



Judiciary of England and Wales

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-v-

Dmitrii Ovsianikov and Alexei Ovsianikov
Southwark Crown Court
Sentencing Remarks of Mrs Justice Cockerill
11 April 2025

The defendant is to remain seated until told to stand.

INTRODUCTION

1. This is the first case in which the offences created by the UK's post Brexit sanctions regime under the Russia (Sanctions) (EU Exit) Regulations 2019, (more commonly known as the Russia Regulations) have been prosecuted.
2. The Russia Regulations imposed financial and other sanctions for the stated purpose of "*encouraging Russia to cease actions which destabilise Ukraine, or undermine or threaten the territorial integrity, sovereignty or independence of Ukraine*".
3. Under the Russia Regulations, the Home Secretary may designate a person, with the result that that person will appear on a UK Sanctions List as a designated person. A "designated person" is subject to travel restrictions and an asset freeze and associated financial prohibitions and restrictions.
4. In particular the default position under the UK sanctions regime is that a designated person's assets are frozen and cannot be dealt with. They cannot have funds or economic resources made available to them – directly or indirectly. Funds and economic resources cannot be made available to someone else for their benefit.
5. There is a process under the Russia Regulations which allows a designated person to apply to a part of the Treasury called the Office for Financial Sanctions Implementation or 'OFSI' for a Licence. If granted, a Licence permits payments or other economic transactions that are made in accordance with the terms of the licence. But where no licence is in place the Designated Person cannot use or be given any funds – even for life's basic necessities
6. If a regulation within the Russia Regulations is breached, that is a criminal offence, and is punishable on conviction on indictment - including by imprisonment for a term not exceeding 7 years or a fine or both.

7. Following trial on indictment over the course of three weeks Dmitrii Ovsianikov you have been convicted of the following offences:
 - a. Counts 2-5: Intentionally participating in activities knowing that the object or effect is to circumvent or enable or facilitate the contravention of prohibitions, contrary to regulation 19 (participation in the transfer to you by your wife Ekaterina of a total of £76,000 between 8 February and 23 February 2023);
 - b. Counts 6: Possessing criminal property (that same £76,000) contrary to section 329(1) of the Proceeds of Crime Act;
 - c. Count 7: Using criminal property (namely the £1,514.77 which you spent before your account was frozen) contrary to the same section of the Proceeds of Crime Act;
 - d. Counts 8-9 further offences of intentionally participating in activities knowing that the object or effect was to circumvent or facilitate the contravention of prohibitions contrary to regulation 19 (the arrangement for Alexei to make funds available for the purchase of a car, and the economic resource of an insurance policy covering you to drive the car).
8. Alexei Ovsianikov, following the same trial you have been convicted of two offences – counts 11 and 12. These are also offences of intentionally participating in activities knowing that the object or effect is to circumvent or enable or facilitate the contravention of prohibitions (in April 2024 paying the school fees of Dmitrii's two youngest children, for which he had a legal liability). Those offences relate to amounts of £23,913 and £17,114.25.
9. In deciding upon the sentence for this offending I must set out my conclusions upon the evidence that has been called in this trial. I must sentence you only upon the basis of the facts that I am sure about. If I am not certain about something I must give the defendant in question the benefit of the doubt.

THE FACTS

10. Dmitrii Ovsianikov was born on 21 February 1977. He holds dual citizenship of Russia and UK, the latter by virtue of his father being a British citizen born in the United Kingdom. Alexei Ovsianikov was born on 14 January 1978.
11. Dmitrii Ovsianikov has held the following senior positions in the Russian Federation:

- a. Between 23 December 2015 and 28 July 2016, Dmitrii Ovsiannikov served as the Deputy Minister for Industry and Trade in the Russian Federation.
 - b. On 28 July 2016, Dmitrii Ovsiannikov was appointed as the Governor of the city of Sevastopol, Crimea, by President Vladimir Putin.
 - c. On 10 September 2017, the Russian Federation organised an election for the position of Governor of Sevastopol, which took effect on 20 November 2017. Dmitrii Ovsiannikov was elected as Governor in that election and therefore continued his role as governor from that date.
 - d. He resigned that position on 11 July 2019 whereupon he returned to work as the Deputy Minister for Industry and Trade in the Russian Federation.
 - e. He was dismissed from this post and expelled from the party on 23 April 2020.
12. As a result of the positions within the Russian Federation that Dmitrii Ovsiannikov held, on 21 November 2017 he was added to the list of designated persons subject to financial sanctions imposed by the European Union.
13. The sanctions were given effect in the United Kingdom. When the UK left the EU he was designated under the Russia Regulations also.
14. For the purposes of both sanctions regimes the reasons given for the designation relied on the following facts:
 - a. His appointment by President Putin and later election as Governor of Sevastopol and his work in that role to 2019
 - b. His appointment and service as Deputy Minister of Industry and Trade of the Russian Federation.
15. Dmitrii Ovsiannikov challenged his EU designation. On 26 October 2022, the General Court of the European Union published a decision allowing Dmitrii Ovsiannikov appeal against his EU designation. That de-designation took effect in the EU from 6 February 2023.
16. It had no effect on his designation under the Russia Regulations. He remains designated under those regulations to this day.
17. In 2022 Dmitrii and his wife Ekaterina decided to move their family to the UK where the younger children were to be educated at a school called the Royal Russell School. Ekaterina and the children moved in August 2022 in time for the start of the school term. They moved into a house which had been

bought by Dmitrii's brother Alexei in the name of Dmitrii's second child Katya about a year before.

18. Alexei, who has worked throughout his career in finance and in 2023 described himself as a management consultant had been living in the UK for between 2 and 4 years, and had acted as local responsible adult when Dmitrii and Ekaterina's older children had come to the UK for educational purposes.
19. When Ekaterina and the younger children moved to England in summer 2022 Dmitrii, subject to a travel ban at this point, stayed in Turkey where no sanctions applied.
20. However although he was subject to this ban, and had told Ekaterina he might never be able to join his family, Dmitrii at once applied for a UK passport. Because of his father's nationality he was entitled to such a passport. The passport was duly issued on 27 January 2023. Dmitrii travelled to the United Kingdom from Turkey on 1 February 2023.

HBOS transfers and spending

21. On 6 February 2023 he applied for a bank account with HBOS. It was argued that the jury could not be sure that he knew at this point that he was designated in the UK, still less that he was subject to financial prohibitions which prevented him from receiving financial benefits and the jury have been unable to reach a verdict on Count 1 which reflects this activity.
22. It would be open to me to make such a finding if I were sure that this was the logical result of the jury's approach or if I were myself sure to the criminal standard of this fact. I do not consider it to flow logically from the jury's decision; nor am I myself sure to the criminal standard. This sentencing exercise proceeds therefore on the basis that no knowledge was proved prior to 7 February 2023.
23. Thereafter HBOS erroneously opened an account in Dmitrii's favour. It appears that the employees in question mistakenly assumed the EU de-designation also applied to the UK sanctions.
24. But by the next day after the application was made it was clear that Dmitrii knew of the fact of being sanctioned. That is because on 7 February 2023, Dmitrii Ovsianikov emailed the Foreign Office attaching a 'Sanctions Review Request Form'. It was accepted that this showed that he knew of the fact of his designation. But the jury's verdict shows that they were sure that by this stage Dmitrii also knew of the financial prohibitions against him. This conclusion will have been derived from a number of facts: the knowledge of sanctions, the fact that the letter and reference in it to Dmitrii's sanctions

reference numbers makes clear that Dmitrii must have seen the Sanctions List and the reference in that document to “*existing UK sanctions imposing restrictive measures on me*”. This is not a surprising conclusion given the fact of Dmitrii’s intelligence and executive abilities as demonstrated by his career, and the fact that he had previously engaged in a challenge to his EU designation with the advice of lawyers, albeit ones in Spain not the UK.

