti-surveillance; this includes but is not limited to.

i. equipment capable of jamming or interrupting mobile phone transmissions, or GPS signals e.g. blockers or interrupters; or

ii. equipment capable of tracing audio, visual or other surveillance equipment, e.g. RF tracers.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>Upon arrest ***** had an RF/GPS scanner in his vehicle. He is known to have taken a keen interest in attempts to prevent law enforcement “spying” on him, and such practices are often seen in high level criminality of this type.</p> <p>There is no known legitimate reason **** to be in possession of, nor require the use of such devices</p>	<p>Other ancillary orders and interventions have been considered, but there are no alternative provisions available to prevent such activity which is simply being conducted by the defendant to further his criminal activity and frustrate/prevent intervention by law enforcement.</p>	<p>Limiting the ability of the defendant to conduct such activity will reduce his ability to orchestrate and lead serious crime being conducted, by preventing him from access material around law enforcement activity intended to protect the public, and which it is believed he sought to use to organise his criminal activities.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant’s likelihood of future offending. The condition is required for the purpose of preventing offending by the the Defendant and possession of such devices would be indicative of escalating risk and inform further opportunities to manage the risk that he poses.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to establish the Defendant’s associations with former OCG members, monitor activities and enable early intervention of potential harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant’s risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to apply intervention at an early stage thus protecting the public from greater risk of harm. The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant’s likelihood of future offending.</p>	

10. Notification of premises both within and outside the UK

10.1 On the date of the coming into force of this Order, the Defendant shall notify **insert named police force** (or successor agency), of the full postal addresses and any postal codes of all premises, including business premises, which he may own wholly or jointly, possess the keys to, occupy (whether as a tenant or not), specifying in that notice which of the premises is his home address.

10.2 During the operation of this Order, the Defendant shall notify the **insert named police force** (or successor agency), in writing immediately of the full postal addresses and any postal codes of any premises, including business premises, which he may acquire, possess the keys to, occupy (whether as a tenant or not) or control, specifying in that notice which of the premises is his home address.

10.3 The defendant must give Police access to any premises owned, occupied or controlled by him, at any reasonable time for the purpose of carrying out such an examination to ensure compliance with this order.

10.4 For the purposes of this Order premises includes, but is not limited to, houses, warehouses, apartments, flats, caravans, hotels, garages, outbuildings, allotments, garden buildings and sheds. For the purposes of this condition, 'premises also refers to vehicles owned / rented / driven by him

10.5 The access to premises as detailed in paragraph **10.3** shall be limited to not more than once in every 3 months.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>This restriction allows law enforcement to effectively monitor the nominal in the community and ascertain his whereabouts. This condition is required to disrupt the Defendant from using premises to commit further serious crime. He has shown capabilities to educate others in masking criminal activities and it is believed notification of his premises will act as a disruption tactic to deter him from committing similar acts. The defendant has access to various premises where he executed his operations alongside other and held. **** was controlling a drugs operation by using devices that were held by him and on his person. When searched, his home was found to contain an encrypted telephone and expensive items which were indicative of drug dealing activity.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to premises only for law abiding reasons</p>	<p>This restriction serves to disrupt the Defendant from re-engaging in serious criminality. The Defendant has shown capabilities of committing serious crime through using premises to mask criminality. The premises, including vehicles, were also used in order to produce and convey large quantities of drugs and cash in an effort to go undetected by law enforcement. It is therefore considered this condition will act to disrupt and prevent the likelihood of future serious crime committed by the Defendant</p> <p>The addresses **** owns is as yet unknown. He claims to have been the owner of three homes, including a large rental/planned holiday property which was to be rented out. **** was jointly registered at both his parents address, which he did not live at, the property he is known to have jointly owned, **** and was found to be living temporarily at a family address of one of his partners. He was also planning on purchasing properties with two more female partners, with whom he would stay with ad hoc.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of ownership, possession and other suitable requirements relating to access to any premises occupied by the Defendant. The condition is required for the purpose of preventing offending occurring at future premises the Defendant may directly or indirectly have access too.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to locate the Defendant, monitor activities. assess levels of risk and enable early intervention of harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. This restriction enables the police to monitor any premises the Defendant has access to and endeavours to prevent the Defendant from re-engaging in serious crime activity at premises' he has access to. It also assists Law Enforcement Officers in monitoring the Defendant's legitimate activities in the community. As a result, this will enhance public protection and assist in the disruption of future risk to the public posed by the Defendant. In the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public.</p>	

