



Neutral Citation Number: [2025] EWHC 78 (Admin)

Case No: AC-2024-LON-003674

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ADMINISTRATIVE COURT

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 21 January 2025

Before :

MRS JUSTICE LANG DBE

Between :

**COMMISSIONER OF POLICE
OF THE METROPOLIS
- and -
AHMED AWEYS**

Claimant

Defendant

Ella Crine (instructed by the Directorate of Legal Services) for the Claimant
The Defendant appeared in person

Hearing date: 17 December 2024

Approved Judgment

This judgment was handed down remotely at 10.30 am on 21 January 2025 by circulation to the parties or their representatives by e-mail and by release to the National Archives.

.....
MRS JUSTICE LANG DBE

Mrs Justice Lang :

1. The Claimant applied for a Serious Crime Prevention Order (“SCPO”) under the Serious Crime Act 2007 (“SCA 2007”) in respect of the Defendant, for a five year period.
2. In summary, the Claimant submitted that the Defendant has a number of previous convictions for terrorism-related offences, and he has been assessed as posing a high risk of terrorism-related offending in future. He has been released from prison and is no longer under licence. Although he is subject to Part 4 Notification Requirements under the Counter-Terrorism Act 2008, those measures are not a sufficient means of monitoring his behaviour, and thus mitigating the risk he poses to the public, given his continued extremist mindset, his disregard for many control measures imposed on him, and his lack of engagement with professional intervention.
3. The Claimant’s initial application for a SCPO was issued on 7 November 2024. A hearing took place before Chamberlain J. on 19 November 2024. The Defendant attended from prison on a video link. He indicated that he wished to be legally represented but had so far been unable to obtain representation. Chamberlain J. therefore granted a temporary SCPO, from 28 November 2024 (the date on which the Defendant was due to be released from prison) to 17 December 2024. In his order Chamberlain J. directed that any application by the Claimant for a further order, to take effect from 18 December 2024, had to be made by 26 November 2024, and the hearing of the application would be listed on 17 December 2024.
4. On 27 November 2024, the Claimant filed a further application for a SCPO at the ACO, which was issued on 28 November 2024. The application was heard before me on 17 December 2024. The Defendant appeared in person.
5. At the conclusion of the hearing, I granted the Claimant’s application for a SCPO, to come into force at midnight on 17 December 2024, and to cease to be in force at midnight on 17 December 2027. However, I reduced the duration of the SCPO from the 5 years proposed by the Claimant to 3 years, on the ground that the Claimant ought to review the necessity for an SCPO after 3 years, and that to impose a 5 year SCPO was potentially a disproportionate interference with the Defendant’s rights under Article 8 ECHR.
6. Paragraph 9.1 of the SCPO prohibits the Defendant from directly or indirectly contacting, communicating or associating with named members of his family, to prevent him from radicalising them with his extremist ideological and religious views. I removed some family members from the Claimant’s proposed list at paragraph 9.1 on the grounds that the prohibition was a disproportionate interference with his rights under Article 8 ECHR.
7. The SCPO made on 17 December 2024 is annexed to this Judgment.

Factual summary

8. The Defendant, whose date of birth is 2 January 1986, moved to the UK from Somalia with his family when he was approximately 6 years old. He is a naturalised British

citizen. He has a BSc and MSc in Mechanical Engineering. After working as a mechanical engineer, he made a career change and trained as a teacher. He worked in Saudi Arabia between 2014 and 2016.

9. The Defendant has a large family, including his parents, 8 brothers and sisters, and a further 8 half-brothers and sisters, who are all younger than him. He married Charlotte Willington in 2012, and they had 3 daughters, born between 2014 and 2016. He is now separated from his wife.
10. The Defendant has 9 convictions for terrorism-related offences, 2 convictions for fraud and 1 conviction for conspiracy to commit burglary.
11. On 1 June 2018, the Defendant was convicted of conspiracy to commit burglary and sentenced to a 2 year community order.
12. On 27 September 2018 he was convicted of three offences under section 2 of the Terrorism Act 2006, for distribution/circulation of a terrorist publication. He was sentenced on 25 January 2019 to 25 months imprisonment and a 10-year counter terrorism notification order. The Claimant contends that these are terrorism-related offences which come within section 8A SCA 2007.
13. On 27 November 2019 he was convicted of two offences of breaches of Part 4 Notification Requirements, committed on 2 September 2019 and 26 November 2019, under section 54 of the Counter-Terrorism Act 2008. He was sentenced on 3 January 2020 to 16 months imprisonment.
14. On 29 May 2020 he was convicted of an offence of possession of a fraudulent article and conspiracy to commit fraud, and sentenced to 10 months imprisonment.
15. On 16 March 2022 he was sentenced for three offences for breaches of a Terrorism Prevention and Investigation Measures Order (“TPIM Order”) (committed on 14 and 15 May 2021) under section 23 of the Terrorism Prevention and Investigation Measures Act 2011. The Defendant was arrested and remanded in custody in respect of these offences on 29 May 2021. An extended sentence of 42 months imprisonment was imposed, comprising a custodial sentence of 30 months and an extended licence period of 12 months, and a 10-year counter terrorism notification order. The Claimant contends that these are terrorism-related offences which come within section 8A SCA 2007.
16. The Defendant was initially released on licence to an approved premises on 29 November 2023. On 20 September 2024, he was recalled to custody following breaches of his licence conditions. His licence expired on 28 November 2024, at which date he was released from prison. He will remain subject to Part 4 Notification Requirements until 24 January 2031.

Legal framework

17. The SCA 2007 sets out the legislative scheme for the imposition of SCPOs. The High Court has the discretion to make an order upon application under section 1(1) as follows:

“1 Serious Crime Prevention Orders

(1) The High Court has the power to make an order if:

(a) it is satisfied that a person has been involved in serious crime (whether in England and Wales or elsewhere); and

(b) it has reasonable grounds to believe that the order would protect the public by preventing, restricting or disrupting involvement by the person in serious crime in England and Wales.”

18. The term “serious crime” is defined by section 2 SCA 2007 as where a defendant has been convicted of a “serious offence” or involved in encouraging or facilitating another to commit a serious offence. “Serious offence” is defined as an offence within Part 1 of Schedule 1 to SCA 2007 or one which, in the particular circumstances of the case, the court considers to be sufficiently serious to be treated for the purposes of the application or matter as if it were so specified.

19. Such orders can be made in the Crown Court following conviction, or on application to the High Court by the Crown Prosecution Service. Applications can also be made by the Chief Officer of Police in specific circumstances as set out in section 8(2) SCA 2007, namely “where an offence is terrorism-related” under section 8A, and the Chief Officer has consulted the Director of Public Prosecutions.

20. Section 8A SCA 2007 provides, so far as is material:

“(1) For the purposes of this Part, a serious crime prevention order is “terrorism-related” if the trigger offence is within subsection (3).

(2) The “trigger offence”, in relation to a serious crime prevention order, is the serious offence referred to in section 2(1) or (4), 2A(1) or (4) or (as the case may be) 3(1) or (4) pursuant to which the court is satisfied that the person who is the subject of the order has been involved in serious crime.

(3) A trigger offence is within this subsection if—

(a) it falls within section 2(2)(a) or (5)(b)(i) by virtue of paragraph 2A of Schedule 1;

(b) it falls within section 2A(2)(a) or (5)(b)(i) by virtue of paragraph 16BA of Schedule 1;

(c) it falls within section 3(2)(a) or (5)(b)(i) by virtue of paragraph 18A of Schedule 1; or

(d) in the case of any other trigger offence (whether or not specified, or within a description specified, in Schedule 1), it appears to the court that the offence—

- (i) is, or takes place in the course of, an act of terrorism; or
- (ii) is committed for the purposes of terrorism.”

