



IN THE CENTRAL CRIMINAL COURT

REX

-v-

ORLIN ROUSSEV

BISER DZHAMBAZOV

KATRIN IVANOVA

IVAN STOYANOV

VANYA GABEROVA

TIHOMIR IVANCHEV

Sentencing Remarks of Mr Justice Hilliard

12th May 2025

Introduction

1. I have now to sentence the six defendants in this case. I have the benefit of having heard all the evidence in the trial of three of the defendants over three months. I have been in possession of helpful sentencing notes since April 23rd. I cannot mention every point which has been made to me but I have taken account of them all. Counsel have been of considerable assistance to me and they have said everything which could properly be said on behalf of each defendant. What I have to say will take some time because there are six defendants, the facts are complex, and there are a large number of considerations to be accounted for.
2. On 8th November 2024, Orlin Roussev asked to be re-arraigned on Count 1, an allegation of conspiracy to spy, contrary to section 1(1) of the Criminal Law Act 1977. He then pleaded guilty. In doing so, he also accepted that he was guilty of the offence

charged in Count 2, an allegation of conspiracy to possess false identity documents with an improper intention, contrary to section 4(1) and (2) of the Identity Documents Act 2010. However, it was agreed between prosecution and defence that there was no need for him to enter a guilty plea to Count 2. By agreement, this count will lie on the file, not to be proceeded with without the leave of this court or the Court of Appeal.

3. The particulars of Count 1 alleged that between 30th August 2020 and 8th February 2023, the defendants “conspired together and with a Russian agent using the alias “Rupert Ticz”, and with others unknown, to obtain, collect, record, publish or communicate documents or information which was intended to be directly or indirectly useful to an enemy for a purpose prejudicial to the safety or interests of the State.” Such conduct if put into effect would be a breach of section 1(1)(c) of the Official Secrets Act 1911.
4. On 14th November 2024, Biser Dzhambazov was re-arraigned on Count 1 and pleaded guilty. He also accepts that he is guilty of the offence in Count 2 but again it was agreed that it was not necessary for him to plead guilty to it and it will also lie on the file in his case.
5. In the cases of Mr Roussev and Mr Dzhambazov, Count 2 related to false identity documents found at Mr Roussev’s home address, 27 Princes Road, Great Yarmouth, and at the address shared by Mr Dzhambazov and Ms Ivanova, Flat 6, 463 High Road, Harrow.
6. The trial of the remaining defendants had been re-listed in circumstances I will explain for 26th November 2024. On 27th November 2024, before a jury had been sworn, the prosecution applied to add a substantive count (Count 3) in the case of Ivan Stoyanov, contrary to section 1(1)(c) of the Official Secrets Act 1911. It alleged that he together with others, including his five co-accused, between 30th day of August 2020 and 8th day of February 2023, obtained, collected or communicated information which was calculated to be, or might have been, or was intended to be directly or indirectly of use to an enemy, namely Russia, for a purpose prejudicial to the safety or interests of the State. Mr Stoyanov pleaded guilty to this count. It was an alternative to Count 1. I shall enter a verdict of Not Guilty on Count 1 in his case.
7. The trial of Katrin Ivanova, Vanya Gaberova and Tihomir Ivanchev took place between 26th November 2024 and 7th March 2025 when they were all unanimously convicted on Count 1. Ms Ivanova was also convicted on Count 2, but in her case the count was only concerned with false identity documents found at the home address she shared with Mr Dzhambazov in Harrow.
8. The defendants are Bulgarian nationals. They were all in this country by virtue of the EU Settled Status scheme. In summary, the evidence establishes that Mr Roussev acted on the direction of Mr Ticz who was an intermediary for the Russian Intelligence Services. Mr Roussev then tasked his five co-accused, usually via Mr Dzhambazov who also had a supervisory role. They were deployed to gather information about individuals whose activities were of obvious interest to the Russian state, and about significant locations.
9. They were brought to justice as a result of extremely thorough and determined investigative work. It was also an enormous task to prepare the case for trial. The police

officers who were involved at court and behind the scenes deserve to be publicly commended for the work they have done. I single out the Investigating Officer CN1986, the Case Officer CN2363, the Deputy Case Officer CN1086, the Deputy Case Officer CN1886, the Disclosure Officer CN1053, and the Lead Analyst CN1146.

The operations

10. The activity in this case involved six operations.
11. Operation 1 targeted Christo Grozev in the period December 2020 to January 2023, with key activity between July 2021 to June 2022, in Bulgaria, Vienna, Valencia and Montenegro, and involving Mr Roussev, Mr Dzhambazov, Ms Ivanova, Ms Gaberova and Mr Ivanchev.
12. Operation 2 targeted Roman Dobrokhoto in the period October 2021 to December 2022, with key activity in November 2021, and involving Mr Roussev, Mr Dzhambazov and Ms Ivanova.
13. Operation 3 targeted Bergey Ryskaliyev in the period November 2021 to January 2022, with key activity in November 2021 (at One Hyde Park and Warwick Chambers in London), and involving Mr Roussev, Mr Dzhambazov, Mr Stoyanov and Ms Gaberova.
14. Operation 4 concerned the Kazakh Embassy in London in the period August 2022 to December 2022, with key activity in September to October 2022, involving Mr Roussev, Mr Dzhambazov, Mr Stoyanov and Ms Ivanova.
15. Operation 5 concerned surveillance at Patch Barracks, a US military base in Stuttgart, in late 2022/early 2023, and interrupted by arrests which took place on 8th February 2023, and involving Mr Roussev, Mr Dzhambazov and Ms Ivanova.
16. Operation 6 targeted Kirill Kachur in Montenegro in the period September 2021 to February 2022, with key activity in October 2021 to February 2022, and involving all six defendants.
17. The prosecution say that the Russian agent using the alias of Rupert Ticz was a man called Jan Marsalek, an Austrian national. He fled Germany to avoid arrest for fraud. There is a mass of communication data between him and Mr Roussev and the messages include references to the Russian Intelligence Services, the GRU, the FSB and the KGB.
18. The defendants were motivated by money. For example, on 23rd February 2022, Mr Marsalek messaged Mr Roussev that he was applying for EUR 1 million for “search and capture budget for Kirill.” Later that day, Mr Roussev told Mr Dzhambazov that they were being offered EUR 500,000 as a reward and EUR 150,000 as operating costs, but he was thinking of asking for EUR 700-750,000. There is evidence of cryptocurrency payments from Mr Marsalek to Mr Roussev. It has not been possible to quantify the amount, but it is agreed that the sums were substantial and greatly in excess of the money distributed by Mr Roussev to his co-accused. There is uncertainty about whether the distributed money should be quantified in Euros or GBP and in those circumstances it is fairest to use Euros. Mr Roussev transferred just over EUR 204,000

