

Manchester Crown Court (Crown Square)

Case Number T20207323

Sentence in Rothwell and Others

Introduction

In this case I am to sentence 10 defendants.

They are each to be sentenced in relation to a variety of offences which came to light following 2 police investigations – Operation Dryer and Operation Chairs respectively.

Other defendants have already been sentenced as a consequence of these investigations in the Crown Court but not by me.

The operations were instigated (in part) following the police in the United Kingdom receiving in 2020 evidence from investigating authorities in France and The Netherlands. This evidence illustrated that the authorities had been able to breach the encryption within specialised mobile phones, known as Encrochat phones. The server for the Encrochat network was based in Northern France.

The UK police received large quantities of digital material which had passed between these mobile phones in the form of text messages and images. The contents of this material illustrated organised criminal activity taking place on a very significant scale. The material revealed this activity between March 2020 and June 2020.

The criminal activity discovered was being undertaken by the users of these phones (known as “handles”) with the assistance of others.

On the Encrochat network codenames were given to handles in an attempt to conceal their true identities. Codenames like “Livelong” or “Keyhole” or “Sickplane” were used.

This did not stop the phone users being correctly identified from the material because on many occasions users, in the mistaken belief that the encryption on their Encrochat phones would never be compromised, proved willing to place identifying data on their mobile phones making it plain who the user of their phone was.

Their trust in their Encrochat phones in this regard was misplaced. They thought they could act with impunity, but they were wrong.

Once attribution of a phone was established by the police the identity of those involved in the organised criminal activity became clear.

Each of the defendants I am to sentence in this case were, at differing levels involved in this criminal activity.

The more senior amongst them within the organised crime group used the Encrochat phones – others working for these senior members did not.

Having access to an Encrochat phone was a matter of trust within the criminal underworld. The phone in each case cost approximately £11,000 and they were deliberately used by criminals to avoid detection by the authorities, an aggravating feature of their offending.

The Criminal Activity

The criminal activity discovered within the digital material revealed the existence of already established conspiracies to possess firearms and ammunition on a large scale with intent to endanger the lives of others.

The firearms and ammunition were often acquired from others before being either used or stored and then possibly sold on at a profit.

The digital material showed that on specific occasions unlawful agreements were made by some to cause specific individuals very serious harm with the use of acquired firearms.

Acquired guns were discharged on at least one occasion and one person was seriously injured. On another occasion it was agreed by others involved in the firearms conspiracy that a man called Paul Cooper should be murdered by being shot – although in fact he was never physically attacked.

Also discovered within the digital material was evidence of established conspiracies to supply large quantities of different types of controlled drugs, including cocaine, heroin and ketamine.

The total quantities of these drugs agreed to be supplied to others within these conspiracies was on an industrial scale – measured at least in hundreds of kilos during the time scale of the drugs conspiracies. The value of these drugs ran into millions of pounds.

The drugs were usually acquired from others in bulk – several kilos of drugs at a time. Those others were either overseas or close to the point of importation of the drugs into the UK.

The drugs were then sold on, often in kilo blocks or part thereof and sometimes underwent an adulterating process to bulk them out and increase their value. They were usually sold onto other drug dealers many of whom, in turn were part of the Encrochat network.

The drugs trade generated very large sums of cash amounting to several millions of pounds. Conspiracies to transfer and distribute this money between those involved coincided in time with the drugs conspiracies, operating side by side.

In the case of some conspirators, this led them to enjoy a lavish lifestyle having benefited from the misery and harm caused to others locked into the cycle of drug abuse or indirectly affected by it, for example - victims of crimes that may have been committed by those desperate for money to fund their drug habit.

Each of the defendants fall to be sentenced in this case on the basis of offending during the period of the relevant count on the indictment and not activity outside those dates. They must each be sentenced consistent with the role they undertook within the particular conspiracy concerned.

An estimation as to the role a defendant took in a conspiracy is required given the nature of the evidence in this case – for example in relation to the quantity of drugs a conspirator may have been directly involved in and the time during which he participated in the conspiracy. I have considered and applied the approach to this in **Khan (2014) 1 Cr. App. R. (S) 10**.

It is obvious from the digital material that dealing by some of the defendants in guns, ammunition and drugs did not start on the first day that Encrochat data was obtained.

Where a defendant is to be sentenced within conspiracies to possess firearms and/or supplying drugs over a considerable period of time, as opposed to on a single occasion, I view the period of time of this offending as an aggravating feature in their case because continuing dealing results in greater harm being caused.

I also view as an aggravating feature that the supply of firearms and ammunition in this case was to other organised criminals heavily involved in trading in large quantities of class A drugs and other criminal activity.

In assessing harm caused by these conspiracies I am required to take into account not only the harm that was caused but also that which the conspiracy concerned was intended to cause or might foreseeably have caused. I must come to a fair but realistic assessment of the overall scale of the conspiracy's actual and intended operations.

Each defendant is to be sentenced in relation to more than one count and it follows that the totality guidelines apply.