21. Section 16 SCA 2007 provides for the duration, expiry, and remaking of orders as follows:

“(1) A serious crime prevention order must specify when it is to come into force and when it is to cease to be in force.”

(2) An order is not to be in force for more than 5 years beginning with the coming into force of the order.

(3) An order can specify different times for the coming into force, or ceasing to be in force, of different provisions of the order.

(4) Where it specifies different times in accordance with subsection (3), the order—

(a) must specify when each provision is to come into force and cease to be in force; and

(b) is not to be in force for more than 5 years beginning with the coming into force of the first provision of the order to come into force.

(5) The fact that an order, or any provision of an order, ceases to be in force does not prevent the court from making a new order to the same or similar effect.

(6) A new order may be made in anticipation of an earlier order or provision ceasing to be in force.

(7) Subsections (2) and (4)(b) have effect subject to section 22E.”

22. Given that these are civil proceedings as set out under section 35 SCA 2007, the Court is not limited to evidence that would be admissible in a criminal prosecution, and the standard of proof is the civil standard.

23. In determining whether to exercise the Court’s discretion to impose an order, an exercise of judgment or evaluation by the court is involved (see, by analogy, *R (McCann & Others) v Manchester Crown Court* [2002] UKHL 39, at [37]).

24. In *R v Hancox* [2010] 1 WLR 1434, the Court of Appeal Criminal Division, per Hughes LJ, gave the following guidance at [9]-[12]:

“9. The order may be made if but only if the court has reasonable grounds to believe that an order would protect the public by preventing, restricting or disrupting involvement by the defendant in serious crime (as defined in section 2 and

Schedule 1) in England and Wales. It follows that the court, when considering making such an order, is concerned with future risk. There must be a real, or significant, risk (not a bare possibility) that the defendant will commit further serious offences (as defined in section 2 and Schedule 1) in England and Wales.

10. If an order is made, it may contain such provisions as the court considers appropriate for the purpose of protecting the public by preventing, restricting or disrupting involvement by the defendant in serious crime (as defined) in England and Wales. Unlike some statutory provisions for the making of preventive orders, this one is not expressly couched in terms of necessity. But we doubt that the different form of words makes a significant difference in practice. It was common ground before us that the principles set out by this court in *R v Mee* [2004] 2Cr App R (S) 434, in the context of the similarly worded power to make travel restriction orders under section 33 of the Criminal Justice and Police Act 2001, apply equally to SCPOs. Such orders can be made only for the purpose for which the power was given by statute. And they must be proportionate. The necessity for orders to be proportionate also follows from the fact that they will almost inevitably engage article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. They will satisfy the requirement in article 8(2) for the order to be made according to law, because they are made within a statutory structure, but, as that article is now understood, it requires further that they must be proportionate: see the authoritative expression in *EB (Kosovo) v Secretary of State for the Home Department* [2009] AC 1159, para 7, per Lord Bingham of Cornhill, of the questions which arise under article 8:

“(1) will the proposed [order] be an interference by a public authority with the exercise of the applicant’s right to respect for his private . . . life? (2) If so, will such interference have consequences of such gravity as potentially to engage the operation of article 8? (3) If so, is such interference in accordance with the law? (4) If so, is such interference necessary in a democratic society in the interests of . . . the prevention of disorder or crime . . . ? (5) If so, is such interference proportionate to the legitimate public end sought to be achieved?”

That means that it is not enough that the order may have some public benefit in preventing, restricting or disrupting involvement by the defendant in serious crime; the interference which it will create with the defendant’s freedom of action must be justified by the benefit; the provisions of the order must be commensurate with the risk.

11. Much of what this court said in *R v Boness* [2006] 1 Cr App R (S) 690 on the topic of another form of preventive order, the anti-social behaviour order, will apply equally to SCPOs. In particular, that decision examines the application of the test of proportionality, and emphasises the importance of the order being practicable and enforceable and satisfying the test of precision and certainty. Preventive orders of this kind in effect create for the defendant upon whom they are imposed a new criminal offence punishable with imprisonment for up to five years. They must be expressed in terms from which he, and any policeman contemplating arrest or other means of enforcement, can readily know what he may and may not do.

12. Like other forms of preventive order, a SCPO is not an additional or alternative form of sentence. It is not designed to punish. It is not to be imposed because it is thought that the defendant deserves it. It may be imposed if but only if the test set by section 19(2) is met.”

25. The conditions of a SCPO must be clear, realistic and capable of enforcement (*R v Parsons* [2017] EWCA Crim 2163 at [5]; *R v Boness* [2006] 1 Cr App R (S) 690, and *Hancox*, at [11]). The terms must also be limited to those which are necessary (*R v McGrath* [2017] EWCA 1945, cited by *R v Glenn Rainey, Mark Rainey and William Hunter* [2023] NICA 69 at [53]).
26. An SCPO cannot be in place “until further order” because a SCPO cannot be in force for more than five years from its commencement date (*R v Langley* [2019] EWCA Crim 1524).
27. Notification Requirements under Part 4 of the Counter-Terrorism Act 2008 require a registered person to notify the police of their personal details, such as their address, telephone number, details of bank accounts, vehicles, and trips abroad. Police have power to enter their premises with a warrant to assess the risk posed to the community.

Evidence

28. Detective Sergeant James Earle of SO15 Counter Terrorism Command made his first witness statement in support of the application on 5 November 2024. He made his second witness statement on 26 November 2024. In those statements, he set out the Defendant’s offending history and he analysed the risks he posed, based on the Offender Assessment System (“OASys”) assessments, his management as a Level 3 Category 4 subject under the Multi-Agency Public Protection Arrangements (“MAPPA”), and the Extreme Risk Guidance (“ERG”) reports. At the time of his first and second witness statements, the most up-to-date ERG report was dated 9 March 2023. However, a new ERG report dated 20 November 2024 has just become available and DS Earle addresses it in his third witness statement, dated 11 December 2024.
29. Ms Millie Fussell is a Specialist Probation Officer working in the National Security Division of the National Offender Management Service who has managed the

Defendant since his transfer to London in 2024. She provided a witness statement in support of the application for a SCPO on 26 September 2024.

30. A report from the Defendant's Parole Assessment Report Offender Manager, dated 20 May 2022, was also in evidence.
31. The Defendant did not provide any written response to the application but he made oral submissions at the hearing.

Section 8(2) SCA 2007

32. I am satisfied that the application is for an order that is terrorism-related and that the Claimant has consulted the Director of Public Prosecutions.

Serious offences which are terrorism-related

33. I am satisfied that the Defendant has been convicted of serious offences and has been involved in serious crime within the meaning of sections 1(1) and 2(1) SCA 2007. Some of his serious offences are terrorism-related and come within section 8A SCA 2007.
34. Schedule 1 to SCA 2007 lists serious offences. By paragraph 2A, terrorism offences are listed in section 41(1) of the Counter-Terrorism Act 2008, which sets out a list of offences to which Part 4 of that Act applies.
35. The offences committed by the Defendant under section 2 of the Terrorism Act 2006 (see Judgment/12) are listed under section 41(1)(d) of the Counter-Terrorism Act 2008.
36. The offences committed by the Defendant under section 54 of the Counter-Terrorism Act which related to breaches of the Part 4 notification requirements (see Judgment/13) are not listed in section 41(1) of the Counter-Terrorism Act 2008. I do not find it necessary to go on to determine whether the offences were a terrorism-related trigger offence under section 8A(3)(d) SCA 2007.
37. The offences committed by the Defendant under section 23 of the Terrorism and Prevention and Investigation Measures Act 2011 (see Judgment/15) are listed under section 41(1)(f) of the Counter-Terrorism Act 2008.