25. Dmitrii then involved his wife, who was not subject to sanctions and was a woman of independent means and considerable generosity, asking her to provide him with funds. It may well be that he thought that the UK sanctions were bound to be lifted in line with the EU sanctions. The UK sanctions had originally been designed to materially replicate the EU sanctions, so that was an understandable assumption. The fact that he made the application to lift the UK Sanctions himself, rather than at this stage employing lawyers lends force to this submission. He may also have thought that even if there was a technical breach of sanctions the NCA/OFSI would not regard it as an offence appropriate for prosecution pending that lifting of sanctions – particularly if he did not go wild, and spent largely domestically and substantially on day to day living.
26. Such an assumption in fact largely aligns with the evidence of Mr Watts who explained (in line with the submissions made to the Court of Appeal in the *Khan* case) that NCA did not routinely prosecute for spending on living essentials.
27. However when I say Dmitrii involved his wife, he did that without explaining the situation to her. The jury’s acquittal of Ekaterina on all counts indicates that they were not sure that she knew about the financial prohibitions on Dmitrii. By asking her to make an initial transfer of £1,000 to him, which appears to have been designed to be a test payment and then later asking for more money, Dmitrii knowingly put his wife in the position where there as a risk that she would be investigated for, and prosecuted for, breaching sanctions. As of course she was.
28. Ekaterina transferred £76,000 to Dimitrii in four instalments. That sum and the spending on the first part of the transfers, prior to the money being frozen by the bank on 24 March 2023, are the subject of the first 4 sanctions counts and the two POCA counts.
29. The jury were sure that Dmitrii participated in the transfers to him either with the object of evading the prohibition on him receiving financial benefit or knowing that the effect of those things would be to breach that prohibition.

30. They were also sure that the £76,000 and that part of it which he spent was the proceeds of crime (the breach of sanctions) and that Dmitrii knew or suspected those sums represented (in whole or in part) benefit from criminal conduct.

The car

31. The second factual scenario which underpins the counts is the purchase and insuring of the Mercedes vehicle by Alexei in March.
32. The background here can be briefly stated.
33. On 22 February 2023, Dmitrii ordered a Mercedes-Benz GLC300 4Matic AMG Line motor vehicle, in grey, with the chassis number W1NKM4HBPF018079. He made a deposit payment of £500. The balance would have been covered by the money Ekaterina transferred to Dmitrii.
34. There were then problems in getting insurance. Mercedes were not prepared to allow him to drive the car away or complete the purchase unless he could get insurance in his own name. In addition on 24 February the bank's freeze on his account meant that he could not complete the purchase himself.
35. He told the dealership that there had been a family decision to change the purchaser. That may have been true, but the reason for that decision was Dmitrii's financial issues caused by sanctions.
36. On 25 February 2023, the deposit of £500 was refunded to Dmitrii. On 1 March 2023 Dmitrii introduced Alexei to Mercedes.
37. On 6 March 2023, Alexei ordered the same Mercedes-Benz GLC300 4Matic AMG Line motor vehicle. He made a deposit payment of £500. On the next day he made payment for the vehicle via a number of transfers from his bank accounts.
38. On 8 March 2023 he insured the car, naming Dmitrii as a named driver, along with Ekaterina and some other family members. The policy provided the named drivers with cover should they be involved in a collision while driving the vehicle LD23 KHB, including insuring them against personal injury and damage to property caused by them.
39. It is clear that the car was used by Dmitrii. The telematics and other evidence established that clearly. The jury have by their verdict indicated that they are sure that it was bought for Dmitrii, that he knew of his sanctioned status and its effects and that the object and/or effect was known by him to be breaching the financial prohibitions on him.

40. At the same time the jury have by their verdicts indicated either that Alexei did not at this point know of Dmitrii's sanctioned status or its effects – in other words that he could not receive a financial benefit.
41. It follows from this that, as with the earlier counts, Dmitrii knowingly involved a family member in his breaches of sanctions, exposing them to the risk of prosecution.
42. Again this offending appears to have occurred at a time before Dmitrii had local legal advice. Peters and Peters do not appear on the record, continuing to pursue Dmitrii's attempts to be de-designated, until the middle of March – after the vehicle was purchased and insured.

The School Fees

43. Much water flowed under the bridge before the school fees were paid by Alexei in late April 2024. In that time Dmitrii had applied for (and ultimately been granted) a basic needs licence. That however would by no means cover the children's private school fees.
44. During this period also falls the period when Dmitrii used Alexei's bank card. Although it was for fairly inconsequential spending (largely day to day items with a few small luxuries) he must have known that it was spending which evaded the limits imposed on him by the sanctions as modified by the licence regime.
45. Dmitrii was arrested on 22 January 2024 and interviewed under caution. Ekaterina and Alexei were both interviewed at the end of January 2024. As a result Alexei learned that Dmitrii was still sanctioned in the UK, and also that he was subject to financial prohibitions.
46. On 23 April 2024, Alexei transferred the sum of £23,913.00 from his bank account to the Royal Russell School, Surrey, in payment of the school fees for one of Dmitrii and Ekaterina children.
47. On 24 April 2024, Alexei transferred the sum of £17,114.25 from his bank account in payment of the school fees for the other minor child of Dmitrii and Ekaterina.
48. This was not the first time a family member had paid the fees. Alexei had previously paid for his niece's and nephews' school fees in: March and April 2020, June 2020 and May 2022. Roman Owsjanikow had previously paid for Dmitrii and Ekaterina's children's school fees in August 2021. Ekaterina had paid the fees in 2023.
49. Dmitrii had never paid the fees himself – perhaps unsurprisingly because he was sanctioned at all material times. However he was a party to a contract