The entirety of the offending behaviour of each individual defendant will be reflected in the sentence imposed individually upon them, my ensuring that the sentence imposed is just and proportionate in all the circumstances of that individual offender and the offending he falls to be sentenced for.

I shall impose concurrent and consecutive sentences where appropriate to reflect the different types of conspiracies and the nexus of offending between the offences agreed to within them.

The Case As Against Each Defendant

Jamie Rothwell

You are 38 years of age.

You have previous convictions recorded against you which make worse the offences you fall to be sentenced for today. I shall explain how this is the case when I consider aggravating features to be applied in your case.

You are to be sentenced in relation to 6 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

Conspiracy to supply cocaine

Conspiracy to inflict GBH with intent upon Liam Byrne Snr.

Conspiracy to inflict GBH with intent upon Liam Byrne Jnr

Conspiracy to supply ketamine.

You pleaded guilty to these offences before me on the 5th February 2025. You had previously pleaded not guilty and a trial against you and some of your co-defendants had started in July 2024. That trial had to be stopped and the jury discharged after you were stabbed and injured in custody during its course, meaning you were then not fit to stand trial.

No responsibility lies with you for this exceptional turn of events and in the circumstances in my discretion, I am prepared to provide credit for plea to you as 15% notwithstanding the first trial started prior to any indication of any guilty pleas from you.

Your role within the firearms, ammunition and drugs conspiracies was a leading role – you were, the evidence I heard makes plain, at the top of the organisation involved in this activity. Your business interests principally involved you buying and selling these items in great quantities.

You used an Encrochat phone. Your handle name was “livelong”.

You issued orders to others and you expected them to be obeyed. I heard evidence from your co-accused that they feared you. You obtained wealth by having access to millions of pounds of cash. You lived for this and other reasons for much of the time in Portugal or Spain where you had access to an apartment offering panoramic views of Barcelona. You circulated pictures of this apartment and the vista on your Encrochat phone.

You arranged for the purchase and storage of automatic firearms and live ammunition – most notably at least 1 AK 47 machine gun and more than one shotgun with your co-accused. These firearms were acquired with compatible ammunition available to be used within them.

You supervised the purchase and storage of these specific weapons in particular with Morris and Close.

The AK47 was acquired on the 15th April 2020. It was subsequently stored by Morris with the assistance of another co-accused, McDonagh.

The digital material shows you personally having access to and marketing or selling a vast arsenal of weapons. In conversations with another handle called “tubbyturn” you discuss having “sent 300 straps (guns) home” and having access to machine guns and an anti-tank gun – see lines 841 to 846 in the SOE chart. At line 1001 you tell “tubbyturn” that you “sell a lot of Glocks” – i.e. automatic pistols.

At line 5934 in the SOE chart “tubbyturn” sends to you a price list of weapons and ammunition available to you for purchase and at line 8885 you send an image of an anti-tank gun to another handle called “localbluff” a reasonable inference being that this is available for purchase from or via you.

This is dealing in firearms on a sophisticated and significant scale and reflects high culpability on your part, and on the part of others willing to assist you.

Your willingness to use firearms you acquired to cause harm to others is evidenced by material from Operation Chairs and your guilty pleas to conspiring to inflict very serious injury upon Liam Byrne Snr and his son Liam Byrne Jnr in April 2020.

You were in conflict with the Byrne family. On the night of the 24th April 2020 you sent a man pretending to deliver pizzas to the family address in Warrington. He was armed with a firearm.

That man at your command discharged the firearm three times through the door of the address causing injury not to either Liam Byrne Snr or Jnr – the intended targets - but to David Barnes, Liam Byrne Jnr’s step father. Mr Barnes suffered gunshot wounds to his leg.

Your willingness to resort to violence to settle this and other disputes is also apparent within the evidence outlined in the SOE chart. At lines 2732 to 2741 you discuss with another handle

called “defender” the level of harm you were willing to inflict upon your enemies – in this instance someone referred to as Leon Cullen and his associates.

Your drug dealings were on an international level. You arranged for drugs to be sold and distributed throughout the UK and also in Ireland and in other parts of Europe. You maintained a bonded warehouse from where drugs could be distributed.

A conservative estimate of the amount of class A drugs you were involved with in the period of the conspiracies according to the evidence I considered at trial would suggest you dealt in over 200 kilos of cocaine and 5 kilos of ketamine. You also dealt in heroin in bulk quantities.

Valuation evidence places this quantity of cocaine alone being worth 7 million pounds – a kilo of cocaine being sold at around £35,000 per kilo at the time of the offending in this case. You were also involved in the transfer of just under £1.2 million pounds in money from criminal activity.

You oversaw the adulteration of class A drugs that your close aide James Close learned how to conduct on behalf of the conspirators. You increased your profits accordingly. This was drug dealing on the most serious commercial scale, involving quantities of drugs far beyond category 1 levels within the guidelines.

You have lived much of your life as a professional criminal, involved in serious organised crime. The offences you fall to be sentenced for graphically illustrate your willingness to follow this path and cause loss and misery to others as you do so.

Zac Rourke

You are 35 years of age.

You have no previous convictions.