Reasonable grounds to believe that the order would protect the public by preventing, restricting or disrupting involvement by the person in serious crime

38. I consider the evidence under three headings:
 - i) Terrorism-related offences, extremist mindset and risk assessments;
 - ii) Disregard for control measures and restrictions;
 - iii) Lack of engagement with professional intervention.

Terrorism-related offences, extremist mindset and risk assessment

39. The Defendant has 9 convictions for terrorism-related offences, as listed above.
40. In 2018, the Defendant was involved in a conspiracy to burgle with his two half-brothers, Mahamad Abu and Sahayb Abu. During the course of the police investigation, a family WhatsApp group was found on the Defendant's mobile phone where he and other family members were sharing extremist material and engaging in conversations which indicated support and encouragement for extremist groups. This material formed the basis for the offences of distribution/circulation of a terrorist publication, contrary to section 2 of the Terrorism Act 2006, for which he was convicted on 27 September 2018. His sister Asma Aweys and his brother-in-law Abdulaziz Munye were also convicted and sentenced for their involvement in the offending.
41. Terrorist publications included a link to a site containing ISIS propaganda magazine 'Dabiq', and two ISIS propaganda videos: 'Flames of War 2' that shows executions and terrorist attacks in the West and 'Inside the Caliphate 7' depicting similar scenes and featuring female fighters to appeal to a broader audience.
42. In addition to the ISIS publications, there were messages from the Defendant thereby demonstrating his Islamist extremist mindset. An OASys report (October 2023) summarised some of the evidence as follows:

“By August 2015, Mr Aweys was already expressing the view that ‘Allah had chosen them (the two missing brothers) to be part of blessed events’. On 31/10/2015 he sent an article to Mr Abu and Mr Munye, with Mr Aweys critiquing ‘any who don’t agree with “dawlah” (Daesh) methods including killing en-masse.’ On 09/11/ 2015 Mr Abu boasted about a burglary he committed, and Mr Aweys indicated ‘it is acceptable to steal from the Kuffr and the money should be used for the cause’. The following day Mr Aweys tells Mr Abu: ‘the biggest advantage that we have is we are embedded in their societies, we are the enemy within and they know not ...’ On 10/02/2017 on Mr Aweys’ mothers’ (Khadija Jelani’s) device, Mr Aweys refers to the Somali president as a kuffr ‘who needs to be killed’. On 18/02/2017 he posted a link to a woman fighting Daesh with a comment ‘jahil (ignorant) tramp kafirah’. On 29/05/2017 he stated that ‘a war between muslims and disbelievers has begun’. On 23/08/2017 Mr Aweys indicates he wants to be a protector of the Quran ‘and be like Solo and Wail’ (his two deceased brothers).

In a group chat on 27/11/2017 Mr Aweys said ‘Jihad will never let you down’. On 28/11/2017 Mr Aweys criticises Hay’at Tahir al-Sham when asked about them by Mr Munye, saying ‘they are pants as they don’t believe in fighting gaalada’. On 01/12/2017 Mr Aweys also took a leading role in the conversation discussing theft/fraud with Mr Munye, Mr Aweys said ‘he is entitled to take from the Kuffr’, to which Mr Munye agreed. In response to a link sent by Mr Munye he said on 23/12/2017: ‘breath-

taking...mashing up pagans'. On 27/12/2017 they agreed martyrdom is "a blessing".

On 02/01/2018 they asked about their brothers in Syria and how they can help. In a chat between Mr Munye, Mr Aweys and Mr Abu, Mr Aweys said that 'plots are being foiled by snitches'. Other chats talk of the injustice of jailing those with Daesh material. On 19/01/2018 Mr Aweys sent a link to Ms Aweys to some Anwar Al-Awlaki material and then on 30/05/2018 they discuss 'bring up their children in the paths of their Uncles Wail and Suleyman'. There is ongoing conversations between Mr Aweys and his sisters about building 'Asma's school' in their garden."

43. According to the OASys report "the CPS also indicate there are 'many more examples of such chat, consistently over a long period'".
44. DS Earle considers that the Defendant's extremist views have not changed since 2018, during his time in custody and in the community. In January 2019 he had an ISIS flag in his cell which he claimed was a religious article. According to his ERG report (March 2023), during his first period in custody there were concerns that he was trying to indoctrinate other inmates, he had disputes with the Imam, showed an intolerance for Western people, and associated with Terrorist Act 2000 ("TACT") offenders. In April 2020, two potential improvised weapons were found in his cell. In June 2020, a prohibited terrorist publication was found in his cell.
45. A security report in respect of the period between May 2021 and April 2022 states that the Defendant continued to associate with other TACT prisoners and that he was having theologically based correspondence with a prisoner at another prison.
46. In the most recent OASys report (October 2024), the Defendant was assessed as posing the following risk levels in relation to terrorist-related matters:
 - i) a very high risk of serious harm to indiscriminate members of the public through radicalisation;
 - ii) a high risk of serious harm to future female partners through radicalisation;
 - iii) a high risk of serious harm to his three daughters (aged from 7-10) due to concerns around the Defendant's ability to radicalise and impose his extremist views on them;
 - iv) a high risk of serious harm by way of radicalisation to his siblings under the age of 18 (of which there is now only one aged 14 – at the time of the initial risk assessment there were three brothers under 18);
 - v) a high risk of serious harm (psychological) to any future children of his or the children of any future partner through radicalisation;
 - vi) a high risk (psychological harm through radicalisation) to other known family members based on his efforts to disseminate extremist material to family

members via social media, encouraging them to disseminate this information further and openly promoting extremist ideology.

47. The OASys report also identified a high risk of serious harm to future female partners through domestic abuse, and medium risk of serious harm to his ex-wife, based on historic incidents of domestic abuse. However, as this application is made on the basis of terrorism-related offences under section 8(2) SCA 2007, it is not appropriate to rely upon the history of and risk of domestic abuse to justify the order.

48. It is notable that, despite numerous attempts at engagement with the Defendant, his assessed risk levels have not reduced, as evidenced by his two most recent OASys risk assessments completed in October 2023 and October 2024 and a supporting statement provided by the Defendant's Specialist Probation Officer, Ms Fussell, who states:

"I believe it to be necessary and proportionate for conditions contained within a SCPO to run alongside Part 4 notification requirements. They will provide a more robust approach to managing Mr Aweys in the community. It is currently assessed that Mr Aweys is very high risk to the public. A SCPO will subject him to tighter controls, which enables professional to better manage that risk."

49. The risk assessment in the ERG report (March 2023) provided as follows:

"Taking into account my use of the ERG22+ structured professional judgement tool, I have assessed Mr Aweys as having a medium/high level of engagement in an extremist group, cause or ideology; a medium/high level of intention to commit an extremist offence; and some level of capability for such offending. It is my opinion that Mr Aweys poses a high likelihood of future extremist offending. This assessment supports his OASys risk assessment and the fact that Mr Aweys has several offences linked to terrorism."

50. While considering the risk of future offending the report continued:

"Other future offending could comprise of Mr Aweys obtaining and sharing extremist documents, magazines, and online propaganda. Mr Aweys could engage in indoctrination behaviours, encouraging and praising others. This risk would be greatest when he is with family members who also support extremism and are involved with criminal activity and particularly at times when they are experiencing difficult situations. At the current time I do not assess this risk as imminent given restrictions and safeguarding measure that are in place in custody and will be on release."

