The Crown Court at Southwark

Court Location Code 471

Case Number T20107219

Pre Trial Issues Unique Reference Number

Serious Crime Prevention Order

Order made under: section 19 Serious Crime Act 2007

Date order made: 8th June 2012

This order varies an order made on:

Defendant

Surname, Family name, Body Corporate: PLACE

Forenames or other names: Jason Nicholas

Date of birth: [redacted]

Date of conviction: 24th April 2012

Offence of which convicted: Conspiracy to Defraud, Common Law

Order

The defendant must comply with

A copy of the order which has been varied by the Court, is attached.

☒ the terms which are attached to this order.

☐ the varied term or terms which are attached to this order, and the terms of the previous order not varied by this order.

Breach of this order without reasonable excuse is punishable with

- on summary conviction, imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum, or both.
- on conviction on indictment, imprisonment for a term not exceeding 5 years, or a fine, or both.

This order comes into force on

☒ upon the defendants release from prison as stated in the terms of the schedule attached.

☐ immediately after being secured, this order will run while the defendant is in prison.

This order ceases to be in force on

☐ 5 years after the defendants release from prison as stated in the terms of the schedule attached.

An application to vary or discharge this order may be made to the High Court by :

- *the defendant, provided there has been a change of circumstance that affects the order (sections 17(3), 17(4), 18(2), and 18(3) Serious Crime Act 2007).*
- *the prosecutor (the relevant applicant authority for this order) (sections 17(1) and 18(1) Serious Crime Act 2007)*
- *someone who is a 'third party' in these proceedings provided the specified conditions are met (sections 17(5), 17(6), 17(7), 18(4), 18(5) and 18(6) Serious Crime Act 2007).*

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Information considered by the Court

The Court considered information in

THE DRAFT ORDER, THE ATTACHED CASE SUMMARY AND THE WRITTEN AND ORAL SUBMISSIONS OF PROSECUTION AND DEFENCE COUNSEL

Issued by
An officer of the Crown Court

Recipients

Issued to

- Defendant
- Prosecutor
- Police
-
-
-

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The Crown Court at Southwark

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Schedule of terms of the Serious Crime Prevention Order

Date order made 14th March 2013

IN THE CROWN COURT AT SOUTHWARK

BETWEEN

REGINA

V

Jason Nicholas PLACE

SERIOUS CRIME PREVENTION ORDER

Sections 1 and 19 of the Serious Crime Act 2007

UPON ('the Offender') having been convicted on the 24th of April 2012 at the Southwark Crown Court of one or more serious offences:

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 Offender in serious crime in England and Wales

IT IS ORDERED AS FOLLOWS:-

For a period of 5 years beginning with the date of release from prison (whether temporary release, day release for the first time, release on licence or otherwise, but not special purpose licence) in relation to his serving the prison term imposed on 8th of June 2012 by the Crown Court at Southwark, and shall apply notwithstanding and without prejudice to the terms of any such release or licence upon which he may be released):

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The Crown Court at Southwark

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Case Number T2010 7219

Pre Trial Issues Unique Reference Number

Schedule of terms of a Serious Crime Prevention Order

Date order made 4th March 2013

1. Restriction & Notification of Communication Devices

1.1 The Offender may own possess use or control at any one time:

(i) one mobile telephone handset, with one SIM card and one number;

(ii) one computer equipped with email software

(iii) one landline telephone number for each premises at which he lives or works and any such landline may be connected to any number of handsets and/or a fax machine.

1.2 Save as set out in 1.1 above the Offender shall not own, possess, use or control any communication device.

1.3 For the purpose of this Order, a communication device shall be taken to include:

(i) a mobile telephone;

(ii) a telephone landline (with or without handsets);

(iii) a SIM card;

(iv) an internet telephone;

(v) a satellite telephone;

(vi) a mobile VOIP (Voice Over Internet Protocol) device;

(vii) a Portable Digital Assistant (PDA);

(viii) a two-way radio;

(ix) a computer which is capable of being used for communication;

(x) a fax machine;

(xii) any other device equipped to send or receive voice, images, text or data communications, but excluding a radio receiver or television designed to receive public service broadcasts or commercial satellite or digital broadcasts.

1.4 Any communication device which the Offender owns must be registered with the service provider in the Offender's full name as recorded in this Order or as changed by deed poll and notified to a MPS LOMU officer in accordance with the terms of this Order.

1.5 The Offender shall notify a Metropolitan Police Service Lifetime Offender Management Unit (MPS LOMU) officer in writing immediately upon 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 and colour of his mobile telephone and the name of the service provider;

(ii) telephone number, SIM card number and IMEI number of his mobile phone;

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(iii) landline telephone number and place of installation;

(iv) internet service provider and account details including any e-mail addresses;

(v) VOIP service provider and account details;

(vi) name of any instant messaging and social networking provider used, together with the usernames for those accounts;

(vii) details of any domestic or international telephone routing service or telephone card service that he uses;

(viii) details of any other provider as may be applicable.

1.6 On the date of this Order coming into force, the Offender shall notify a MPS LOMU officer in writing of any communication device or account he owns, possesses or controls, including in that notice the details set out in paragraph 1.5 of this Order.

1.7 For the purposes of this order the phrase "premises at which he lives or works" includes, but is not limited to, holiday accommodation.

2. Restriction & Notification of Internet Devices

2.1 The Offender may own possess use or control one or more devices capable of accessing the internet provided that each such device:

(i) has the capacity to retain and display the history of internet use;

(ii) is not encrypted;

(iii) and does not run software which is designed to prevent data from being retrieved from the unallocated space on the storage drive;

2.2 The Offender may not delete or cause others to delete on his behalf the history of internet use on any device he has accessed the internet on.

2.3 On the day of the coming into effect of this Order, the Offender must notify a MPS LOMU officer in writing of the whereabouts of each such device that he owns possesses uses or controls.

2.4 During the operation of this Order, the Offender shall notify a MPS LOMU officer in writing of any such device that he may acquire or come to use possess or control.

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Schedule of terms of a Serious Crime Prevention Order

Date order made 4th March 2013

2.5 On request by a MPS LOMU officer, the Offender shall make any such device available for inspection.

2.6 The offender must not allow any other person to use his internet capable device or allow any other person or third party to access the internet capable device by means of any remote desktop connection(s) unless he has given notice to MPS LOMU 7 days in advance of the proposed use, giving the following details of the proposed user:

(i) the name

(ii) the date of birth

(iii) the address

(iv) the telephone contact details

As well as providing:

(i) the precise reason(s) for the use

(ii) and the circumstance of the use

3. Notification of Premises both within and outside the UK

3.1 On the date of the coming into force of this Order, the Offender shall notify a MPS LOMU officer of the full postal addresses and any postal codes of all premises, including business premises, which he may own, 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.

3.2 During the operation of this Order, the Offender shall notify a MPS LOMU officer 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.

3.3 For the purposes of this order premises includes, but is not limited to, hotels, garages, outbuildings, allotments, garden buildings and sheds.

4. Notification of Business Interests

4.1 On the date of the coming into force of this Order, the Offender shall notify a MPS LOMU officer 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

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information:

(i) the name and address of the business in which the Offender has the interest;

(ii) the nature of the business;

(iii) the Offender's role within the business;

(iv) and the Offender's income or proposed income from the business.

4.2 During the operation of this Order, should the Offender acquire any business interests (whether as a director, shareholder, employee or otherwise and whether receiving an income or not), he shall notify a MPS LOMU officer in writing immediately of 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 Offender has the interest;

(ii) the nature of the business;

(iii) the Offender's role within the business; and

(iv) the Offender's income or proposed income from the business.

4.3 The Offender 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 a MPS LOMU officer in accordance with the terms of this Order).

5. Restriction on Email Accounts

5.1 The Offender, subject to clause 5.4, must not have more than one email account and it must be registered in his name as recorded in his UK passport and to an address notified to the MPS LOMU.

5.2 The Offender must within 7 days of obtaining an email account give the MPS LOMU written notice stating:

(i) the name of the email service provider; and

(ii) the email address; and

(iii) the account details including usernames and passwords.

5.3 If the Offender has an email account on the date this Order comes into force, he must within 7 days:

(a) give MPS LOMU written notice stating:

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(i) the name and address of the email service provider; and

(ii) the email address; and

(iii) the account details including usernames and passwords; and

(b) close any email account that does not comply with clause 8.1 within 7 days of this order coming into effect.

5.4 Where the Offender has a business interest as defined in clause 4.1 or 4.2, they must not have more than one email account in connection with that business interest and it must be registered in the business interest name.

5.5 The Offender must within 7 days of obtaining a business interest email account give the MPS LOMU written notice stating:

(i) the name of the email service provider; and

(ii) the email address; and

(iii) the account details including usernames and passwords.

5.6 If the Offender has an email account in connection with a business interest on the date this Order comes into force, he must within 7 days:

(a) give MPS LOMU written notice stating:

(i) the name and address of the email service provider; and

(ii) the email address; and

(iii) the account details including usernames and passwords; and

(b) close any email account that does not comply with clause 5.4 within 7 days of this order coming into effect.

6.0 Restriction and notification of acquisition of web domains and servers

6.1 The offender must not purchase or acquire any web domains or servers outside of the United Kingdom. The offender may purchase or acquire domains or servers registered in the United Kingdom provided he give written notice to the MPS LOMU not less than 7 days in advance, stating:

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(i) full details of the web domain or server

(ii) and reason(s) for the proposed purchase or acquisition of the web domain or server

7.0 Notification of Travel outside England and Wales

7.1 The Offender must notify a MPS LOMU officer of all intended travel by him outside England and Wales by sending written notice to arrive at least 14 days in advance of the intended departure and providing:

(i) a full itinerary (including his accommodation details and arrangements);

(ii) proof of payment for any tickets or accommodation;

(iii) details of the ports, airports or land borders of departure and arrival (including any flight numbers);

(iv) for what purpose he intends to travel;

(v) the duration of the stay; and

(vi) details of any person accompanying him (name and date of birth) and of any person he intends to visit.

7.2 In the event of any change or variation to his travel plans as notified to The MPS LOMU under clause 1.1 above, the Offender must send written details of such change or variation to a MPS LOMU officer within 24 hours of the change or variation becoming known to him.

7.3 The Offender shall notify a MPS LOMU officer in writing within 14 days if he acquires any passport or national identity card, whether issued by the United Kingdom authorities or by any other state, and shall provide The MPS LOMU with a copy of the document.

8.0 Prohibition of Use of Telephone Kiosks and Internet Cafes

8.1 The Offender may not use any telephone kiosk, internet café or other public communication facility other than for the purposes of contacting the emergency services (which for the purposes of this order shall include any commercial provider of emergency roadside assistance).

9.0 Notification of changes related to the Order

9.1 On the day of this Order coming into force, the Offender shall send written notice to the MPS LOMU of:

(i) any change by deed poll of his name; and

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(ii) his residential address.

9.2 During the operation of this Order, the Offender shall on the same day as the changes are made send written notice to a MPS LOMU officer of:

(i) any change by deed poll of his name; and

(ii) any change in his residential address.

9.3 Any notice which the Offender is required to give to a MPS LOMU officer in accordance with the terms of this Order shall be sent by recorded delivery to the Lifetime Offender Management Unit, room 672(v), New Scotland Yard, Broadway, London, SW1H 0BG and upon request by a MPS LOMU officer the Offender must produce within seven days the recorded delivery proof of postage relating to that notice.

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 the Organised Crime Division, Crown Prosecution Service, Rose Court, 2 Southwark Bridge, London SE1 9HS.

IMPORTANT NOTICE: A person who without reasonable excuse fails to comply with this Order commits an offence punishable by up to 5 years imprisonment.

Issued by
An officer of the Crown Court

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