with the school which made him jointly and severally liable with Ekaterina for those fees. In short, they both had a contingent liability to pay the fees by the day before each term started. And if Ekaterina did not pay them, Dmitrii was liable for them.

50. By their verdict the jury have concluded that they were sure that Alexei did know of Dmitrii's being sanctioned and that the effect of the sanctions was to prohibit him receiving financial benefits.
51. They have also concluded that they are sure that when he made the payments Alexei did know that Dmitrii was liable for the school fees, and that he made those payments knowing either that the circumvention or breach of sanctions was the object of that payment or that the effect of making the payments would be to breach sanctions. They did not accept the submission that against the background of habitual payments by others, they could not be sure that Alexei knew that Dmitrii was obliged to make the payments, so that paying the fees would be a financial benefit to him.

SENTENCING PRINCIPLES

52. There is no Sentencing Council Definitive Guideline for offences under the Russia Regulations. By reason of Russia Regulations, regulation 80, the maximum sentence for the regulation 19 offence is 7 years' imprisonment:.
53. There is however a Guideline (Fraud Bribery and Money Laundering Offences) which covers Counts 6 and 7, which are offences under the Proceeds of Crime Act.
54. I was also referred to the following Sentencing Council Guidelines in connection with the sanctions offences:
 - a. The General Guideline
 - b. The Guideline for Breach Offences
 - c. The Guideline for Fraud;
 - d. The Guideline for Money Laundering;
 - e. The Guideline on the Imposition of Community and Suspended Sentences
 - f. Totality
55. I have also had my attention drawn to the NCA Guidance entitled "Red Alert: Financial Sanctions Evasion Typologies: Russian Elites and Enablers". That is not a sentencing guideline but is rather relied on by the defence to highlight what this offending is not.

56. There are a number of difficulties in using other sentencing guidelines for cases which fall outside them. These were largely common ground and highlighted in submissions. They offer some assistance, though it is well established that reading across from other Guidelines is hazardous and strong reliance is largely to be deprecated.
57. There was broad agreement that the General Guideline should be the primary tool, assisted to some extent by careful and nuanced consideration of either or both of the Money Laundering Guideline and the – False Accounting Guideline. In the former case caution is needed in particular because of the different maximum sentence and the particular background of this offending. In the latter caution is needed because of the potentially rather different nature of the offending and the circumstances in which it occurs. I have borne these points well in mind when iterating the potential sentences via checks with these Guidelines.
58. As stated in the General Guideline the Court must have regard to the purposes of sentencing, set out in s.57 of the Sentencing Act 2020, namely:
- a. the punishment of offenders,
 - b. the reduction of crime (including its reduction by deterrence),
 - c. the reform and rehabilitation of offenders;
 - d. the protection of the public, and
 - e. the making of reparation by offenders to persons affected by their offences.
59. There is also an issue as regards the POCA offences. It has been submitted for Dimitrii before today that the POCA offences add nothing and that consistently with (inter alia) *R. v Cooper and Others* [2023] EWCA Crim 945; [2024] 1 W.L.R. 1433, there should be no separate penalty. In submissions the Crown has maintained that this is in reality a case where the POCA offence involves additional criminality (whether increasing the culpability or harm, or both) beyond that involved in the other offences for which sentences are imposed, an additional penalty should be imposed; either by imposing concurrent sentences with an appropriate upward adjustment, or a further consecutive sentence in respect of these offences.