directly to Mr Dzhambazov. Ms Ivanova received at least EUR 149,978, of which £6,500 came directly from Mr Roussev. Mr Stoyanov received just over EUR 12,000, of which £640 came directly from Mr Roussev. Ms Gaberova received at least EUR 28,405. Mr Ivanchev received at least EUR 15,949. Some of the money will have covered expenses incurred as part of the operations but not all of it, and I am sure that the expenses enabled the defendants to live very comfortably on the occasions in question. Ms Ivanova confirmed this in her pre-sentence report. The money paid by Mr Ticz/Marsalek demonstrates to my satisfaction that it must have been thought that what the defendants were doing was of value.

19. I need now to say a little more about each of the operations. Much more detail is accurately set out in the prosecution's revised opening note, dated 4th November 2024, and I shall not rehearse it all at this stage.
20. Christo Grozev, the target of Operation 1, is an investigative journalist for the Bellingcat group, and their lead investigator for Russia, including into the 2018 Salisbury attack. He is aware that other operations have been conducted against him by the Russian state.
21. Between July and September 2021, Mr Marsalek and Mr Roussev discussed options in relation to Mr Grozev which included conducting surveillance upon him and kidnapping him and taking him to Moscow. Mr Dzhambazov went to an address of Mr Grozev's in Bulgaria in July 2021 and took photographs. Surveillance in Vienna began in August. Mr Dzhambazov and Ms Gaberova were in Vienna in August as part of this. Mr Grozev was followed from Vienna to Valencia in Spain by Ms Ivanova, Ms Gaberova and Mr Dzhambazov. He flew to Valencia on September 12th 2021. Ms Ivanova was actually on the same flight. He was then followed from the airport by all three of them. Ms Ivanova flew back to London on September 13th but Mr Dzhambazov and Ms Gaberova continued to keep him under surveillance at the hotel where he was staying until he left on September 17th. Ms Gaberova had obtained an entry pass to a conference he attended at the hotel.
22. He remained a target of surveillance when he returned to Vienna. Premises opposite his were rented and photographs taken. Ms Ivanova and Mr Ivanchev were involved in this. Mr Roussev helped with a number of technical issues regarding surveillance equipment. Mr Ivanchev was in Vienna at the end of September 2021. Ms Ivanova was in Vienna from October 3rd to October 14th 2021. She took images of vehicles in the street which were transporting Mr Grozev. She also saw Mr Grozev at the same time. She went to his father's address. Mr Ivanchev took a video of Mr Grozev in the street on 15th October 2021. Ms Ivanova examined post in Mr Grozev's mailbox in November 2021 and took photographs which she sent to Mr Roussev. Some of the photographs of the surveillance in November were found on Ms Gaberova's phone. In November 2021, I am sure that she went to the flat to check on the surveillance camera with a friend. In December 2021, she followed Mr Grozev's Facebook account.
23. In June 2022, Ms Ivanova took the same flight as Mr Grozev from Vienna to Montenegro. He was under surveillance at the hotel he stayed in for a conference with the theme of journalism in an age of Russian aggression. Ms Ivanova took a photograph of Mr Grozev and Mr Roman Dobrokhoto by a swimming pool. In the same month, Ms Gaberova sent the name of Grozev and email addresses and a telephone number to Mr Ivanchev. Mr Ivanchev had previously discussed research about Mr Grozev and his

family with Mr Dzhambazov. He had sent information from Vienna about Mr Grozev to Mr Dzhambazov. Ms Ivanova sent a message about her cover story for being in Vienna. In November 2022, Ms Gaberova messaged Mr Ivanchev to ask him if the equipment for Vienna was still with him.

24. In a victim personal statement, Mr Grozev has explained that finding out what had been going on had been terrifying, disorienting and destabilising. The most significant effect had been on his family. He had had to leave his home in Austria and go to live in another country. His family were not able to go with him. He says that the psychological effects upon him and his family have been severe. The financial cost of necessary precautionary measures has been very considerable.
25. The target of Operation 2, Roman Dobrokhoto, had an investigative media company which focussed on Russia. He regularly faced cyber attacks linked to Russian intelligence and had been followed in a number of European countries.
26. In October 2021, Mr Roussev began targeting him by amongst other things using airline contacts to find out about flights he was taking. Ms Ivanova followed him on a flight from Budapest to Berlin on 27th November. Mr Dzhambazov had set up a group chat and said that photographs were to be taken throughout the flight. Ms Ivanova took the photographs. She also managed to see the PIN number for his phone during the flight. Mr Roussev sent the number to Mr Marsalek. Mr Marsalek had told Mr Roussev that Mr Dobrokhoto would be expecting a Russian Novichok attack.
27. Bergey Ryskaliyev, the target of Operation 3, had been a politician in Kazakhstan. He came to the UK in 2013 and was granted refugee status in 2016. He was opposed to President Putin and believed that Russia and Russian influences were a hindrance to Kazakhstan. The attempted surveillance of him took place in London in November 2021. After the operation, a mission report was prepared and a copy was found on Mr Roussev's laptop.
28. Mr Marsalek contacted Mr Roussev on 5th November 2021 and gave him the details of the target the next day. It was believed that Mr Ryskaliyev was moving into a new flat at One Hyde Park in London and they wanted to find out the number of the new flat. Mr Stoyanov parked outside the current address at Warwick Chambers, London W8 on 7th, 8th and 9th November. He said he was engaged in work for the NHS and put a piece of paper under the windscreen to confirm that he was on medical duties. Mr Stoyanov took photographs from the vehicle. Mr Dzhambazov and Ms Gaberova were outside One Hyde Park, and she took photographs there on 7th November. She went there again on 8th November. Mr Roussev also went to One Hyde Park to assist. There is no indication that the target was ever seen or any new address discovered.
29. Mr Ryskaliyev has made a victim personal statement. He and his family are deeply concerned by what has happened. He has had to pay significant sums of money to enhance his security and has had to go to the expense of changing his office.
30. It is convenient to deal next with Operation 6. Kirill Kachur is a Russian national. He was accused of various crimes and the Russian Investigative Committee and no doubt others wanted him back in Russia. I am sure that this operation was not part of any attempt to pursue lawful procedures to secure his return. Mr Marsalek had messaged