11. Non association

11.1 The Defendant shall not, whether directly or indirectly, contact, communicate with or otherwise associate with the following named individuals:

i. *****

ii. *****

iii. *****

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>A restriction in non-association and communication is required to ensure that when the Defendant is released from custody he does not re-associate himself with other organised crime defendants. This reduces the risk of recidivism to the public and ensures further reduction of risk and protection from future harm. Historically, those who re-engage with co-conspirators have higher probability in re-offending than those who do not. This restriction will act as a protective factor to support the individual's desistance from crime.</p>	<p>The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition supports the individual's rehabilitation into society by ensuring the Defendant does not re-engage with associates that are linked with OCG activities.</p> <p>There is no legitimate reason for contact or association with these named individuals to continue since the sole purpose of the relationship was to facilitate the supply of class A drugs</p>	<p>The Defendant was the Head of an an OCG and it is considered the restriction serves to disrupt the Defendant from re-engaging with known former criminal associates. There is a high probability the Defendant will reconvene in serious criminality with the associates otherwise. The Defendant has shown capabilities of committing serious crime with the associates which strengthens the requirement for the condition to further disrupt and prevent the likelihood of future serious crime committed by the Defendant. By restricting the Defendant from associating with OCG members he will not be able to communicate or meet known individuals involved in this organised criminality.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The Defendant will be prohibited from engaging directly or indirectly with known associates that were linked to the index offence. In the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public. The condition enables law enforcement to detect serious criminality throughout the duration of its term with provable links to enforce.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to establish the Defendant's associations with former OCG members, monitor activities and enable early intervention of potential harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to apply intervention at an early stage thus protecting the public from greater risk of harm. The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending.</p>	

12. Restriction and Notification of online accounts and identity

12.1 The defendant shall notify **insert named police force** (or successor agency) if the defendant has moved, of all usernames, identities or avatars he uses in any online forum, social network, messaging service or other online medium used to communicate stating (where applicable) the:

- i. the username.
- ii. the name of the site or service used.
- iii. the web address of the site

12.2 The Defendant may not have, use or control more than one personal email account at any one time. Where the Defendant has a business interest, they must not have more than one business email account in connection with that business interest and it must be registered in the business interest name. Any business interest email account can be in addition to any personal email account detailed in **12.3**.

12.3 Any email account the Defendant has, uses or controls must be registered with the service provider in the Defendants full name as recorded in this Order or as changed by deed poll and notified to **insert named police force** (or successor agency) in accordance with the terms of this Order.

12.4 Any email address associated with the Defendant's email account must include the Defendant's full name as recorded in this Order or as changed by deed poll and notified to **insert named police force** (or successor agency) in accordance with the terms of this order.

12.5 The Defendant shall notify **insert named police force** (or successor agency) in writing immediately upon obtaining, using or controlling any email account in accordance with clause **12.2**, **12.3** or **12.4** above stating (where applicable):

- i. the name of the email account provider.
- ii. the Defendant's email address; and
- iii. any usernames and passwords associated with the email account.

12.6 On the date of this Order coming into force, the Defendant shall **notify insert named police force** (or successor agency) in writing of any email account he has, uses or controls, including in that notice the details set out in paragraph **12.5** of the Order.