51. It is notable here that the risk is seen as being mitigated by licence conditions, which are no longer applicable to the Defendant.

52. The ERG report (November 2024) assessed the Defendant's engagement in extremism. The following passages are of particular relevance:

“**Need for identity, meaning and belonging**¹ was previously assessed as strongly present in both the initial and review ERG assessments (March and November 2023). It is noted in previous assessments that at the time of the TACT offence, Mr Aweys had no clear sense of identity or focus and he was not engaged in employment or other constructive activities at the time. He also experienced the breakdown of his marriage and was emotionally impacted by the disappearance of his brothers. It is reported that by consuming Isis material and engaging with the cause, Mr Aweys is likely to have gained some sense of belonging and purpose. There are no indications that his views of Isis have changed but it can't be confirmed that he continues to use the group to provide a sense of identity, meaning and belonging.”

“**Need for status**² was previously assessed as partly present in both the initial and review assessments. It was assessed that there was some evidence of Mr Aweys wanting to feel special or significant and some beliefs of superiority have been identified. Mr Aweys has also at times presented as arrogant. Previous reports have assessed that engaging in previous offending allowed Mr Aweys to gain a sense of status that he was lacking at the time. Mr Aweys has been described as intelligent, educated and charismatic and so these characteristics are likely to have allowed him to achieve some status whilst sharing extremist material with others at the time of the TACT offence.

Whilst being supervised on licence, Mr Aweys has commented that he feels his religion is superior but stated that everyone chooses what they feel is the best path for them and that is what he has chosen to do, so he may not view his comments as arrogant. Mr Aweys has also indicated that he views what he considers Western and liberal values as inferior, suggesting that he is likely to view his more traditional values and religious customs as morally superior. There is no indication at present that Mr Aweys is gaining a sense of status or recognition from an extremist group. However, he clearly likes to be viewed as different and recognised for doing better than others, as he has made comments about being more disciplined than others in custody and at the AP. This item therefore continues to be rated as partly present and due to Mr Aweys' current lack of significant roles (being unemployed, unmarried etc), this factor could be relevant to any future offending.”

¹ Internal page 9

² Internal page 10

“Family and/or friends support extremist offending³ was rated as strongly present in both the initial and review ERGs. This is due to several family members having been co-defendants in Mr Aweys’ offending. He also has half siblings who have been convicted for TACT matters. Discussion between family members at the time of the TACT offence indicated that they thought of their late brothers (who had travelled to Syria) as martyrs. Mr Aweys had also made a comment to his sister that they should raise their children ‘in the paths of their uncles’ (ERG March 2023, page 12, paragraph 3.10).

Currently Mr Aweys’ main support network is his family. He has not disclosed having any other associates. He is not married and has not disclosed any romantic relationships whilst being on licence. He recently requested amendments to licence conditions so that he could travel to spend more time with family, which indicates that maintaining family connections is a priority for him. He has also commented that due to his faith, it is expected that he maintain family ties. Some of Mr Aweys family appear to have moved away from offending and have some significant protective factors in place. However as noted above, Mr Aweys does have half siblings that have been convicted for TACT offences and other matters and due to the importance he places on family relationships, it is possible he will seek contact with his siblings once his sentence expires. As a result, this factor is assessed to remain strongly present.”

“Level of engagement is currently assessed as high.⁴ The previous ERG review (November 2023) assessed engagement to be medium- high. There are indicators currently that Mr Aweys supports extremist ideology to some extent. He has commented that individuals who previously pledged their allegiance to Isis were right to do so. He believes that it was also right to withdraw their support due to the group no longer holding a sovereign state. This suggests that if the group were to establish a state once again, that Mr Aweys may believe it justified to support them. Mr Aweys also lacks protective factors as noted above such as employment or support networks outside of his family. As Mr Aweys’ sentence is soon to expire, he will be subject to fewer restrictions, which would mean that he can make contact with family members if he so chooses. As previously noted, some of his siblings have been convicted for TACT offences and others have been co-defendants and so rebuilding these connections could contribute to further engagement in extremist activity.”

53. The ERG report considered the progress made to date, including intervention by a theologian:

³ Internal page 12

⁴ Internal page 13

“Theologian intervention⁵

Mr Aweys began working with a theologian in December 2023. Objectives set included exploring Mr Aweys’ interpretation of Islam, his influences, support to understand misinterpretations and support to manage negative influences of others. In relation to his faith. Mr Aweys has presented as very knowledgeable and well read and he has indicated that his faith is central to his identity. He has some very rigid views in relation to his faith and has not always been open to alternative interpretations when counter narratives have been presented. He has generally engaged well in sessions and displayed some openness when discussing his views but on occasion has presented as reserved. He has presented with a strong belief in his faith and expressed that he believes his future is written and so he does not need to be concerned about anything. Through discussions on Isis, it is apparent that Mr Aweys believes that supporters of the group were right to pledge allegiance when they established themselves as a state. Mr Aweys has also commented that Isis were the only group in modern times to enforce Sharia laws, which he appears to respect. He believes that Sharia law should be introduced in Muslims countries when a Muslim group comes to power. He has not indicated that he would like this to be introduced in the UK.....”

54. The main conclusions in the ERG Report were as follows:

“This report has been completed to review the factors considered linked to Mr Aweys’ engagement in extremism, his intent to take action to further the aims of an extremist cause and the capability he has to do so...

It is assessed that Mr Aweys currently presents a high level of engagement, medium level of intent and some capability. This is a slight change to the assessment completed in November 2023, as engagement was assessed as medium-high and intent as medium to high. It is assessed currently that there is sufficient evidence to suggest that Mr Aweys continues to be engaged with extremist ideology and propaganda. There are no indications at present that Mr Aweys intends to take action on behalf of an extremist group but there are continued concerns regarding attitudes towards other groups and so intent is assessed as medium. There is no change to the assessment of capability.”

Disregard for control measures and restrictions

55. The Defendant was released on licence on 23 August 2019. On 27 November 2019, he was recalled to custody for breaches of Part 4 Notification Requirements. He had been

⁵ Internal page 18

using an unregistered mobile phone, which he borrowed from another resident of his approved premises, to access extremist material and to contact sex workers. He also accessed multiple websites known to host extremist content, on public library computers. In addition, he had been using his sister's bank account to receive benefits without informing his offender manager.

56. On 3 January 2020, the Defendant was sentenced to 16 months imprisonment for the two breaches of the Part 4 Notification Requirements. The ERG report (March 2023) described these breaches as “triggered by poor consequential thinking, pro-criminal attitudes, boredom, and attempts to evade police and probation scrutiny”.
57. There was no evidence that the Defendant's offences of fraud on 20 May 2020 were linked to funding terrorism but the ERG Report (March 2023) records a suggestion in the prosecution paperwork that the Defendant may have been intentionally targeting non-Muslims as victims of fraud.
58. When the Defendant was released from custody on 30 April 2021, he was made subject to a TPIM Order. He was arrested and remanded into custody on 29 May 2021 having on four occasions tampered with and damaged his GPS tag (allegedly with a small knife while at home) and entered an exclusion zone. At trial, he disputed these allegations and stated that he was framed by West Midlands Police – he claimed the tag was damaged by police when it was removed from his ankle by police.
59. On 16 March 2022, he was found guilty of three offences of breaches of the TPIM Order. He received a 42 month custodial sentence and 1 year on licence ending on 28th November 2024. According to the ERG report (March 2023), the Trial Judge found that he committed the offences deliberately, and “it is the view of his Offender Manager, that Mr Aweys was testing the limits of his monitoring in an attempt to breach further conditions and struggles to adhere to the boundaries and restrictions put in place by professionals”.
60. On 29 November 2023 the Defendant was released on licence to an Approved Premises (“AP”) in Nottingham. He was subject to licence conditions⁶ which were comparable to the proposed SCPO conditions.
61. In January 2024, the Defendant's mobile phone was downloaded and it was discovered that he had been deleting text messages. Ordinarily this would be a breach of licence conditions however owing to a computer error, he was provided with incorrect licence conditions, which meant that it was not technically a breach of his Part 4 Notification Requirements. In text messages on the phone the Defendant said that a woman will only love and respect you once you have beaten her. He defended his comments by saying he was only repeating what is in the Quran.
62. In March 2024, the Defendant took a polygraph test. He made admissions about deleting messages but claimed they were marketing messages. He also admitted to having indirect contact with family members and asking other residents at his premises to conduct internet searches for him, which under the terms of his licence are breaches.