THE PRINCIPLES APPLIED

Dmitrii

60. There were the following points at issue between Prosecution and Defence as to the approach to sentencing Dmitrii.
- a. The Crown submitted that this was calculated and organised conduct, featuring a degree of sophistication. The Defence took issue with this contending that the direct nature of the payments and the level of the breaches falls very much at the naïve end of the spectrum;
 - b. Feeding into this was a dispute about the treatment of Count 1. As will be apparent from the earlier passages in these remarks I do not consider this to be a case where I can be sure as to earlier knowledge.
 - c. The Crown categorise the breaches as flagrant and evincing a total disregard for the sanctions regime and aligning with his enquiries as to yachts while sanctioned. The Defence say that they best align with limited opportunistic offending driven by overoptimism as to the future of his designation and at worst go to limiting mitigation on the basis of wider compliance;
 - d. The Crown rest heavily on the pleas which Dmitrii made to the authorities in which he spoke of the serious effect of sanctions upon him and his family. As at trial, they highlighted a series of what could be viewed as half truths in those submissions. I accept the submissions for Dmitrii that these should not be given too much weight in circumstances where they were largely advanced on a “best foot forward” basis by his lawyers, aware that his family’s own assets need not technically be relied upon.
61. The first area for analysis is that of culpability. I have no difficulty in concluding that this is medium culpability offending. This does not present with the kind of factors associated with High Culpability, group activity, abuse of power, significant planning.
62. I do not see this as particularly sophisticated offending. There was an element of planning and premeditation, but very limited. The structures involved were, as the defence rightly pointed out, at the simple and candid end of the scale – a country mile from the kinds of structures often seen in international fraud claims in particular in the context of freezing orders and tracing claims or those highlighted by the NCA’s guidance. Here Dmitrii contacted the FCDO on arrival into the UK; funds were transferred from family members into a bank account in his own name; there was no attempt to disguise the nature of the transactions or the spending; he initially attempted to register

the car in his own name; and no attempt was made to disguise the fact that it was his brother who ultimately bought the vehicle.

63. The period over which the offending occurred was properly categorised as a period in that it was not a single incident, but it was not prolonged. In reality offending over all counts was over a period of a month;
64. The purpose of the offending was largely, but not entirely, for the purchases of basic needs.
65. While one might technically regard the involvement of others as a high culpability factor, that approach is in my judgment best applied to involvement in the sense of involving others in offending. The type of involvement here is best seen as an aggravating factor.
66. While it is also not a lesser culpability type case – a limited function, a naïve person being brought into offending by pressure or naivete, or lack of understanding, there was some limited lesser culpability aspects: lack of real personal gain (the gains were largely to family day to day comfort). It sits most comfortably at the middle category of culpability;
67. There is an element of dishonest conduct, although that is to some extent reflected in the sentence range.
68. In terms of harm;
 - a. The obvious measure is the amounts involved. I regard these as very limited indeed. Each offence relates to no more than £25,000. The total (across all offences) is £130,000. That is not a huge amount (compare for example the POCA bands where it would be category 5 of 6, with category 1 being for offences concerning more than £10,000,000 and the type of conduct aimed at in the NCA Guidance)
 - b. The purpose of the sanctions regime has to be considered seriously. On the one hand, its importance can be seen again and again in the authorities, including in the Court of Appeal's judgments in *Shvidler* and *Khan* where very serious impacts on family life and minor children have been held not to be susceptible of challenge largely on the basis of the importance of the sanctions regime. The Crown rightly emphasised that there are some 3,600 sanctioned individuals listed on the UK sanctions list and that it is if not imperative, at least important, that the Court sends a strong message to those designated individuals, to encourage compliance with the regime and deter breaches. However at the same time the danger of over-emphasis must be guarded against

because the seriousness of sanctions offences is reflected in the sentence range.

- c. The success of the circumvention. As a conduct offence the success of the offending has to be taken as an aggravating factor. While on one level this success was limited the factor of success is rightly counted here if (as I consider) the POCA counts add little other than this to the overall criminality and are not to be given separate weight;
 - d. The effect of the circumvention as regards the purpose of the sanctions regime. This is always likely to be limited in any individual case. It is the more so in this case given Dmitrii's apparent estrangement from circles of power in Russia;
 - e. The fact that the offences took place during the Russia/Ukraine war. While it was submitted that this is highly relevant in my judgment again the weight to be placed on this has to be fairly limited;
69. The most serious aggravating factor in my assessment is the involvement of others. By his actions Dmitrii has brought his brother into risk of being prosecuted for the car offences (as he was). Ultimately this process of Alexei's routine assistance has led to his offending against the criminal law and losing his good character – with the negative effects highlighted in the submissions made for Alexei. Dmitrii risked doing the same to his wife (at a time when she was primary caregiver to their minor children who were navigating a difficult transition to a new country).
70. In terms of mitigation, it was common ground that Dmitrii has no UK convictions, though he had a conviction in Russia for "petty hooliganism" arising out of an incident at an airport in 2020. That is not a relevant conviction for present purposes.
71. Further I accept the submission that there is a limited caring element to his position, as the sole adult English language speaker in the household.
72. It was ultimately not seriously in issue that the offending comfortably crosses the custody threshold. By s.231(2) of the Sentencing Act 2020, the length of a custodial sentence must be the shortest term that is commensurate with the seriousness of the offence, or the combination of the offence and one or more offences associated with it.
73. It was accepted on all sides that the totality of the sanctions offending is suitable for sentencing concurrently, as they form a related course of conduct. I will therefore impose identical sentences on each sanctions count and no separate penalty on the POCA counts.

Alexei

74. As regards Alexei there was no real dispute that the gravity of the offending was of a different order. The one issue was the weight to be given to the deliberation of the offences, given the fact that Alexei had been interviewed by the police and had had the benefit of legal advice in January 2024 and the need to reflect the jury's conclusions on the elements of the offences.
75. In terms of the analysis, the structure can be simply stated.
76. Culpability: this was medium bordering on lesser culpability offending. It was not leading within a group. It involved no others. Alexei's offending was only on two days in April 2024, effectively one transaction in two parts. It was not remotely sophisticated. It was not planned but essentially opportunistic. He gained nothing at all from it – rather the reverse.
77. The harm is low, subject to similar factors relating to the nature of sanctions already alluded to in connection with Dmitrii. In financial terms it is less than the starting point in Category 6 of the Revenue Fraud Guideline and/or Category 5 of the Money Laundering Guideline.
78. No real aggravating factors are suggested save as regards the timing which meant that he was on bail post police interview at the time of offending. For mitigation there is much. Alexei's good character, attested to by the character references which I have seen and read. It has been pointed out (though perhaps not strictly mitigation) that these convictions will, inevitably, affect his ability to work and to travel.
79. The offending also occurs against a background where even allowing for the jury's verdict there was a background of family successfully paying fees, and a clear motivation being to assist young children whose transition to a change of different countries and schools was close to the hearts of all the adults in this case. While knowledge was there, and an intent to circumvent, at the same time the dominant motivation of the action was far from being a negative one. This may not make it entirely unsophisticated offending, but it was essentially reactive, and well rather than badly intended
80. In those circumstances I have considered not merely the appropriate length of sentence but also whether suspension is appropriate; in particular whether the factor of "*appropriate punishment can only be achieved by immediate custody*" must be engaged in a sanctions case because of the importance of the objects of the sanctions regime.

THE SENTENCE OF THE COURT

The defendant is to stand up when addressed, and to remain standing until dismissed

81. Dmitrii Ovsiannikov allowing for the fact that each sanctions offence is a distinct offence and that the sentence imposed must reflect the totality of the offending behaviour I conclude that the lowest appropriate sentence which this court can impose is 40 months imprisonment. That will be imposed on each of the sanctions offences concurrently. There will be no separate penalty on Counts 6 and 7.
82. You will be given credit for time spent on qualifying curfew, with the result that 217 days would count against the sentence days.
83. You will serve up to one half of your sentence in custody before you are released on licence. When you are released, you will be on licence. You must keep to the terms of your licence and commit no further offence or you will be liable to be recalled and you may then serve the rest of your sentence in custody.
84. Alexei Ovsiannikov allowing for the fact that each offence is a distinct offence and that the sentence imposed must reflect the totality of the offending behaviour I conclude that the lowest sentence this Court can impose is 15 months imprisonment. That will be imposed on each of the sanctions offences concurrently.
85. I conclude that that sentence is capable of suspension, So there will be a custodial term of 15 months which will be suspended for 15 months. T will also be subject to a Curfew Requirement (electronically monitored) 8 hours 2200-0600 beginning with the day of the week on which the requirement first takes effect. If in the next 15 months you commit any offence, whether or not it is of the same type for which I am sentencing you today, you will be brought back to court and it is likely that this sentence will be brought into operation, either in full or in part.
86. Finally, I note then the combined effect of section 42(2)(b) of the Sentencing Code and section 15(2)(ca) of POCA is that the court cannot make a surcharge today but may do so once confiscation proceedings have concluded.