Appropriate	Proportionate	Necessity
<p>Why is there a need for the Restriction?</p>	<p>How will the condition aid the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?</p>	<p>What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?</p>
<p>**** and others in this case had various email accounts, handle names, WhatsApp usernames, Signal account names and other social media handles, that would not readily identify them as being related to *****. These were used in the furtherance of the criminality and in some cases were not identifiably related to **** at all, save for them being present during the download of his mobile phone, and its content interrogated.</p>	<p>Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and are necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to premises only for law abiding reasons. This is no more than necessary to allow for the public to be protected from the serious criminality committed by the defendant and the continued threat that he poses.</p>	<p>In this case, various email accounts, user names and handles were utilised, often with no direct association to the defendants.</p> <p>Furthermore, email was used as a means of recording drugs ledgers, and cash owed into the criminal enterprise by defendants.</p> <p>Email addresses are often required for banking, business purposes, online accounts, social media, trading and web shopping etc, and without knowing these accounts the monitoring of this activity would be frustrated, and the conditions of this order could not effectively be policed.</p>
Accountable	Outcomes	
<p>How is this condition enforceable or how can this restriction be used for intelligence purposes?</p>	<p>Possible outcomes for criminal justice system and law enforcement</p>	
<p>The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of use and to access to online platforms, services and products with the details of their names and accounts being used, thus allowing for assessment and intervention as required.. The condition is required for the purpose of preventing offending occurring via online and electronic means that the Defendant may directly or indirectly have access too.</p>	<p>Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to establish the Defendant's associations with former OCG members, monitor activities and enable early intervention of potential harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swift enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to apply intervention at an early stage thus protecting the public from greater risk of harm. The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending.</p>	

13. Final Clause - Notification

13.1 Notification of Changes Related to the Order

13.2 The Defendant must send written notice informing **insert named police force** (or successor agency) of any changes related to this Order within 7 days. Such changes include:

- i. any change of any of his names.
- ii. any change of his home address.
- iii. his acquisition of a temporary address; and
- iv. any change of his temporary address or his ceasing to have one.

13.3 In the case of a change of a name or address or the acquisition of a temporary address, the Defendant must specify the new name or address.

13.4 The Defendants name **insert name, date of birth and current address**

13.5 Should the Defendant require an amendment of this recorded information, he shall comply with clause 8.2 by sending notification of such amendments to **insert named police force** (or successor agency), prior to the date of this Order coming into force.

13.6 In this Order, the phrase 'provided in writing to **insert named police force** (or successor agency), shall be taken to include:

- i. a letter sent by first class post (with proof of posting) or recorded delivery (in which case the information will be treated as having been provided at the time the letter is posted or handed to a representative of the Royal Mail) to **insert written address for named police force** (or successor agency) or at any other address notified to the Defendant by **insert named police force** (or successor agency), . Upon request by a **insert named police force** officer the Defendant must produce within 7 days the recorded delivery proof of postage relating to that notice;
- ii. an email sent to the email address for **insert named police force** (or successor agency), *****@.police.uk (or to any other address provided to the Defendant by **insert named police force** (or successor agency), for the purpose of providing information). Any emails sent to the **insert named police force** *****@.police.uk should be sent with the "delivery" and "read receipt" functions enabled to provide confirmation. Upon request by **insert named police force** (or successor agency), officer the Defendant must produce within 7 days copies of the email, delivery receipt and read receipt.
- iii. any other electronic means that the Defendant is informed by **insert named police force** (or successor agency), is acceptable for the purpose of providing information.

13.7 If **insert defendants name** moves to a new police force area outside of **insert named police force** Police area, he is required to notify that new home police force of such and continue to notify that new home police force area of information as is set out in this order. This will be the same for every time he moves, and all mention of **insert named police force** will then be replaced by the name of the new home police area where **insert defendants name** resides.

13.8 Should any contact details for Police Forces change, **insert defendants name** will be updated in writing by the relevant police force who is managing this order with the details of the new contact details **insert defendants name** will be required to use to make notifications.

13.9 Any application by the Offender to vary or discharge this Order must be served, in accordance with the rules of court, on the Head of (Division), Crown Prosecution Service (insert postal address)

14. THE DEFENDANT

The Defendant has been charged with a serious offence under **insert section** of the SCA 2015 which is sufficiently serious for the purposes of the application.

Defendant (name) - *****

***** is a 36 year old male, with two young children. He had various female partners, some of whom appeared to be involved in his criminality or have knowledge of it. He co-owns a property with *****, the mother of his two children, and had been saving to purchase properties with two other women, including *****, who was a co-accused in the drugs supply conspiracy.

***** primary residence is *****, a property which during a search in 2020 was undergoing extensive renovation, which was likely to significantly increase the properties residual resale value.