Mr Roussev in September 2021, “We need to kidnap someone and ship him to Russia.” Mr Roussev messaged Mr Dzhambazov about getting Mr Kachur to the airport and out of the country. I do not sentence any defendant on the basis of a conspiracy to kidnap Mr Kachur but I am sure that they did not see what they were doing as part of any legitimate process. I do not have any statement from Mr Kachur about the effect upon him but that does not affect the seriousness of what was going on.

31. A draft surveillance report was found on Mr Dzhambazov’s mobile phone. It explained that the “on the ground surveillance team”, supported with the deployment of drones, had identified three addresses linked to Mr Kachur in Montenegro and a number of individuals who were thought to be part of his family or employees.
32. The planning of the operation was first raised by Mr Marsalek with Mr Roussev on 18th September 2021. In due course, a villa was rented in Montenegro. Mr Stoyanov was there to take part in surveillance at the end of September/beginning of October 2021. Ms Gaberova and Mr Dzhambazov were similarly engaged in October 2021 and at Christmas 2021. Messages between Mr Ivanchev and Mr Dzhambazov showed that Mr Ivanchev travelled to Montenegro on 5th November 2021. Images he sent back to Mr Dzhambazov were forwarded to Mr Roussev. Mr Ivanchev was back in Montenegro in January 2022. He flew a drone for surveillance whilst he was there. Ms Ivanova was also there in January 2022. Ms Gaberova was there in February 2022. On 5th February, Mr Dzhambazov forwarded Ms Ivanova a message from Mr Roussev referring to the Russians taking over. On 7th February, he forwarded her another message from Mr Roussev which referred to a Russian undercover team. Ms Ivanova said in evidence that she had met a Russian couple in Montenegro in February 2022 who had an interest in Mr Kachur. Mr Ivanchev said in his police interview that he met a Russian female in Montenegro who frightened him but he did not say why. I am sure that they met members of the Russian team and that each of them knew that that team was also engaged in surveillance of Mr Kachur and that the purpose of meeting them was to coordinate their activities. Mr Ivanchev took the Russian female to locations of interest which had been identified. Mr Dzhambazov also had contact with the Russian female and set up a group chat.
33. Operation 4 involved a plan to stage a false protest at the Kazakh Embassy in London and then to give information about the alleged perpetrators to Kazakhstan in order to give the appearance that Russia was seeking to assist Kazakhstan, thereby promoting their relationship. There are off shoots of the plan which involve more detail about possible protests, some fanciful, and the information which was collected was limited to photographs which Mr Dzhambazov and Ms Ivanova took of the outside of the Embassy on 16th September 2022 and which were sent to Mr Roussev, and in Mr Stoyanov’s case, to photographs of a document intended to demonstrate the existence of the anti-Kazakh organisation supposedly behind protests.
34. As regards Operation 5, Patch Barracks is a United States Military Base near Stuttgart. Ukrainian personnel were being trained in Germany and activities to support Ukraine did take place at Patch Barracks. On 19th October 2022, Mr Marsalek asked Mr Roussev “Can we use the IMSI catcher in Germany? We need to spy on Ukrainians at a German military base.” An IMSI catcher is a sophisticated device which can be used to capture the details of any mobile telephones being used within its range. Mr Roussev told him

he could have it as it was just gathering dust in what he called his “Indiana Jones garage”.

35. On 20th October 2022, Mr Roussev spoke about activating two IMSI catchers. In due course, IMSI catchers were found at Mr Roussev’s address. On 20th October, Mr Dzhambazov said that he had the big IMSI. On 31st October, Mr Dzhambazov and Ms Ivanova flew to Stuttgart. On the same day, she took videos outside the barracks. On 1st November, she took a series of images and videos from around the base, showing the fencing and gates. On 1st November, Mr Roussev told Mr Marsalek that they were looking for a place to rent and for locations to park two cars which could be changed every two days. He said they were looking for cheap second-hand cars to buy which could be sold after the operation. On 2nd November, Ms Ivanova photographed accommodation at the base and Mr Dzhambazov took photographs of names on door buzzers.
36. They returned to Heathrow on 3rd November. On 6th November 2022, Ms Ivanova sent Mr Dzhambazov a link about flats to rent in Stuttgart. I am sure that this was to do with surveillance of Patch Barracks. On 8th November, the two of them messaged about links and photographs for what he called three chosen places. I am sure those were sites where a vehicle with an IMSI catcher could be parked. On 8th November, they messaged about the delivery of four batteries to Germany. I am sure this was in connection with the IMSI operation. On 12th November, Mr Dzhambazov forwarded her a message from Mr Roussev about bringing the IMSI catcher in a van to his address. On 13th November, Mr Dzhambazov and Ms Ivanova made their separate ways to Mr Roussev’s address. I am sure that one of them took an IMSI catcher there. Whoever it was, the other was a joint party to its transport. They were both involved in this. In early December, they returned to Germany. They bought cars. That must have been to do with this operation. On 10th December, they bought a Chrysler vehicle in this country for £4,200. That was also for this operation. In the boot was a piece of paper with a drawing of the connection from a battery to an IMSI catcher. On 2nd February, Mr Roussev was told by Mr Marsalek that 70 Ukrainians were arriving for training on the Patriot missile system. On 4th February 2023, Mr Roussev told Mr Marsalek that he was sending Mr Dzhambazov and another person to Germany to become operational with two IMSI catchers on 8th February. Having reflected upon it, I am sure that the other person must in all the circumstances have been Ms Ivanova. We do not know why, but they were not ready to travel on 8th February. Instead, arrests were made on that day. There is no evidence that an IMSI catcher had ever been taken to Germany by that time.
37. A vast amount of material was seized from Mr Roussev’s address. There were 3540 exhibits of which 1650 were digital. Items found included IMSI catchers, a large number of Cubot phones (effectively untraceable phones), drones, scanning devices, room key cards for hotels, concealed cameras and listening devices. This was described by an expert as constituting a vast amount of technical surveillance equipment for intrusive surveillance. The police also found a quantity of false identity documents – six false passports and two false identity cards. They were high quality forgeries. Ten false identity documents were found at the Harrow Road flat – six false passports, two false residence permits, a false identity card and a false driving licence. In the course of all the searches, fake press passes were found in the names of Mr Dzhambazov, Ms Ivanova, Ms Gaberova and Mr Ivanchev. These and false Interpol documents in Mr Dzhambazov’s name were for use when engaged in surveillance work if it was

necessary to allay suspicion. Also at the Harrow Road flat were items such as radio jammers and concealed cameras.

38. Mr Roussev and Mr Marsalek had exchanged messages about improving the quality of the false identity documents, suggesting that they were close to the source of production.
39. Twelve financial accounts were opened using some of the false identity documents. There is no evidence that any of the recovered false identity documents was ever used for the purposes of travel. It seems that they were used to open bank accounts which were used to distribute funds for the benefit of the conspirators.

Bases of plea

40. It is convenient to deal at this stage with the bases of plea which were entered by three of the defendants. Even where there is agreement between the prosecution and defence, it is for me to determine the basis on which a defendant should be sentenced. Mr Roussev said that he had no intention to prejudice the safety or interests of the United Kingdom, that he did not intend to cause specific harm to targets and any proposals of harm in the messages exchanged by him were put forward to try to please Russia. He accepted that he had no control over what use Russia might make of the information provided; that the provision of the information made the individuals more vulnerable to hostile action by Russia; and that he appreciated that harm might be caused to the targets as a consequence of his actions. The basis of plea goes on to point out, correctly, that no physical harm was in fact done to the targets. He does not accept that Rupert Ticz was Jan Marsalek but agrees that it does not matter. It concludes by saying that the facts in relation to Count 2 are part of the facts in Count 1.
41. I am prepared to sentence him in accordance with the basis of plea, subject to clarification of the following matters. To my mind, the prejudice to the safety or interests of the UK which would result if a group of people were to use this country as a base from which to plan and prepare surveillance operations of this kind is inevitable and so obvious and so significant, that the absence of a specific intention to bring it about is of little consequence. And the fact that Mr Roussev did not himself intend to cause specific harm to a target is of limited value when Mr Roussev knew that Russia was behind what he was being asked to do and he was aware that harm might be caused to the targets as a result of his actions. I am sure he would have been aware of the extreme actions that Russia has taken against individuals who it regards as enemies of the Russian state. Finally, whilst Count 2 was being pursued at the same time as Count 1, Count 1 could have been committed without the conduct in Count 2. The conduct in Count 2 must result in some uplift to the sentence on Count 1 but I take account of the submissions made by Mr Summers KC to the effect that the uplift need not be as significant as I had at first thought.
42. So far as Mr Dzhabazov is concerned, his basis of plea is now broadly agreed after the prosecution identified propositions which they did not accept. Any matters which remain in dispute are not pursued on his behalf. It is agreed that Mr Dzhabazov was subordinate to Mr Roussev. The prosecution have, however, pointed to messages which demonstrate that Mr Dzhabazov had contact with Russian agents in Montenegro, that

he had passed a laptop to a Russian agent in Istanbul, that he was aware of the role of Mr Marsalek, and had sent messages referring to the FSB, the GRU and a Russian special forces unit, and to kidnapping targets. The basis of plea concedes that “his conduct carried with it an inevitable appreciation that harm might be caused to the targets as a consequence of his actions” but says that his level of appreciation of risk was effectively conditioned by such information as Mr Roussev shared with him. I can see that his knowledge of specific risks might depend on what Mr Roussev told him, but I am satisfied that what is described as “the inevitable appreciation that harm might be caused to the targets” follows from the fact of Russia's hostile animus towards the targets and was not dependent upon anything that Mr Roussev needed to tell him. I am sure that the risk would be obvious to anyone. I accept that he was engaged by Mr Roussev to perform tasks at his behest for which he was paid, and that his motivation was purely financial as opposed to ideological. Finally, although I accept that he was subordinate to Mr Roussev, I am satisfied that after he received instructions from Mr Roussev, Mr Dzhambazov then had a supervising and tasking role of his own on occasions as regards the other four defendants.

43. In Mr Stoyanov's case, he accepts in his basis of plea that he obtained and communicated information and received items at his home address upon the direction of Mr Roussev and Mr Dzhambazov. He accepts that he took part in the surveillance in Operation 6 in Montenegro between 26th September 2021 and 3rd October 2021. In Operation 3, he maintained observation at Warwick Chambers between 7th November and 10th November 2021, as tasked by Mr Roussev and Mr Dzhambazov. In Operation 4, he went to the Chatsworth Bar on 27th and 28th September 2022 and photographed a printed letter supplied by Mr Roussev. He accepts that his address was used by Mr Roussev and Mr Dzhambazov to receive parcels and correspondence, including items used for surveillance activity and to establish companies used in furtherance of the offending. He photographed the contents of some parcels and correspondence. The prosecution accept that he should be sentenced on the basis that he was reckless as to whether the information he obtained might be useful to Russia, and that he did not intend to prejudice the safety or interests of the UK or to harm the targets of the operations. He acted as he did in return for payment, including reimbursing him for his expenses. He did not have influence or control over his co-defendants or have contact with anyone employed directly by the Russian state.

44. I shall sentence Mr Stoyanov in accordance with his basis of plea. His plea to a substantive offence was entered on a particular basis and accepted by the prosecution.

Sentencing principles and authorities

45. The maximum sentence available on Count 1 is 14 years' imprisonment. There is no offence specific guideline from the Sentencing Council. The General Guideline: Overarching Principles applies. This indicates that the seriousness of an offence is to be identified by considering, a) the offender's culpability which is assessed by reference to the offender's role, level of intention and/or premeditation, and the extent and sophistication of planning; and b) the harm which the offence caused, was intended to cause or might foreseeably have caused. I also have in mind the purposes of sentencing set out in section 57 of the Sentencing Act 2020. They include the punishment of offenders, the reduction of crime including by deterrence, and the protection of the public.

46. I am constrained by the fact that because a number of different operations all fall within the scope of the single conspiracy charged in Count 1, only one sentence with a maximum of 14 years' imprisonment is available. The case was charged in this way so as to avoid jurisdictional issues. Having decided on the sentence for those who were most culpable, I ought to provide some distance between them and those who were less culpable.
47. My attention has been drawn to a number of sentencing decisions in the Court of Appeal and at first instance. The facts are not similar to the facts of this case and none of them is a guideline case but there are common themes of information being provided to foreign intelligence services, of covert activity, of lives being put at risk, and of prejudice to the safety or interests of this country. I shall only refer to some of the cases.
48. In *Blake* [1961] 3 WLR 744, consecutive sentences were passed for offences contrary to section 1 of the OSA 1911 which resulted in a total sentence of 42 years' imprisonment. The Court of Appeal said that the sentence was intended to be punitive, it was designed and calculated to deter others, and it was meant to be a safeguard to this country.
49. In *Britten* (1969) 53 Cr App R 111, a total sentence of 21 years' imprisonment was upheld following pleas of guilty to five counts contrary to section 1(1)(c) of the OSA 1911. Information was passed to foreign agents over a period of years by the offender who was employed in a branch of the Royal Air Force. The court said that it was not easy to compare a case of, for example, robbery where injury and loss might be caused to one or more individuals with a case where injury may be done to the whole community. Contraventions of the OSA which prejudice the defence of the country and which may tend to endanger the lives of the community were said to be to a considerable degree in a category of their own.
50. In *Schulze* 8 Cr App R (S) 463, sentences of 10 years' imprisonment were upheld for two East German nationals who settled in the UK for the purposes of espionage. They were convicted after a trial of doing acts preparatory to the commission of an offence contrary to section 1(1)(c) of the 1911 Act. They had also pleaded guilty to possessing a false passport and a false identity document. No information had been collected or communicated.
51. In *Devenney*, (Central Criminal Court, 12th December 2012), Mr Justice Saunders said that the sentence after a trial for a defendant who pleaded guilty to an offence contrary to the OSA 1911 and to misconduct in a public office, would have been 12 years' imprisonment. He was a Petty Officer in the Royal Navy who made contact with the Russian Embassy and with people he believed to be Russian agents. He passed some information of use about submarine movements and operations.
52. What is clear from the authorities is that the number of offences is important and has on occasions resulted in an overall sentence which is in excess of the statutory maximum for a single offence. An important consideration is the fact of prejudice to the safety or interests of the state. Here, of course, in addition to prejudice to the wider community, there was a risk to particular individuals. Sentences are meant to be a safeguard for the country as well as a deterrent.

53. For Mr Roussev, Mr Dzhambazov and Ms Ivanova, the sentence on Count 1 should be increased so as to reflect the conduct alleged in Count 2, subject always to the principle of totality and the need for the overall sentence to be just and proportionate. In the case of Ms Ivanova, a concurrent sentence on Count 2 has actually to be passed.
54. Again, there are no guidelines for the offence in Count 2. The maximum sentence is 10 years' imprisonment. Sentencing authorities indicate that important considerations include the number of documents concerned and the use to which they were to be put. An intention to breach immigration controls is viewed more seriously than an intention to obtain services or benefits.

Important considerations in this case

55. Before turning to the individual defendants, I should indicate some of the key considerations which I have in mind. I have to take account of the number of incidents in which a defendant was involved, the nature of that involvement, its duration, the role played, and any basis of plea. I must have regard to prejudice to the safety or interests of this country, as well as to the risk created to individuals and to actual harm identified in the victim personal statements.
56. I heard evidence in the trial which was not disputed from Matthew Collins, a deputy National Security Adviser. He said that the UK's most pressing national security and foreign policy priority in the short to medium term was to address the threat posed by Russia to European security. Making the UK the hardest operating environment for Russian covert action is critical to protecting the UK's national security. He says that it is likely that the Russian Intelligence Services have increasingly been forced to rely on a broader range of methodologies, including the use of non-Russian nationals, to circumvent the steps taken to curtail their ability to operate covertly. He explained that the fact that the defendants were in the UK operating under the direction of the Russian Intelligence Services was inherently prejudicial to the safety or interests of the UK. It means that the Russian Intelligence Services have a foothold here. He said that it is extremely prejudicial to the safety or interests of the UK for operations to be planned from the UK which target individuals here and abroad. Using the UK as a base from which to plan operations against individuals and locations abroad undermines this country's standing with allies. It is also important that the UK is seen as a safe country for those fleeing persecution due to their opposition to and criticism of the regime in Russia. He said that targeting journalists and the founder of a media outlet undermines freedom of the press, one of our core democratic values.
57. The evidence also demonstrates that it was believed that Ukrainians were being trained at Patch Barracks in the use of the Patriot missile system. I am satisfied that one of the reasons Patch Barracks was targeted was with a view to finding out subsequently where Ukrainians trained there were operating in the field by reference to their telephone numbers and communications.
58. All these things were done for what I regard as significant financial gain, although it varied in amount between the defendants.

59. I will take account of the pleas of guilty which were entered in some cases and of previous good character – I ignore Ms Ivanova’s road traffic matter and Mr Dzhambazov’s old and unrelated convictions. None of the targets was physically harmed by these events. There are other matters which I will address when I turn to each particular defendant. However, previous character and elements of personal mitigation are only of limited weight when set against the gravity of the offending. It is self evident that a high price attaches to the safety and interests of this nation. The defendants put these things at risk by using this country as a base from which to plan the various operations and by travelling to and from their homes in this country to take part in activities here and/or abroad in pursuance of the conspiracy. Anyone who uses this country in that way in the circumstances of this case commits a very serious offence.
60. This sentencing exercise is not straightforward because six operations are subsumed within a single charge of conspiracy, with a single available maximum penalty of 14 years’ imprisonment. There are not six separate counts with the possibility of consecutive sentences. I must also endeavour to reflect as best I can the relative hierarchy of the defendants and the different parts they played in however many operations they were involved with. There is not always much room to do that when sentences for conspiring to take part in a number of operations have to be passed on a single count and where there is a limit below which sentences for the offending here could not properly go in the case of any defendant. The unusual constraints here are unlikely to be replicated in another case. At the end of the process, I have looked at the sentence for each individual defendant in an effort to satisfy myself that it is appropriate for the particular defendant and their particular offending. That is more important than minute comparisons with other defendants where the room for that may be limited, and where there are many different factors to be evaluated for each defendant.
61. In the case of each defendant, the defendant will serve one half of the sentence of imprisonment I must pass before release on parole licence. Ordinarily, a defendant would then be released on licence until the end of the sentence, but in this case, since the defendants are foreign nationals and will receive a qualifying sentence, each of them is liable in principle to automatic deportation to Bulgaria. The earliest point at which a defendant may be deported will be on completion of the custodial part of the sentence and before release on licence. However, if there is any delay in the operation of the deportation provisions or any reason why they do not apply to a defendant, the defendant would be released on licence. In that event, if a defendant were to breach any licence condition or commit a further offence, the defendant may be recalled to custody.

Other orders

62. I have already made a confiscation order in Mr Roussev’s case and deprivation orders in the case of each defendant. Each of them must also pay the statutory surcharge in the sum of £190.

The individual defendants

63. Mr Roussev, you are 47 years of age. You were involved in all six operations. You were only just below Mr Marsalek/Ticz in the hierarchy, and he appears to have had the direct contact with the Russian intelligence agencies. There was obviously significant

planning and over a long period of time. The activity was sophisticated. It involved, for example, obtaining private information about passenger flight details, conducting surveillance in different countries, and planning for the deployment of IMSI catchers. You knew all about the scale of the conspiracy and you gave instructions to others. You were motivated by the prospect of very significant financial reward. I accept that in some instances the chat messages may be exaggerated for a number of possible reasons.

64. I shall sentence you in accordance with your basis of plea that you did not intend to prejudice the UK or to harm any individual, and no one suffered any physical harm. The case did not involve treachery by a Crown servant or national secrets. However, your conduct was designed to meet the present day requirements of those who paid you. Your culpability was high and the harm you risked was considerable - providing Russia with information about the whereabouts of people it regarded as enemies, and planning to obtain details of Ukrainian military personnel. The risk of harm to individuals was very obvious and very serious. And your purposes were prejudicial to this nation's safety and interests.
65. The sentence on Count 1 has to be increased because of the 18 false identity documents you possessed with an improper intention, using them to open bank accounts. A single substantive offence of the kind covered by the conspiracy in Count 1 would have a maximum penalty of 14 years' imprisonment. I make an allowance on account of the matters identified in your basis of plea and because of the absence of previous convictions but in my judgment your offending is at the top of the available scale. Whilst I accept that points can properly be made about the possibility of worse cases, the fact is that you planned six separate operations. Had you been convicted after a trial, a sentence of 13 years' imprisonment would have been appropriate.
66. As regards credit for plea, the trial was fixed for 28th October 2024. On 3rd October 2024, the trial date was put back at the request of your lawyers to 26th November 2024 because more time was needed to prepare for trial. You had had difficulties in accessing documents whilst in custody. As late as 25th October 2024, your lawyers were contributing to discussions about the venue for the trial which they wanted to be wherever would enable them to have the most conference time with you during your trial. A basis of plea was agreed with the prosecution on 30th October 2024.
67. Significantly, you had provided an addendum defence statement on 10th October 2024, in which you amplified information given in your first defence statement of 8th May 2024. You had claimed that the activities you undertook were not for the assistance of Russia but were in some instances conducted on behalf of an Israeli client who was involved with Mossad and with the Israeli Defence Force. In October 2024, you said that you could not name your client because of a non-disclosure agreement you had signed and also for reasons of public policy. You said that other activities were undertaken through the Israeli client but on behalf of the Serbian Intelligence Agency, and on behalf of Kazakhstan's Intelligence Agency. You acknowledged by your plea of guilty that all this was untrue but you were still making those false claims at a very late stage. You did not need to have access to the documents in the case to know that they were untrue. Significant disclosure requests were made of the prosecution concerning the three intelligence agencies mentioned and preparations for trial in your case had continued.

68. I have to consider the stage at which the plea was entered or notified. A plea entered immediately prior to the start of a trial would attract maximum credit of 10%. It could always be less but I will take it as the starting point here. I acknowledge that you were the first to notify a plea of guilty and others then followed. That is deserving of further credit. I also appreciate that this was a complex case and that your plea considerably simplified, shortened and concentrated the trial which followed. In all these circumstances, I shall afford you credit in the order of 18%. Pleas of guilty in these very large cases are to be encouraged. The result is a sentence of 10 years and 8 months' imprisonment.
69. I need also to deal with the 228 days which you spent on remand whilst subject only to the Identity Documents charge for which no specific sentence will be passed in your case. It is agreed on all sides that these days should be credited to you in the interests of justice and in the particular circumstances of this case. I am of the same view. This can be achieved by confirming that the Identity Documents charge constituted a related offence to Count 1 for the purposes of section 240ZA(1)(b) of the Criminal Justice Act 2003.
70. Mr Dzhambazov, you are 44 years of age. You fall just below Mr Roussev in the hierarchy of offenders but the same observations I have made about the nature of the offences apply to you. You were involved in all six operations. You played a part in managing the remaining four defendants. Your culpability was high although not quite as high as Mr Roussev's. Again, your activities risked great harm to individuals, and your purposes were prejudicial to this nation's safety and interests. You involved others. I shall treat you as a person of good character. I take account of the false documents you possessed with an improper intention.
71. If you had been convicted after a trial, the appropriate sentence in your case would have been one of 12 years' imprisonment. Your lawyers raised the question of a guilty plea after Mr Roussev entered his guilty plea on 8th November. That was some days after the trial had been due to start on 28th October 2024, save for Mr Roussev's application for more time. But pleas of guilty did save a lot of time and simplified the trial which followed. I shall allow you credit of 15% for your plea of guilty which I regard as a generous allowance. The result is a sentence of 10 years and 2 months' imprisonment. All the days you have spent on remand will count towards your sentence. I make the same confirmation as for Mr Roussev regarding section 240ZA(1)(b) in respect of Count 2.
72. Ms Ivanova, you are 33 years of age. You are below Mr Dzhambazov in the hierarchy. You were, however, involved in five of the operations. I am sure that you were well aware of what the Patch Barracks operation was all about, and you flew to Germany from this country on two occasions to take part in the preparations. Again, your activities posed an obvious and serious risk to individuals and to the wider national interest. I take account of your previous character and of the contents of the pre-sentence report which I ordered. In doing so, I was mindful of a question one juror asked about the possible effect of any influence Mr Dzhambazov may have had over you. You explained in your evidence that in some respects you and he had what you described as an open relationship. I accept that if you had not met him, it is unlikely that you would have become involved in anything like this. But the view I have formed is that after you were recruited, the activities you undertook with him were a

consequence of the fact that you had thrown in your lot with him by free choice, for better or worse. You came to this country with him, you both worked for the Doctors' Laboratory, you both involved yourself with Bulgarian elections through the Embassy in this country, and you both became involved in gathering information for Russia. You lived with Mr Dzhambazov and must have had a very good idea of the full extent of what was going on. Although neither of you is to be sentenced for it, he trusted you to take part in the military equipment enterprise. I am sure you knew he was involved in trying to buy military equipment for Russia. That does not add to your or his sentence because it does not form the subject of any charge but it confirms to me that you were a trusted partner. You were deceived by Mr Dzhambazov about his relationship with Ms Gaberova but not about the activities for which you fall to be sentenced. I am sure about that. You did also work independently of Mr Dzhambazov and were in contact yourself with Mr Roussev.

73. I am prepared to make a small allowance because Mr Dzhambazov may conceivably have involved you at the very start against your better judgement. But thereafter, you were an enthusiastic participant for a long time. I do not accept that you simply did what he asked you to do without question, thinking that this was all about exposing corruption. The jury did not believe your evidence and were sure that you knew this was for Russia. You were more than capable of deciding that you would play no further part in this, given the obvious risks to others that you were contributing to.
74. You were a joint party to the possession of the false identity documents at your flat and you shared the improper intention as to their use although they were all in male identities and you could never have used any of them yourself. On one occasion that we saw in the messages, I am sure that you accessed one of the documents for Mr Dzhambazov and took it to him.
75. I have regard to all the points made on your behalf, to the extent of your activities and to your place in the hierarchy but the operations in respect of Mr Grozev, Mr Kachur and Patch Barracks were very serious. You do not have the benefit of guilty pleas. On Count 1, the sentence is one of 9 years and 8 months' imprisonment. On Count 2, the sentence is a concurrent term of 15 months' imprisonment. All the days you have spent on remand in custody will count towards your sentence.
76. Ms Gaberova, you are 30 years of age. Messages are not a good guide to your involvement because I am satisfied that you deleted them, or were party to their deletion, so as to try and hide what had been going on. I have taken account of your position in the hierarchy and of the fact that you were involved in three of the operations, numbers 1, 3 and 6. These operations involved surveillance to try and identify three individuals. They had done you no wrong. Your role was limited but you knew that what you were doing was for the benefit of Russia and I am sure you knew that talk of Interpol was only a cover that Mr Dzhambazov had ready to deploy if necessary. He undoubtedly deceived you about his claimed but non-existent cancer diagnosis so that he could maintain relationships with you and Ms Ivanova at the same time. Discovering that he was deceiving you about personal matters was obviously distressing for you, as it was in due course for Ms Ivanova, but it does not have any impact on the appropriate sentence. I am sure that you knew of the involvement of Mr Marsalek and this is why you took a photograph at Munich airport of a poster showing

him as wanted. You were responsible for involving Mr Ivanchev. I take account of your previous good character.

77. In your case, there is a psychological report prepared by Dr Aisha Ali, dated 13th June 2024. The purpose of the assessment was to determine whether you could travel to court in a prison van because of your stated claustrophobia. Dr Ali had access to your medical reports and had a video call conference with you in June 2024. You had not previously been diagnosed with any acute or chronic physical or mental health condition, although Mr Ivanchev did tell the police that you had attempted suicide in the past. I have no information about the circumstances of this or as to how determined it was or was not. You did not mention it to Dr Ali.
78. You said that your sleep on remand was disturbed by prison officers. Your mood varied from feeling fine to feeling tearful. You said you had been given food you were allergic to. You were anxious and stressed. You had suicidal thoughts. You said you suffered from claustrophobia, depression, panic attacks and paranoia. You had been prescribed medication but did not want to take it daily because of side effects and only used it when you felt claustrophobic.
79. On the basis of questionnaires you completed, the answers according to Dr Ali were indicative of severe depression and severe anxiety. Dr Ali thought you were also suffering from panic disorder and claustrophobia. The claustrophobia was particularly triggered by travelling in the prison van. As part of the treatment, Dr Ali recommended anti-anxiety medications and not travelling in the prison van which appeared to be a significant trigger for your symptoms.
80. I also have a pre-sentence report and a general prison report in your case. I have taken account of both of them. You have said on occasions that you would harm yourself in custody but to achieve a move you wanted or to avoid a move you did not want. There are positive aspects about your time in custody when you have assisted other prisoners and been helpful to staff. You gave evidence about your personal circumstances during your trial. I take account of the careful letter that you wrote to me.
81. I have paid careful attention to the guideline for sentencing offenders with mental disorders. I had the opportunity to see you for myself during the three months of the trial and over several days when you gave evidence. I am satisfied that your culpability is not reduced by any mental disorder you may have. The guideline provides that culpability will only be reduced if there is a sufficient connection between the offender's disorder and the offending behaviour. Symptoms of the kind you described to Dr Ali have no connection with the events which constituted the offending. I accept that you were suspicious, stressed and upset when you thought that Mr Dzhambazov was cheating on you but that was a response to his behaviour and was entirely incidental to the offending. In addition, I am satisfied that you are much stronger and more resilient than you appeared to Dr Ali. I was able to see how you coped in the witness box and when cross examined by Ms Morgan KC. I also saw messages which I am sure you sent to a friend, Ms Sveti Doncheva, about putting up pro-Russian stickers and graffiti in Vienna. Dr Ali did not see these messages. You were extremely forceful and robust in the messages you sent. You had also set up and run a business in this country which Dr Ali did not refer to. I am sure that your culpability was not reduced by mental disorder.

82. I have also considered the impact of custody upon you in accordance with paragraph 22 of the guideline. I accept of course that you have found custody difficult. That is not surprising. However, you will not be travelling to and from court anymore and so the particularly triggering event of travelling in the van will no longer take place. I am sure too that you will have been anxious about the outcome of your case for very understandable reasons. Whilst you will not be happy about the outcome, the uncertainty has gone, and you have now to concentrate on completing your sentence. I am also satisfied that if you choose to cooperate with the prison medical team, they will be able to provide you with assistance as regards your medication. I will make sure that a copy of Dr Ali's report goes with you to custody. I note in passing that there are some impressive testimonials to how you have behaved in custody, particularly as regards education. This is to your credit. I am satisfied that the degree of claustrophobia you are subject to can be managed satisfactorily to a very large degree but I will make a limited allowance for the extra burden it may impose upon you.
83. I shall also make an allowance in your case for the possibility that Mr Dzhambazov may have persuaded you to become involved at the start against your better judgement. But you found what you were doing exciting and glamorous as demonstrated by the film you took of yourself wearing the surveillance glasses in Montenegro. Your continued involvement was entirely by your own choice and I am satisfied that you knew that the scope of the conspiracy went well beyond your own actions as regards the operations with which you were involved.
84. You spent 228 days in immigration detention in circumstances which were attributable to the facts of this case and not to anything else. I think that in those circumstances you should receive credit for those days. That is achieved by doubling the number of days so that they equate to the corresponding custodial term and then reducing your final sentence by that period, a period of 1 year and 3 months and 1 week.
85. Having considered the particular part that you played in this conspiracy, the sentence in your case would have been one of 8 years' imprisonment. However, for the reasons I have given I reduce that by 1 year and 3 months and 1 week which makes your sentence one of 6 years and 8 months and 3 weeks' imprisonment.
86. Mr Ivanchev, you are 39 years of age. You were involved in operations 1 and 6, and I take account of the part you played and of your position in the hierarchy. Your involvement had stopped before the arrests in 2023. You made four trips to Austria in respect of Mr Grozev and four trips to Montenegro in respect of Mr Kachur. You were in the two locations for a total of 63 days but have explained that for some of the time you were just on holiday and not engaged in surveillance. I am satisfied that you were clear from the start about the nature of what you were getting involved in. Individuals were put at risk, as were the safety and interests of this nation. You have not been in trouble before. There are good reports of your behaviour in prison and I have read letters which confirm that there is a better side to you. You do not have the benefit of a guilty plea. The sentence on Count 1 in your case is one of 8 years' imprisonment.
87. Mr Stoyanov, you are 33 years of age. You are in a different position. You pleaded guilty to a substantive offence, rather than to the conspiracy. You were involved in Operations 3, 4 and 6, in a limited way. Operations 3 and 4 were less serious than the others. You

took part in the surveillance of Mr Kachur for about a week in Montenegro, taking photographs and reporting back to Mr Dzhambazov. You took photographs outside Warwick Chambers to try and identify Mr Ryskaliyev, and you photographed a letter at Mr Roussev's direction as regards the Kazakh Embassy. You allowed parcels to be sent to your home address. On occasions, they contained surveillance equipment. You are to be sentenced on the basis that you were reckless as to whether the information communicated might have been of use to Russia. I take account of your previous good character, of letters which speak well of you, and of your letter to me in which you express regret for what you have done. I bear in mind that for you as for all the defendants you are in custody in a foreign country away from your family. The sentence after trial in your case would have been one of 7 and a half years' imprisonment.

88. Your plea of guilty merits an allowance of 15%. The plea was offered at a very late stage but a guilty plea in this case deserves particular credit because of the time that is ultimately saved. True it is that no substantive offence was on the indictment, but you showed no inclination to plead guilty to any offence until a late stage and then the possibility of an acceptable plea to a substantive offence was considered. The guideline provides that if an offender is convicted of a different offence from that originally charged but has earlier made an unequivocal indication of a guilty plea to the different offence, then the level of reduction will be the level appropriate to the stage at which the indication was given. That does not apply here. 15% is a very fair allowance. After credit for plea, the sentence in your case is one of 6 years and 4 months' imprisonment.
89. However, you also spent 228 days in immigration detention and for the reasons I have already given in the case of Ms Gaberova, your sentence must be reduced by 1 year and 3 months and 1 week, resulting in a final sentence for you of 5 years and 3 weeks' imprisonment.

Mr Justice Hilliard

12th May 2025