⁶ Pages 126 – 131 of the hearing bundle

For these breaches of his licence conditions, the Defendant received a written warning from Probation.

63. On 11 July 2024, at his request, the Defendant was moved to a London AP. He was managed by SO15 Counter Terrorism Nominal Management (“CTNM”).
64. On 11 September 2024, the Defendant took a further polygraph test. On this occasion he made further admissions about deleting text messages from his device which he claims were “Spam/Junk” texts, exchanging contact details with a female he has not disclosed, deleting the female’s telephone number from his phone (after exchanging a couple of text messages), asking AP residents to look up content on their internet enabled devices for him, asking his sister to look up content on the internet on his behalf, such as her applying for his driving licence and passport, and continued indirect contact with people named on his licence (family members) by passing “salaams/greetings” via other family members.
65. On 20 September 2024, the Defendant was arrested for breaching his licence conditions and his Part 4 Notification Requirements and recalled to prison.
66. Evidence was obtain by CTNM to show that he had on 18 September 2024 used a computer in an internet café to access the Barclays Bank website and placed a USB storage device in the computer. In interview he denied accessing a bank account, stating he went to the Barclays website to check the internet was working before accessing Koran recitals online. Use of an internet enabled device was a breach of his licence. This activity took place less than two weeks after his licence conditions had been reduced by removing the requirement to sign on twice daily at his AP.
67. The licence period expired on 28 November 2024. The Defendant was released from prison on that date.

Lack of engagement with professional intervention

68. While in custody, the Defendant did not complete any interventions and did not engage in any education, workshops or employment. He continued to proclaim his innocence and feels that he was “set up” by Counter Terrorism Police for the breach of the TPIM Order. In relation to the ERG and HII (Healthy Identity Intervention), he has previously stated he is not willing to undertake any form of intervention as he does not wish to be told how and what to think.
69. According to the ERG (March 2023), the OM/Post Tariff Parole Custody Report (2022) stated that the Defendant stated that: “he has no intention of completing any programmes or interventions aimed at addressing his risk. Mr Aweys stated that he believes that he has been imprisoned unjustly on this occasion and stated that he is of the view that he has been somewhat ‘persecuted’ by the authorities. Therefore, he is unwilling to engage in any form of risk reduction work”.
70. Since his latest release from custody on licence in November 2023, the Defendant’s lack of real engagement with interventions has continued. Although intervention reports suggest he is willing to speak to experts politely and engage with them on a personal level by discussing theological matters, his views have remained extremist. In

December 2023 the Defendant told his nominal managers that his beliefs align with what ISIS believe.

The Defendant's submissions

71. In his oral submissions to the Court, the Defendant said that the SCPO was unnecessary and unjustified. His past offences were out of character and occurred a long time ago, at a time of crisis in his life, when his brothers joined ISIS and were killed. Since then he had made a conscious decision not to engage in crime.
72. The breaches of the Part 4 Notification Requirements were a result of negligence and complacency, and were not connected to further offending. The police were seeking to make a TPIM Order against him before his release from prison on 30 April 2021. Their plan was to return him to custody as soon as possible. After only 8 days on the TPIM Order, he was falsely accused of tampering with his GPS tag on four occasions. There was no motive for him to do so. As a result of this treatment, he became bitter and stopped engaging with the police and other professionals.
73. After his release on 29 November 2023, he was compliant. He took two polygraph tests and was open and transparent. Using a computer and USB stick in an internet cafe was a regrettable error of judgment, but he did not use the computer for any nefarious purpose. He explained this to the police but they did not believe him.
74. The SCPO is based on paranoia; they are exaggerating the risks. None of his offences involved children under 18, or his own children. In 2018 his sister Hafsa and her partner were arrested when they tried to travel with the Defendant's youngest daughter ("R") to join the Defendant's ex-wife in Morocco for a holiday. According to the Defendant, R did not have a passport (it had been delayed) and so Hafsa attempted to use a passport which belonged to her own child. The local authority's social services department became involved and the Family Court made an interim care order in respect of R for one year, during which time the Defendant's access was supervised at a contact centre. There were no restrictions on contact after the interim care order expired.
75. The Defendant's ex-wife ceased all contact with him when he was sent to prison in 2018 and he has not seen or spoken to them since then. Right now, he was seeking to set his life in order. In the future he may want to contact his children, and he would have to be in touch with his ex-wife in order to make the necessary arrangements.
76. The restrictions on contact with children will create difficulties for him when he visits his father or his siblings who have young children. He will be isolated from his family and unable to join them for family gatherings.
77. His younger brother, Suraakah, (DOB 9 March 2003), lives with their mother and so it would be impossible for the Defendant to visit his mother if he was barred from seeing Suraakah. Suraakah has no involvement with terrorist activities. When his half brother, Sahayb Abu, was arrested in 2021, Suraakah was interviewed but no police action was taken against him (he was referred to Prevent).

Conclusions

78. In my judgment, there are reasonable grounds to believe, on the balance of probabilities, that the SCPO will protect the public by preventing, restricting or disrupting the Defendant's involvement in terrorism-related offences.
79. The Defendant has been convicted of multiple terrorism-related offences, relating to conduct over a significant period of time, beginning in 2015. His offending has been interrupted by lengthy periods of custody and supervision on licence. However, his licence period ended on 28 November 2024, and thereafter he will only be subject to the Part 4 Notification Requirements, which are limited in scope, and do not provide sufficient powers to monitor the Defendant's behaviour and manage the risk he poses of serious offending.
80. It is apparent from the evidence that the Defendant has repeatedly failed to comply with licence conditions, Part 4 Notification Requirements and TPIM conditions, often resulting in recall and further offences being committed. The very purpose of these conditions is to protect the public by preventing, restricting and disrupting serious terrorism-related offences.
81. The pattern of non-compliance indicates that the Defendant has not been rehabilitated. He has not co-operated or participated in programmes within prison which could have assisted in rehabilitation and reduced risk. The OASys and ERG reports continue to assess high and very high risks of serious harm through radicalisation of others, in particular, family members, and promotion of extremist Islamic ideology. In my view, the factors that led him to offend previously – his religious and ideological beliefs – are likely to cause him to re-offend.
82. Therefore, I conclude, on the balance of probabilities, the control measures in the SCPO are required to protect the public from terrorism-related offences.

Conditions

83. **Conditions 1 to 8** restrict the Defendant's possession and use of communication devices, email accounts, access to the internet and social media accounts, which have played a significant part in his previous offending and breaches of conditions. They compel the Defendant to provide details of authorised devices and accounts to Police. The provision of this information will support any investigation if there are concerns that the Defendant is engaging in serious crime. These restrictions do not prevent the Defendant from authorised use to facilitate legitimate communications and therefore they are proportionate.
84. **Condition 9** prevents contact, communication or association with certain individuals. Paragraphs 9.2 and 9.3 impose restrictions on contact with persons convicted of TACT related offences and with prisoners. Paragraph 9.1 imposes restrictions on contact with named family members for the reasons set out in DS Earle's second witness statement at paragraphs 32, 35, 36, 68 to 74. Some have been involved in terrorist activities and all are believed to be at risk of being radicalised by the Defendant.

85. Article 8 ECHR is engaged, and the terms an SCPO must be proportionate: see *R v Hancox* at Judgment/24. In my view, the Claimant's proposed clause 9.1 is a disproportionate interference with the Article 8 rights of the Defendant and his three children: "A" (DOB 9.3.14); "H" (DOB 31.12.15) and "R" (DOB 6.10.16). It reflects a licence condition in similar terms, but it is a serious interference with family life and ought not to be re-imposed automatically for years at a time without careful consideration. I am not satisfied that it is necessary. The Defendant is permanently separated from his ex-wife and she cut off all contact with him in 2018/2019 when he was first sentenced to a term of imprisonment. Condition 13 prevents unsupervised contact with children, other than with the prior consent of the child's parent, and the CT Nominal Manager who must take any necessary safeguarding steps. It also makes provision for supervised contact. Therefore if the Defendant is able to re-establish contact with his children, it will be restricted and monitored, and the risk of any attempt at radicalisation is low, particularly given the young age of the children. For these reasons, the three children should not be included in the list in paragraph 9.1.
86. In order to have contact with his children, the Defendant would have to communicate with his ex-wife and therefore she should also be removed from the list in paragraph 9.1. In the light of the breakdown of their relationship, I consider that the risk of radicalisation or domestic abuse of his ex-wife is low, and is outweighed by the benefits of maintaining father/daughter relationships for their three children, if possible. If his ex-wife experiences any difficulties in having contact with the Defendant, she can seek legal advice from a family law solicitor or refer the matter to the local social services department.
87. The Defendant is prevented from associating with many, though not all, of his siblings and half-siblings, and the restriction on associating with children will in practice prevent him from attending family gatherings. This is a significant interference with the Defendant's and the family's Article 8 rights. I consider that the Defendant ought to be allowed to visit his mother freely, without being at risk of breaching the SCPO because his brother, Suraakah Aweys (DOB 9.3.03), may also be present, as he resides with their mother. Suraakah Aweys has no proven involvement in terrorism-related activities. Whilst I acknowledge the risk that the Defendant may attempt to radicalise his siblings, including Suraakah, I consider that this concern is outweighed by the disproportionate effect of the restriction on the Defendant's and his mother's rights to family life. Therefore Suraakah Aweys should be removed from the list in paragraph 9.1.
88. **Condition 10** requires notification of the ownership and use of vehicles. The use of vehicles in terrorist attacks is well known. The restriction is proportionate as it does not prevent him from owning a vehicle.
89. **Condition 11** requires notification and restriction of financial accounts and money transfers. It is similar to the Part 4 Notification Requirements. The investigation into the fraud offences showed that the Defendant had used a number of accounts and was knowledgeable about banking processes. The restrictions are proportionate as the Defendant will be permitted one financial account.
90. **Condition 12** prevents the Defendant from entering into certain types of employment: public transport, public supply infrastructure and teaching. He must also notify the Police CT Nominal Manager of any intended employment. I consider that the

restrictions are proportionate given his convictions for terrorist-related offences and high risk of seeking to radicalise children.

91. **Condition 13** controls the Defendant's contact with children, as described under Condition 9 above. I consider that the restrictions are proportionate.

Final conclusion

92. The Claimant's application for a SCPO, pursuant to sections 1 and 8A SCA 2007, is granted and the terms of the order are attached to this judgment.

Annex to the Judgment

AC-2024-LON-003674



**In the High Court of Justice
King's Bench Division
Administrative Court**

**Before the Honourable Mrs Justice Lang
On 17 December 2024**

In the matter of an application under section 1 of the Serious Crime Act 2007

**THE COMMISSIONER OF POLICE
OF THE METROPOLIS**

Claimant

-and-

AHMED AWEYS

Defendant

SERIOUS CRIME PREVENTION ORDER

This order comes into force at midnight on 17 December 2024 and ceases to be in force at midnight on 17 December 2027.

1. RESTRICTION AND NOTIFICATION OF STORAGE DEVICE

1.1 The Defendant may own, use or possess at any one time

- i. One mobile telephone handset with one SIM/ESIM card and one number.
- ii. One computer.
- 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.
- iv. The prohibition on the use of more than one computer shall not apply to a computer at his place of work, Job Centre Plus, Public Library or Educational Establishment provided the computer has been notified to the relevant Probation officer and Police Nominal Management Unit whilst on licence, and to the relevant Police Nominal Management Unit post licence, and prior approval has been received from the Police.

1.2 Save as set out in clause 1.1 above, the Defendant shall not own, possess, or use any other communication and/or web-browsing enabled device.

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

- 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;
- x. A fax machine;
- xi. A games console with the instant messaging facility enabled;
- xii. Any other device equipped to send or receive voice, images, text or data communications.

1.4 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.

1.5 For the purposes of this Order the phrase “premises at which he lives or works” includes, but is not limited to, holiday accommodation.

1.6 The Defendant shall be allowed to use an electronic device that communicates automated data with a third party in the normal course of its own 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;
- iii. Domestic appliances connected to the internet.

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

- i. Not be encrypted beyond the Standard Operating System as installed by the manufacturer;
- ii. Not run messaging applications which remain encrypted once received or automatically delete (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 websites, must also be capable of retaining and displaying the history of the websites visited.

1.8 The Defendant must:

- i. retain (and not delete) any usage history on any communication device used.
- ii. provide any communication device (and associated passwords) in his ownership, possession, or control to his Police Nominal Management Unit upon their request for inspection.

1.9 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 a relevant Police Nominal Management Unit in accordance with the terms of this Order.

1.10 The Defendant shall notify the Police Nominal Management Unit in writing within 24 hours of obtaining, possessing, or using 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 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;
- vii. VOIP service provider and account details;
- viii. Media Access Control Address (MAC);
- ix. Name of any instant messaging and social network provider used, together with the usernames for those accounts;
- x. Details of any domestic or international telephone routing service or telephone card service that he uses;
- xi. Details of any other provider as may be applicable;

- xii. Any PIN code or locking password applied to the communication device;
- xiii. Details of any cloud storage accounts, together with username and passwords for those accounts;
- xiv. If a computer is a portable device, details of address(es) at which it is charged and/or synchronized.

1.11 Another person can make use of the Defendant's communication device as detailed at clause 1.1 at any place but only for the purposes of contacting the emergency services or any commercial provider of emergency roadside assistance.

1.12 Subject to 1.13 the Defendant can make use of another person's communication device at any place but only for the immediate purpose of contacting the emergency services or any commercial provider of emergency roadside assistance.

1.13 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
- must be provided to the Police Nominal Management Unit in writing within 24 hours of using that device.

Third party usage is only permitted in accordance with the circumstances outlined in clause 1.12. Any device used is subject to paragraph 1.8 of this order while it is in the Defendant's possession and/or control.

1.14 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 clause 1.1 of this Order unless in accordance with the circumstances outlined at clause 1.11.

2. RESTRICTION AND NOTIFICATION OF ELECTRONIC STORAGE DEVICES

2.1 The Defendant must provide details to his Police Nominal Manager of any electronic storage which is not built into any device already notified within the terms of this order. To include where applicable;

- a) Make;
- b) Device type;
- c) Size;
- d) Serial number;
- e) Main use and location of the device;
- f) Details of any cloud storage accounts, together with username and passwords for those accounts.

2.2 Electronic storage shall be taken to include but is not limited to:

- i. Hard disk drives (HDD);
- ii. Solid state drives (SSD);
- iii. USB stick 'pen' drives;
- iv. Any flash card;
- v. Any other electronic storage device including blank CD or DVD media;
- vi. Any cloud storage.

2.3 On the date this Order comes into force, the Defendant shall notify the relevant Police Nominal Management Unit in writing within 24 hours of any communication device(s) including any electronic storage devices he owns, possesses, or uses including in that notice the details set out in clause 1.9 of this Order.

2.4 The Defendant shall not lend or otherwise permit any other person to use any communication device(s) or electronic storage device that he may own, possess, or control in accordance with clause 1.1 and 2.2 of this Order.

2.5 The Defendant shall make available for examination on request by the relevant Police Nominal Management Unit any internet enabled device that he may own, possess, or use in accordance with clause 1.1 of this Order together with any device capable of storing digital data that he might own, possess, or use in accordance with clause 1.1 and 2.2 of this Order. Such a request shall be made in writing to the Defendant at the address provided to the relevant Police Nominal Management Unit by the Defendant under the last term of this Order and will give the Defendant no less than 5 days' notice.

3. RESTRICTION AND NOTIFICATION OF EMAIL ACCOUNTS

This is in addition to the Defendant's obligations under Part 4 of the Counter Terrorism and Border Security Act 2019. The Part 4 requirements are worded as follows:

You are required to notify the police of your contact details. This includes, but is not limited to, your email and telephone contact details.

(The Part 4 notification requirements are shown in 'Appendix I - Part 4 Notification Letter to Mr Aweys' provided in support of this application).

The Serious Crime Prevention Order places further complimentary restrictions:

3.1 The Defendant may not have or use more than one 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 clause 2.2.

3.2 Any email account the Defendant has or uses 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 a nominated Police Offender Manager in accordance with the terms of this Order.

3.3 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 a nominated Police Offender Manager in accordance with the terms of this order.

3.4 The Defendant may not have, or use, an efax account.

4. PROHIBITION ON THE USE OF ANY SOCIAL NETWORKING SITE, SOCIAL MEDIA SITE AND/OR ANY INSTANT MESSAGING APPLICATION

4.1 The Defendant shall not have access to or use of any Social Networking Site, Social Media Site or Instant Messaging Application, which provides end-to-end encryption or an automated deletion feature.

4.2 Access to any other Social Networking, Social Media or Instant Messaging Accounts/Applications during the duration of this Order will be at the discretion of the Police Offender Manager. For any new Social Media, Social Networking or Instant Messaging Accounts/Applications, if approved, the username and password will be provided to the Police Offender Manager within 24 hours of it being set up.

4.3 The Defendant shall not instruct or allow any third party to access or use any Social Networking Site, or Social Media Site, on his behalf.

4.4 The Defendant shall not instruct or allow any third party to access or use any instant messaging application on his behalf.

4.5 Within 24 hours of setting up a new online account, the Defendant shall notify his Police Offender Manager 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; and
- III. The web address of the site.

For the avoidance of doubt, the username shall be as close to the Defendant's real name as is reasonably practicable.

5. PROHIBITION ON THE USE OF THE DARK WEB

5.1 The Defendant shall not have access to or use any website on the covert internet. This includes but is not limited to encrypted non-generic secure online services, typically 'The Onion Router' (TOR).

6. PROHIBITION ON THE USE OF AN ALIAS

6.1 The Defendant shall only use his full name as recorded on his birth certificate or by change by deed poll when working or dealing with third parties. This does not preclude the use of nicknames between friends or family as long as these are notified to police when asked to provide any such nicknames.

7. PROHIBITION ON THE USE OF PUBLIC COMMUNICATIONS FACILITIES

7.1 The Defendant 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).

8. RESTRICTION ON INTERNET ACCESS

8.1 The Defendant is prohibited from:

- i. using any device capable of accessing the internet unless:
 - a) it has the capacity to retain and display the history of internet use; and
 - b) he makes the device available immediately on request for examination by the nominated Police Offender Manager. Examination may include removing the device to facilitate this; and
 - c) he allows a nominated Police Offender Manager to install risk management monitoring software if they so choose. This may include removing the device to facilitate this.
- ii. Deleting any history retained under clause 10.1.(i)(a).

For the purposes of this order 'internet use' is not restricted to internet browsing history and instead includes everything that requires an internet connection to perform. For example, but not limited to, emails and downloads.

8.2 The Defendant shall notify a nominated Police Offender Manager in writing immediately upon obtaining an Internet Service Provider (ISP) and notify in writing any intended change to an ISP. This ISP must be UK based.

8.3 The Defendant is prohibited from using any available means to conceal, change or disguise the IP address or originating IP address of the communication device of computer. For example, Virtual Private Networks (VPN's) or Proxy Servers.

8.4 The Defendant is prohibited from using any internet browser with "incognito mode", "private browsing mode" or any similar option activated to conceal his browsing activity.

9. NON-ASSOCIATION & PROHIBITED CONTACT

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

- i. Mahamad Aweys Munye ABU DoB: 01/01/1989 (half-brother)
- ii. Hafsa AWEYS DoB: 15/04/1987 (sister)
- iii. Asma AWEYS DoB: 21/06/1988 (sister)
- iv. Abdulaziz Omer Abu MUNYE DoB: 25/10/1991 (brother-in-law)
- v. Sahayb Aweys Munye ABU DoB: 15/04/1993 (half-brother)
- vi. Abubakar Omar HABIB DoB: 30/05/1989 (brother-in-law)

9.2 The Defendant shall not, whether directly or indirectly, contact, communicate with or otherwise associate with any person(s) he knows, believes, or suspects to have been convicted of a TACT or TACT related offence. This includes those having been convicted for like offences outside the UK.

9.3 The Defendant shall not, whether directly or indirectly, contact, communicate or otherwise associate with any person(s) who is a serving or remand prisoner in Custody anywhere in the world.

9.4 Clause 9.2 shall not apply where the offender is attending any intervention programme in relation to their ongoing risk management and de-radicalisation which has been agreed prior to their attendance by the relevant CT Nominal Manager and Probation Practitioner.

10. NOTIFICATION OF THE OWNERSHIP AND USE OF VEHICLES

This is in addition to the Defendant's obligations under Part 4 of the Counter Terrorism and Border Security Act 2019. The vehicle Part 4 requirements are worded as follows:

You are required to notify police of any vehicle of which you are a registered keeper of or have a right to use. Notifications must be completed within three (3) days of obtaining new details.

You are also required to notify of any previously notified vehicle of which you cease to be the registered keeper or had a right to use. The 3 day grace period from the event occurring does not apply if the person uses the vehicle. See section 48 (7)

(7) Notification under this section must be made—

(a) in a case to which subsection (4C) applies, before the earlier of the following—

- I. the end of the period of three days beginning with the day on which the person becomes the registered keeper of the motor vehicle or acquires a right to use it, or*
- II. the first occasion on which the person uses the motor vehicle by virtue of being its registered keeper or having a right to use it.*

The Serious Crime Prevention Order places further complimentary restrictions:

10.1 Subject to clause 10.2 below, the Defendant shall not hire a vehicle of any kind or otherwise use or possess a hire vehicle.

10.2 The Defendant may 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 the Police CT Nominal Manager in accordance with the terms of this Order); and
- ii. he has given the Police CT Nominal Manager 3 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 Police CT Nominal Manager 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.

10.3 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.

10.4 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.

10.5 Use of public transport as defined in clause 11.6 is excluded from the terms of this Order.

10.6 For the purpose of this Order public transport means the system of vehicles used by the public and is taken to include:

- i. Buses & coaches except those on private hire;
- ii. Hackney carriages (Taxis) when being used for hire;
- iii. Licensed Mini Cabs when pre-booked;
- iv. Private Hire Vehicles including motorcycles when pre-booked.

10.7 The Defendant may not drive any vehicle that falls into the DVLA categories of:

- i) C1,
- ii) C,
- iii) D1,
- iv) D,
- v) C1E,

vi) CE,
vii) D1E,
viii) DE,
without the permission of the Police CT Nominal Manager.

11. NOTIFICATION AND RESTRICTION OF FINANCIAL ACCOUNTS AND MONEY TRANSFERS

This is in addition to the Defendant's obligations under Part 4 of the Counter Terrorism and Border Security Act 2019. The Part 4 requirements are worded as follows:

You are required to provide police with the following information in respect of any account you hold with any financial institution, including any account held jointly with another person, any business accounts held by you or where you run a business through a company, and any bank accounts which you are entitled to operate in addition to those in your name:

- (a) the name of the financial institution with which the account is held;*
- (b) the address of the office at which the account is held and, if the office is outside the United Kingdom, the address of the principal office of the financial institution (if any) in the United Kingdom;*
- (c) the number of the account;*
- (d) the sort code, if any, of the account;*
- (e) the card number of each payment card relating to the account;*
- (f) the start date (if any) and expiry date in relation to each such card.*
- (g) This requirement includes an obligation to provide financial disclosure in respect of any financial account you may hold outside of the UK, including any credit, charge and pre-paid cash card accounts. In addition it also includes a requirement for you to notify when any account previously notified in accordance with this Part is closed, a payment card previously notified in accordance with this Part is no longer held by the person notified as holding it or any other financial information previously notified in accordance with this Part is altered or becomes inaccurate.*

The notification must be completed within three (3) days of this change taking effect.

The Serious Crime Prevention Order places further complimentary restrictions:

11.1 The Defendant shall only have one bank account, and any such account shall be in the Offender's full name as recorded in this Order or as changed by deed poll and notified to the Police CT Nominal Manager in accordance with the terms of this Order.

11.2 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.

11.3 The account held by the Defendant under clause 11.1 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.

11.4 Upon the coming into force of this Order and on the same day that any replacement account is opened the Offender must send written notice to the Police CT Nominal Manager 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.

11.5 Upon the coming into force of this Order, the Defendant shall close all other accounts held by him or on his behalf anywhere in the world and shall cause the proceeds to be transferred into the one account described in clause 11.1 above. Such transfers must be completed within 14 days of this Order coming into force. Within 24 hours of any such transfers being made, the Defendant shall notify the Police CT Nominal Manager in writing of the details in clause 11.4 relating to the account from where such transfers were made. In addition, within 28 days of such a transfer, the Defendant shall supply to the Police CT Nominal Manager documentary evidence from the financial institution concerned showing that the account has been closed and supplying.

11.6 The Defendant must not have, use or be a signatory to a virtual currency account or any other system that uses or processes virtual currency.

11.7 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, E-Gold, Gold Money, Pecunix, Liberty Reserve, Loom, Bitcoin, Web Money or their equivalent or successor.

11.8 In advance of a credit/money transfer made by the Defendant, he shall notify the Police CT Nominal Manager in writing of his intention to make or receive the credit transfer and to include in that notice:

- i. the name of the bank or building society making the credit transfer;
- ii. the branch from which the transfer is to be made;
- iii. the name and number of the account from which the transfer is to be made;
- iv. the name of the financial institution overseas to which the credit transfer is to be made;
- v. the branch to which the transfer is to be made;
- vi. the name and number of the account to which the transfer is to be made;
- vii. the full name and address of the intended final recipient of the transfer;
- viii. the amount to be transferred;
- ix. the purpose of the intended transfer.

11.9 In relation to clause 11.8, the transfer must be made from or to his own account(s) as recorded in accordance with this Order. He may not make any transfer through a third-party account that is not recorded in his own name.

12. RESTRICTION AND NOTIFICATION ON EMPLOYMENT: PAID, VOLUNTARY OR OTHERWISE

12.1 The Defendant shall not be employed or be involved in any of the following business areas in any capacity, including but not limited to, paid, voluntary or on a one-off basis:

- a) public transport – includes, but is not limited to, buses, coaches, trains, trams, taxis, licenced mini cabs, boats, ferries, airlines.
- b) public supply infrastructure significant to the maintenance and running of any Country – includes, but is not limited to, gas services, water services, electricity services and fuel services.

12.2 The Defendant shall not be employed or involved in any area of teaching to children whether that be paid, voluntary or on a one-off basis.

12.3 The Defendant must notify the Police CT Nominal Manager, in writing, of any intended employment, prior to its commencement, and provide the following details:

- a) employer details
- b) employer address
- c) location of work placement if different to that detailed in clause 12.2
- d) employer contact details
- e) role the offender will be carrying out
- f) intended duration of position
- g) details of any vehicles the offender will use as part of his role in line with clause 10
- h) details of any communication devices the offender will use as part of his role in line with relevant clauses contained within this Order
- i) details of any internet enabled devices the offender will use as part of his role in line with relevant clauses contained within this Order
- j) details of any storage devices the offender will use as part of his role in line with relevant clauses contained within this Order.

13. RESTRICTIONS RELATING TO CONTACT WITH CHILDREN

13.1 For the purposes of this Order, in accordance with Section 12(1) of the Protection of Children Act 1999, a “child” means any person who is under 18 years.

13.2 The Defendant shall not have unsupervised contact of any kind with any child, as defined above, other than:

- a) such as inadvertent and not reasonably avoidable in the course of daily life, or;

b) with the prior consent of the child's parent or guardian who has knowledge of the offenders conviction and the terms of this Order relevant to the safeguarding of said child, and;

c) with the prior written consent of the relevant CT Nominal Manager who has taken all necessary safeguarding steps. For example, but not limited to:

i. contacted and spoken to the parents or guardian of said child and confirmed their knowledge of the offenders convictions and the terms of this Order relevant to their safeguarding;

ii. submitted child safeguarding referrals to the local Children's Services / Social Services of the area in which the child resides for the purposes of this Order, "written" consent can be, but is not limited to, text message, email, letter.

13.3 Any person supervising contact or communication must be an adult, 18 years or over, who has knowledge of the offenders convictions and relevant terms of this Order who has not been convicted of a TACT, TACT related, Sexual, abuse of position, domestic violence offence or any similar offence that would lead to involvement from Social Services.

13.4 Any supervised contact as described in 13.3 must be with:

a) the prior consent of the child's parent or guardian who has knowledge of the Defendant's conviction and the terms of this Order relevant to the safeguarding of said child, and;

b) the prior written consent of the Police CT Nominal Manager who has taken all necessary safeguarding steps. For example, but not limited to:

i. contacted and spoken to the parents or guardian of said child and confirmed their knowledge of the offenders convictions and the terms of this Order relevant to their safeguarding;

ii. submitted child safeguarding referrals to the local Children's Services / Social Services of the area in which the child resides

for the purposes of this Order, "written" consent can be, but is not limited to, text message, email, letter.

Dated 17 December 2024

By the Court