He was previously “employed” by ***** tyres as a Business Development Manager, although the circumstances and validity of this employment are contested by the Crown. This employment ceased in 2020. ***** current employment is not known. ***** had been the director of various Ltd trading companies, although none had ever supplied HMRC records or proof of trading. He claimed to be running a counterfeit clothing importation company, a makeup company, and car sales and rental business.

***** is responsible for the large scale supply and adulteration of Class A, namely cocaine. This criminal activity results in vast sums of money being acquired. **** has facilitated the commission of the index offence and his involvement in offending committed by the OCG is significant. The offending appertains to *** controlling operations within the OCG and being in a position of influence over others.

He has evidently lived a lavish lifestyle for several years, with vehicle purchases of a high value occurring frequently including a Lamborghini Huracan, Mercedes C63AMG, various Range Rovers and an Audi RS6. It is believed that ***** may have funds stored with family, in businesses or with female partners and associates. His bank balances have rarely fluctuated suggesting most purchases and general payments have been conducted using cash. Following the arrests in this case, bank accounts in the name of ***** were frozen which contained in excess of £45,000 said by the crown to demonstrate a small part of his criminal earnings In conjunction with *****.

***** was of good character and had no previous convictions. Despite the index offence, being ***** first conviction of this nature, it is considered one of a serious crime nature. *** is a significant risk of harm to communities and is capable of re-establishing himself within the criminal fraternity upon his release from custody, especially in conjunction with his brother ****

15. THE STATUTORY CRITERIA

***** has been convicted of qualifying offence as set out within the Serious Crime Act 2007.

There is a real risk of further serious offending upon release. **** will be serving a lengthy sentence and will pose an active and significant risk upon release as he presents a likelihood of further involvement in serious crime.

It is believed that a Serious Crime Prevention Order [SCPO] would protect the public by preventing, restricting or disrupting involvement by the person in serious crime. Furthermore, there is a real risk that ***** will be involved in further conduct falling within the Act from which the public require protection.

The SCPO serves to reduce the vulnerability amongst our communities from the threat of ***** serious organised crime. The SCPO and the restrictions contained herein will prepare and support law enforcement with the necessary capabilities to identify breaches and monitor **** upon release. The aforementioned provisions ensure regular contact with ***** upon release from prison, thus preventing his activities going unmanaged.

***** rehabilitation has been taken into account when deliberating the imposition of above-mentioned restrictions. The restrictions do not inhibit ***** from rehabilitating himself in society.

***** activities have taken place in the community and where the SCPO is most effective; upon his release from custody. There are no indications **** requires the SCPO whilst in custody or if it has an adverse impact on a third party.

The order will empower the Court to impose appropriate conditions, adding to the sentencing powers for the purpose of protecting the public from serious crime. Careful consideration has been given to the conditions sought with a distinction illustrating provable links between the conditions and serious organised criminality, which would act as prevention and/or disruption through the SCPO.

The sought conditions are clear and enforceable which can identify breaches capable of being proved which serves as a further preventative measure. This order provides the safeguards to protect the public from future offending.

Without the prohibitions, the Defendant is likely to re-engage with criminal associates and/or conduct further criminal activity of a serious crime nature. This order ensures the Defendant can be appropriately managed in the community whilst acting as an opportunity for intervention.

The proposed conditions are also considerate of **** Human Rights relating to lawful interference and are necessary and proportionate to restricting and preventing future harm

The imposition of an SCPO will provide bespoke conditions for ***** to adhere to post release. These conditions will act to prevent, pursue, protect and prepare against future offending committed by ***** and his likelihood of future serious crime activities.

The restrictions proposed in relation to both defendants are proportionate, and any legitimate activity relating to the conditions, is still capable of being carried out. The proposed restrictions are also drafted to ensure they are practicable and enforceable to satisfy the test of precision and certainty.

16. OTHER ORDERS

Other Orders have been considered but an SCPO is deemed the most appropriate based on the level and type of offending committed by the Subject.

NOTICE TO THE DEFENDANT SERVED with this document:

If you are convicted, you will have an opportunity to explain to the court why you think the proposed order should not be made. (Written notice of any evidence you rely on needs to be served on the court officer and the prosecutor.)

Name and Address of Prosecutor:

Name:

Address:

Prosecuting authority: Crown Prosecution Service

Signed:

Date: