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IN THE LONDONDERRY CROWN COURT

THE QUEEN

v

**DECLAN GALLAGHER, PETER JOSEPH GALLAGHER,
DECLAN PAUL PALMER, MICHAEL JAMES RAINEY,
PHILLIP LESLIE COLVILLE, EDWARD CAMERON, PATRICK JOSEPH WARD,
RAYMOND MICHAEL HAMILTON, LOUISE GALLAGHER,
BENJAMIN HARDING, RYAN JAKE RATCLIFFE, SCOTT DALE SOTHERTON**

BEFORE HIS HONOUR JUDGE BABINGTON

Recorder of Londonderry

[1] All twelve defendants have pleaded guilty to various counts on this Indictment which relate in various ways to what was, in effect, a drug gang involved in the large scale supply of controlled drugs in Northern Ireland. The offences arise out of an investigation by the Organised Crime Branch of the PSNI which began in August 2013 and principally involved six interventions or seizures of illegal drugs on various dates between 19 September 2013 and 28 August 2014. A Statement of Facts was prepared by the prosecution which was led by Neil Connor QC together with Mr Russell Connell. It became evident that the accused, Declan Gallagher, was heavily involved in directing and controlling the operations of the gang and as Mr Connor said in opening the case he was at the centre of this criminal offending and others were involved at his behest in one way or other. He was, in essence, the leader of this criminal enterprise.

[2] Mr Connor said that it became clear that those who were involved were aware of police methodology and would predominantly use pre-paid, non-registered mobile phones which would be used for short periods and then discarded. The purpose of this was to frustrate police enquiries but police were still able to attribute a number of these phones to gang members by top-up evidence and also cell site analysis. In addition police utilised extensive undercover surveillance,

CCTV and phone triage. As has already been indicated the police intercepted six drug shipments between the dates already mentioned and this resulted in seizures of both Class A and Class B drugs valued at somewhere between £2 million and £2.25 million.

[3] Count 1 - Aiding and abetting possession of a Class B drug - herbal cannabis - with intent to supply. Declan Gallagher, Declan Palmer, Edward Cameron, Michael Rainey, Phillip Colville, Peter Joseph Gallagher and Scott Sotherton pleaded guilty to this count. It arose out of an incident on 19 September 2013 when police stopped a blue Chrysler PT Cruiser on the Carmavy Road, off the Seven Mile Straight, in Antrim. A search of the vehicle revealed 31 kilogrammes of herbal cannabis with an approximate value of £618,200. The driver of the vehicle was a man called Noel Morrison who has already been sentenced for his part in the matter. Another man, Paul Lemon, was sentenced in relation to allowing his garage to be used to package the drugs.

[4] In relation to the seizure the defendant, Rainey, picked up a package near Carlisle, which was on his route in his occupation as a lorry driver and brought it to the docks in Belfast where it was collected by Scott Sotherton. The drugs were taken to Mr Lemon's garage where vacuum packing equipment was used to package the drugs into smaller quantities for onward distribution to the north of the province. It was said by Mr Connor that the drugs were in the garage for at most 24 hours before being packed into the vehicle which was then intercepted by the police. Declan Gallagher was linked to the seizure by mobile phone evidence showing contact between a dirty phone attributed to him and Noel Morrison the driver of the vehicle. Declan Palmer was also linked to the seizure by mobile phone evidence. Edward Cameron was linked to the seizure by mobile phone evidence and fingerprint evidence. Michael Rainey had been linked by mobile phone evidence together with admissions in interview. Phillip Colville had been linked by mobile phone evidence and Peter Joseph Gallagher had also been connected by mobile phone evidence. Scott Sotherton was linked by mobile phone evidence. Mr Connor said that Sotherton was a trusted courier acting on behalf of Declan Gallagher. He came from Manchester and had been directed by Declan Gallagher to travel north to meet Rainey and he was the person who passed the drugs to Rainey.

[5] Count 4 concerns a count of Aiding and abetting the possession of a Class A drug - cocaine - with intent to supply it. Declan Gallagher and Declan Palmer have pleaded guilty to this. On 5 December 2013 police stopped a VW Passat on Broadway close to the Westlink in Belfast. Police located cocaine in the vehicle with a value of nearly £1 million. The driver of that vehicle, Mark Officer, pleaded guilty and has already been sentenced. Both Gallagher and Palmer have been linked to the seizure by mobile phone evidence.

[6] Count 7 - Aiding and abetting the possession of a Class A drug - cocaine - with intent to supply. Declan Gallagher has pleaded guilty to this. This arises out of an interception by police on 22 May 2014 when a VW Passat, driven by a Mr James

Martin, was stopped on the A1 near Dromore. Police seized 1.5 kilogrammes of cocaine with an estimated value of £225,000 from the vehicle. The Passat was being shadowed or followed by another vehicle driven by a Ciaran Hamilton who was also arrested. Both Martin and Hamilton have been convicted and sentenced in relation to this matter. Declan Gallagher was controlling and/or directing Martin at the time and is linked to the seizure by mobile phone evidence.

[7] Counts 10 and 13 - Aiding and abetting the possession of both Class A and Class B drugs - cocaine and herbal cannabis - with intent to supply. Declan Gallagher, Declan Palmer, Raymond Hamilton and Peter Joseph Gallagher have pleaded guilty to these counts. This arose out of events on 13 June 2014 when as a result of undercover police observations police stopped a green Audi in Beechwood Crescent, Londonderry. The vehicle had been observed parked outside number 28, the home of Louise Gallagher and items had been seen to be removed from its boot. The driver of the vehicle was Richard Callaghan and the passenger was Anthony Doherty. A search of the premises revealed 5 kilos of herbal cannabis hidden in a wheelie bin and 0.25 kilos of cocaine under the driver's seat of the Audi. The total value of the drugs located was estimated at £125,000. As far as Louise Gallagher is concerned she has pleaded guilty to Counts 22 and 23 which relate to her allowing her property at 28 Beechwood Crescent, Londonderry to be used for the attempted supply of those drugs. All the defendants, apart from Louise Gallagher, are linked to this seizure by mobile phone evidence at the time and all were involved in both directing and controlling the transportation of the drugs on this occasion.

[8] Count 16 - Aiding and abetting the possession of a Class A drug - cocaine - with intent to supply it. Both Declan Gallagher and Declan Palmer have pleaded guilty to this count. Police were carrying out a search of premises at 23 Tranarossan Avenue, Londonderry when cocaine valued at approximately £7,200 was found concealed inside a training shoe in a sports bag located in the kitchen. The sports bag and training shoe belonged to Peter Gallagher (Junior) who has been sentenced in respect of this matter. Both Declan Gallagher and Declan Palmer are linked to this seizure by mobile phone evidence.

[9] Count 19 - Aiding and abetting possession of a Class B drug - cannabis - with intent to supply. Declan Gallagher, Declan Palmer, Benjamin Harding and Ryan Ratcliffe have pleaded guilty in relation to this matter. This arose on 28 August 2014 when police stopped a Skoda Octavia at Larne Harbour as it came off the Cairnryan ferry. The vehicle was being driven by Adam Sotherton from Manchester. Police searched the vehicle and found various 9 ounce bars of cannabis resin concealed within the vehicle. They were concealed inside the spare wheel, under the handbrake cover and under the carpets in the foot-wells. The estimated value of the drugs was £180,000. Sotherton has been sentenced for his part in relation to this matter. Declan Gallagher and Declan Palmer have been linked to the seizure by mobile phone evidence. Harding and Ratcliffe are linked to the seizure by mobile phone evidence, CCTV evidence and ANPR evidence. They were travelling in a different vehicle acting as a scout or escort car to that driven by Sotherton.

[10] Patrick Ward has pleaded guilty to an offence under Section 46 of the Serious Crime Act 2007 in that he intentionally was assisting offences believing one or more would be committed. This related to his presence at two meetings in the company of Declan Gallagher and others. The first meeting was at the Fairways Lodge Hotel in Manchester on 3 March 2014 and the second meeting was at the Premier Inn in Lisburn on 21 March 2014.

[11] This case had been listed for hearing on 15 October 2016. Pleas of guilty had been entered by the defendants at various times. None of the defendants pleaded guilty on arraignment although Patrick Ward did plead guilty once the Indictment was amended to include the offence under the Serious Crime Act 2007. This amendment was made on the day the jury was to be sworn. No jury had to be sworn. It is fair to say that the pleas made by Declan Gallagher, although not the first pleas to be entered, did lead to other defendants admitting their part in these matters. The trial would have been a lengthy trial and six weeks had been put aside for it. The evidence in the case was circumstantial but, when analysed, quite compelling. I take into account an element of delay which in a case such as this is sometimes inevitable. I do that in favour of the defendants.

[12] All of the defendants may not have been known to each other but certainly all were known to Declan Gallagher as practically without exception he had, at some stage, direct telephone contact with each of them. The various telephone contacts are set out on the telephone exhibit and make this abundantly clear. It is from this document principally that one can see the level of involvement of a particular individual. Each defendant played their own important role in the offending and in that regard the presence and deeds of each were important to the drugs gang itself.

[13] In relation to sentencing I have given consideration to the cases of Aramah, Hogg and McKeown. I have also been referred by various counsel to the English Sentencing Guidelines Council guidelines as far as role attribution is concerned. With the exception of Louise Gallagher and Patrick Ward all the defendants have pleaded guilty to charges of Aiding and abetting the possession of either Class A or Class B drugs with intent to supply. It was the couriers and others who pleaded guilty to counts of possessing the actual drugs in question. However it is my view that in this case there is really very little difference because as I have already said each defendant played his part in this criminal gang's operations which involved the supply of illegal drugs in Northern Ireland. In particular the telephone evidence shows that this was a criminal gang involved in serious criminality with each person playing their part. It may not be unreasonable to say that without everyone's participation the gang would have been unable to operate effectively. In saying that however the police still intercepted six illegal amounts of drugs.

[14] As far as Declan Gallagher is concerned he was undoubtedly the defendant who was in charge and who was organising and directing the others in as much as the processing and transporting of the drugs was concerned. One only has to look at

the chart produced by the police to see this. He showed considerable forensic knowledge of police methodology in that a great number of so-called dirty phones were used and it is quite clear that he was giving instructions to others sometimes directly or sometimes through yet other gang members. Mr Mallon QC, who appeared for him, accepted that he played a very significant role. He was involved in all of the interceptions which, in effect, covered a period of some 12 months. Reference has already been made to the quantity and estimated value of the drugs concerned and all in all it is clear that this was a very substantial criminal enterprise.

[15] As far as Declan Gallagher is concerned I have taken into account the question of totality. There is, of course, an argument in a case such as this that sentences should be consecutive but I intend to impose what I consider to be an appropriate global sentence. I have taken into account everything that Mr Mallon has very ably said on his behalf and, in particular, the fact that this defendant now lives in Manchester. That is of course by choice as he had relocated there after disputes with others involved in the drugs trade. I also take into account his previous record in respect of drugs. I note his attitude in interview which was, as Mr Connor put it, 95% no comment with the rest being denials. Declan Gallagher will be sentenced to nine years on each of the six counts on this indictment and those sentences will be concurrent. That will be a determinate sentence meaning that 50% will be spent in custody and 50% on licence in the community. I am recommending to the Minister for Justice that licence conditions should address the underlying causes of his offending and prepare him for his eventual rehabilitation back into the community and therefore licence conditions should focus in particular on attitudes, thinking skills and lifestyle issues. If he had been found guilty after a trial I would have imposed a sentence of 12 years.

[16] In respect of Declan Paul Palmer he has pleaded guilty to involvement in five of the six interceptions. It is quite clear that Palmer can be described as a trusted lieutenant to Gallagher and he was very heavily involved in directing and controlling the various operations of this group in a subsidiary role to Gallagher. Mr Rodgers QC, who appeared on his behalf, suggested that there was no evidence that he was involved in planning or handling the drugs. Although one can accept the latter suggestion it is simply not credible to accept the former suggestion. There is absolutely no doubt that Palmer was heavily involved in planning and organisational matters as well as what Mr Rodgers admitted was his role in communications. Indeed Mr Rodgers suggested that he had an important role to distance the organiser from what was happening or as he also put it, acting as a firewall for others. Mr Rodgers pointed out that he always used his own phone rather than dirty phones and suggested that this was naivety on his part. In interview he denied any involvement in drugs. He did accept that he knew Gallagher and was in regular contact with him in relation to various matters but not drugs. I was also handed a letter from a Social Worker in respect of Mr Palmer's son. It is quite clear that he is not well but it is also clear that Palmer is estranged from his former partner and mother of his son. Indeed Mr Rodgers confirmed that he attended, when necessary, to assist his son. He referred me to the case of Petherick

and I have taken that into consideration. As with Gallagher I intend to impose what I consider to be an appropriate global sentence taking into account totality. Again there is an argument for consecutive sentences but in the interests of totality I intend to impose a global sentence. In your case the global sentence will be one of seven years on all of the counts you face. The sentence will be a determinate one meaning that you will spend half that time in custody followed by the other half on licence in the community. I am recommending to the Minister for Justice that licence requirements should include a prohibition on consuming illegal drugs and that you are made subject to testing and monitoring. Furthermore you should complete an Addiction Treatment Programme and engage in what other work is deemed necessary. If he had been found guilty by a jury I would have imposed a sentence of nine years.

[17] The defendant, Michael James Rainey, has pleaded guilty to Count 1. As was said by Mr Lavery QC who represented him he was a courier. He picked up the consignment of drugs near Carlisle and brought them to Belfast. It is said in his Pre-Sentence Report that he did not know what was in the package however he suspected that it was illegal. He told the author of the Pre-Sentence Report that he was not paid for what he did and, indeed, was evasive about the money that he was to receive. He did make some admissions in interview and at one time suggested that he might have been acting under some sort of duress but this was obviously not persisted with. This defendant was an essential part of the organisation in getting the drugs to Northern Ireland. I take into account everything that Mr Lavery has said on his behalf, everything that is said in the Pre-Sentence Report including his assessment as being at low likelihood of reoffending. The appropriate sentence in his case is one of three years. This will be a determinate sentence meaning one and a half years in custody followed by one and a half years on licence in the community. I am recommending to the Minister for Justice that appropriate licence conditions be put in place. If he had been found guilty by a jury I would have imposed a sentence of four years.

[18] In respect of Phillip Leslie Colville he has pleaded guilty to Count 1. He was linked by mobile phone evidence to Declan Gallagher and also Morrison who was the driver of the vehicle in question. Miss McDermott QC, who represented Colville, told me that Morrison and Colville were cousins and she described him as a link man or a passer of messages. Again he is an essential link in the chain of operation of this gang. I have considered everything that Miss McDermott has said and also the contents of the Pre-Sentence Report. This defendant has his own drug problems and, indeed, has previous drug convictions although they were quite some time ago. However the fact of previous drug convictions means, of course, he knows what goes on and should know the effects of illegal drug use and supply. He gave a no comment interview. Taking all into account the appropriate sentence for this defendant is one of three years. He will spend one and a half years in custody followed by one and a half years on licence in the community. Licence conditions should include participation in the PBNI Thinking Skills Programme. If he had been found guilty by a jury I would have imposed a sentence of four years.

[19] In respect of Edward Cameron he has also pleaded guilty to Count 1. He is linked to this seizure by way of mobile phone and fingerprint evidence. He was involved in the transportation of the drugs from the docks in Belfast to the garage on the Seven Mile Straight where they were vacuum packed. Mr Greene QC, who appeared on his behalf, suggested that he had performed a limited function under direction. That might be so but again it was an essential function. I have taken into account everything that Mr Greene said on his behalf together with that set out in the Pre-Sentence Report. I note that he gave a no-comment interview. I note the assessment of likelihood of reoffending and I also have taken into account the report from his doctor's surgery. The appropriate sentence in his case is one of three years. This is a determinate sentence. One and a half years will be spent in custody followed by one and a half years on licence in the community. I am recommending to the Minister for Justice that licence conditions should relate to his risk-taking behaviour, his lack of consequential thinking and his lack of concern for others. If he had been found guilty by a jury he would have received a sentence of four years.

[20] Raymond Michael Hamilton has pleaded guilty to Counts 10 and 13 which relate to both Class A and B drugs. He has been linked to that interception which occurred at Beechwood Crescent in Londonderry on 13 June 2014 by mobile phone evidence and he, like others, was involved in directing and controlling the transportation of the drugs. Mr McCartney QC, who represented him, described him as being "marginally above a courier - a directing role". I have taken into account everything that Mr McCartney has said. I have also considered his Pre-Sentence Report as well as various references. I accept that this defendant could, to a degree, be considered as vulnerable. Mr McCartney put forward two reasons for his involvement of which the first was a financial incentive of somewhere between £500 and £1,000 and also his client's hope that he would get some of the drugs himself. He also has a previous conviction for drugs. He gave a no comment interview. After taking everything into account I feel the appropriate sentence for Hamilton is three years. He will serve 50% of that in custody followed by 50% on licence in the community. Whilst on licence conditions should relate to him sustaining changes that the author of the Pre-Sentence Report feels he may have already made. If he had been found guilty by a jury I would have imposed a sentence of four years.

[21] The defendant, Benjamin Harding, has pleaded guilty to his involvement on Count 19 which is the seizure at Larne following the vehicle coming off the ferry from Cairnryan. Harding was essentially in an escort or scout car driving behind a vehicle being driven by Mr Sotherton who has already been convicted for possessing the drugs. Harding told the author of the Pre-Sentence Report that he did not know there were drugs in the vehicle in question but he did suspect that the driver was up to something. The reason put forward for not asking questions was that he could not be told any lies. The author of the report said that he took no responsibility for his actions, tried to convince her of his innocence and the conclusion was that it was simply an attempt to avoid taking responsibility. Harding told police that he was trying to meet up with a girlfriend, a story which soon unravelled. He denied any

involvement in drugs. I am quite satisfied he knew exactly what he was doing and was described by the prosecution as a trusted courier and associate of Gallagher. Mr Kane QC who appeared for him suggested that he had a lesser function than Sotherton but in my view there is little to choose in culpability terms as they were both part of the gang. The sentence will be one of three years. This is a determinate sentence. Half will be spent in custody and half on licence in the community. Licence conditions should relate to the defendant's consequential thinking and problem solving skills. If he had been convicted by a jury I would have imposed a sentence of four years.

[22] The defendant, Ryan Jake Ratcliffe, was the driver of the vehicle in which Mr Harding was the passenger. He was therefore involved in this matter in an escort or scouting role. The prosecution also described Ratcliffe as a trusted courier and associate of Declan Gallagher. As Mr Francis Rafferty, who appeared for him, accepted his offending is aggravated to a degree by the fact he was on bail at the time of his offending. He lives in Manchester. He also denied involvement to the police and also tried to say he was meeting a girlfriend. Ratcliffe will also serve a sentence of three years. This is a determinate sentence. Half will be spent in custody and half on licence in the community. I am recommending to the Minister for Justice that licence conditions should include work to reduce his risk of re-offending and work to focus on his attitudes and beliefs around offending behaviour, the harm caused to victims and the wider community. If he had been found guilty by a jury I would have imposed a sentence of four years.

[23] In relation to the defendant Scott Dale Sotherton he pleaded guilty to Count 1. His part in that operation was to transport the drugs from Salford to near Carlisle and give them to Rainey. He was described by the prosecution as a trusted courier acting on behalf of Declan Gallagher and who worked to the direction of Gallagher. Mr McKay QC, who appeared on his behalf, said that he fell victim to temptation. The description of him being a trusted courier fits with the fact that he gave a no comment interview. I have been made aware of medical problems suffered by his partner. He has a limited record with no drugs convictions. I feel the appropriate sentence in his case is also one of three years. This is a determinate sentence. Half will be spent in custody and half on licence in the community. Licence conditions should include work regarding victim awareness and work to explore education and employment opportunities to enable him to secure employment upon release. If he had been found guilty by a jury I would have imposed a sentence of four years.

[24] In relation to the defendant Peter Joseph Gallagher he has pleaded guilty to three counts on this Indictment, Counts 1, 10 and 13. The latter two counts relate to the same incident and relate to Class A and Class B drugs. This defendant is the older brother of Declan Gallagher and acted as a local point of contact for those involved in this matter. This was by repeated telephone contact with Declan Gallagher. The prosecution say that his involvement is at a relatively low level and was really confined to the passing of messages. This can be contrasted by others who are involved in directing, acting as couriers, transporting etc.

[25] Miss McDermott QC suggests that this defendant's circumstances are exceptional. He has no record and that both prosecution and defence agree that were it not for his position in the family he was most unlikely to be before the court. He is a man with no record and it is said in his Pre-Sentence Report that he is remorseful and shameful. It is also said that he has learnt a very salutary lesson. It seems that his lowest point came when he discovered that his own son had become involved in this enterprise and, indeed, received a custodial sentence at this court following the incident at Tranarossan Avenue.

[26] I have carefully considered the Pre-Sentence Report which sets out under the heading of "Offence Analysis" exactly what he says occurred when his younger brother contacted him by telephone. He seems to have turned a blind eye to what he certainly suspected may have been going on and this may well have been because Declan was his brother. It is noted that he does have medical problems and, although worrying, are not of the most serious variety. Although I have already said during these remarks that every person involved had their place in the organisation as does this defendant, it is my view, as evidenced by the concessions from the prosecution as to his role that there is no need to impose immediate custody. This defendant will be sentenced to 18 months' imprisonment but I intend to suspend the operation of that sentence for a period of three years. That sentence will be imposed on each of the three counts and the sentences will be concurrent. I must explain to you what that means. If you are convicted of any other offence during the next three years for which you could be sent to prison you will, in all probability, have 18 months added to that other sentence.

[27] The defendant, Louise Gallagher, has pleaded guilty to counts 22 and 23 which relate to allowing or permitting her house to be used for attempting to supply both Class A and Class B drugs. These counts are connected with Counts 10 and 13 on the Indictment when a shipment of drugs was intercepted in Beechwood Avenue in the city.

[28] I have heard from Mr Rodgers QC who represents her and I have also read a very helpful Pre-Sentence Report which at the second paragraph under the section entitled "Offence Analysis" sets out what she says occurred. I asked Mr Connor for his view on that paragraph and he said that the prosecution could not gainsay anything in it. It is clear from the papers in the case that she was intoxicated or at least under the influence of drink at that time and was put under great pressure by her brother, Declan Gallagher, to do what he wanted. I have also read and considered a report from her G.P. and also from Doctor Hanley. I note that she has had and has a variety of medical problems. She has also taken other measures to give herself a new start in life which at this early stage appears to be going well. That is to her credit. In addition I take into account the fact that she spent some five weeks in custody and has no criminal record. I intend to impose a sentence of 12 months imprisonment on each count but I will suspend the operation of that sentence for a period of three years. Those sentences will be concurrent. The suspended sentences

mean that if you are convicted of any other offence during the next three years for which you could be sent to prison you will in all likelihood have 12 months added to that other sentence.

[29] Turning to the final defendant. Patrick Ward, you have pleaded guilty to Count 24, which is an offence contrary to Section 46(1) of the Serious Crime Act 2007. This relates to the fact that you attended two meetings, one at a hotel in Manchester and another at a hotel in Lisburn. Declan Gallagher and other people known to the police as being associates of Gallagher were present at both. Interestingly those present at the second meeting had flown in from various locations, some of which were abroad. You had flown in from your home in Manchester. It was said that you were interested in opportunities for car sales and perhaps body building supplements. Whether that is true or not is to my mind somewhat uncertain but what is not in dispute is that you appear to have had no contact with Declan Gallagher or other persons involved with him since that meeting in Lisburn. That view is reinforced by police intelligence. However there is no doubt in my mind that you knew that what was going on was something that was in all likelihood illegal. Mr Lyttle QC who appeared for him said that the matter had had a significant effect on him. In all the circumstances I intend to impose a sentence that should deter you from becoming involved again. You will be sentenced to 12 months' imprisonment but the operation of that sentence will be suspended for two years. That means if during the next two years you are convicted of any other offence for which you could be sent to prison you will then in all likelihood have the 12 months added to that other sentence.

[30] I make a Destruction Order in respect of all the drugs that have been seized together with the mobile telephones. I also postpone confiscation proceedings in respect of all defendants with the exception of Louise Gallagher. That postponement is until Friday 20 January 2017 when the defendants should be represented. There is no requirement for any of those defendants to appear on that date. I have been put on notice that there will be applications for forfeiture orders in respect of three motor cars and I will deal with those later today.

[31] Mr Connor has asked that I make Serious Crime Prevention Orders in respect of Declan Gallagher, Phillip Leslie Colville and Raymond Michael Hamilton. The intention to request those orders have been served in the normal way and notice given to the defendants involved. Counsel on behalf of those defendants have not raised any objections to the orders sought as such.

[32] After consideration of the papers in this matter and of the proposed orders I am satisfied that the proposed orders would protect the public by preventing, restricting or disrupting involvement by these defendants in serious crime in Northern Ireland. I have come to this conclusion after consideration of all the papers in this case. This involves an assessment by me of future risk and I am satisfied of that. I am satisfied that in respect of these three the risk is real and potentially significant. I am further satisfied that the prohibitions, restrictions and requirements

are proportionate. The orders have been made with regard to what the defendants have done in the past and might do again. I make the orders for a period of five years and that five year period will begin when the particular defendant is released from prison – in other words when he is released on licence.

[33] In short terms the orders granted are as sought and relate to prohibitions and restrictions on the possession of mobile phones and other communication equipment, the requirement to inform the police of interests in property, the requirement to inform the police of travel outside NI, the existence of financial accounts and interests in vehicles as well as the requirement to submit to searches of their person or vehicle so as to ensure compliance with the orders. In accordance with Section 10 (A) of the Act the defendants in question are bound by these orders as they are presently represented and indeed earlier indicated that they were not objecting to the said orders. I direct that the orders be served on their legal representatives.

[34] Each of the defendants bar Peter Joseph Gallagher, Louise Gallagher and Patrick Ward will pay an Offender Levy of £50.00.