You are to be sentenced in relation to 5 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

Conspiracy to supply cocaine.

Conspiracy to supply ketamine.

Conspiracy to possess criminal property.

You pleaded guilty to these offences on the 12th July 2024. You may have full credit for your guilty pleas given the time in these proceedings when they were entered. This took place at a PTPH, your case being sent to the Crown Court well after the cases alleged against your co-accused.

The prosecution accept that this was the first possible opportunity you could have indicated the guilty pleas you entered.

Your role within the drug conspiracies was a leading role – you acting closely with a handle called “purple eagle” and had significant contact with Jamie Rothwell, who was at the head of the conspiracy, with a view to receiving and then distributing very large quantities of drugs and cash throughout the North West of England and elsewhere.

You were involved in buying and selling large quantities of cocaine, well over the category 1 indicative amount in the guidelines. This was selling of cocaine on a commercial scale with links and influence over others below you in the chain of supply.

You were involved in transactions which related to an estimated 28 kilos of cocaine and 3.25 kilos of ketamine. The value of these drugs is just under a million pounds. You were involved in the movement of just over 1 million pounds in drugs money.

You were entrusted with the use of an Encrochat phone – your handle name being “purplehawk”. You were to some extent subservient to others but proved more than willing to undertake tasks on their behalf. There were, accordingly some significant role features to your offending.

You were well aware of the size of the drugs organisation you worked within and how the distribution network operated. You expected to receive substantial financial advantage for what you did in a drugs conspiracy of this size.

As far as the firearms conspiracies were concerned you were involved in the sale of firearms and ammunition and in particular at least one shotgun on the 17th April 2020 which was provided to a driver employed on behalf of Jamie Rothwell.

The gun was transferred and subsequently stored ready for future use or sale. There was some degree of planning in this. You were involved in providing compatible ammunition as well. At least medium culpability reflects your role in the firearm and ammunition conspiracies.

James Close

You are 44 years of age.

You have previous convictions recorded against you which make worse the offences you fall to be sentenced for today. I shall explain how this is the case when I consider aggravating features to be applied in your case.

You are to be sentenced in relation to 4 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

Conspiracy to supply cocaine.

Conspiracy to possess criminal property.

You were convicted by the jury at your trial in relation to each of these offences. It follows you are not entitled to any credit for guilty pleas.

So far as the firearm and ammunition conspiracies are concerned, your offending displays high culpability. You worked closely with Rothwell, Makinson and Morris to acquire an AK47 machine gun on the 15th April 2020 in Warrington, complete with ammunition. You also took part in obtaining at least one shotgun.

The acquisition of these and other guns (and drugs) by you and your co-accused was significantly planned and involved co-ordinated transactions at pre-agreed venues at set times. Code words were provided and exchanged between specifically employed drivers before the transactions could take place. You and others planned and arranged all of this.

The vehicles used to conduct these transactions often had hidden compartments in them to avoid detection if the vehicle was stopped by the police.

You also undertook a leading role within the drugs conspiracies – supplying drugs in industrial quantities far beyond category 1 levels in the sentencing guidelines. Again, you worked closely with Rothwell, who was at the head of the drugs organisation you willingly participated in.

You were involved in transactions which related to an estimated 28 kilos of cocaine. You were involved in the movement of just under half a million pounds of drugs money.

You had known Rothwell for many years. He clearly trusted you and you were a frequent user of your Encrochat phone throughout these conspiracies, regularly keeping Rothwell up to date as to developments within transactions that were taking place in relation to drugs, cash and guns.

You had two handles – “ballsniffer” and “sickplane” respectively.

They were attributed to you following you distributing to others on your Encrochat phone personal pictures of you and your partner, subsequently found by the investigating authorities.

Your willingness to distribute such pictures indicates your arrogance in believing you would never be caught – a misplaced belief, as I have already remarked that you could engage in very serious unlawful activity with impunity.

That activity included you learning how to adulterate drugs with a view to them being sold for greater profit. You learnt this process following a trip to the North East – the tuition for which costing you and your co-conspirators tens of thousands of pounds – money which was quickly sought to be recovered as you advertised your new found skills to others for hire.

In order to perform the task of adulterating kilo blocks of cocaine you created a small manufacturing unit in the shed behind your house.

You kitted the shed out with all the paraphernalia necessary to break up kilos blocks of cocaine, bulk them out with adulterants, re-press them into a greater number of kilo blocks - thereafter drying them before wrapping then up in plastic ready for onward sale.

Sometimes you adorned the adulterated blocks with a swastika or other insignia used as a mark to guarantee quality of the product within the drugs market.

You were well aware that activity within the drugs market often went hand in hand with acts of violence as for example, unpaid debts had to be enforced to make sure of payment.

In the Encrochat material you outline a willingness to use violence to enforce the payment of a debt in South Wales and you also joined Rothwell and others, as I have already noted, in acquiring firearms and ammunition intending they be used to endanger life. This includes the acquisition of the AK47 machine gun on the 15th April 2020.

Your own willingness to use violence is evidenced by a text you sent on your normal mobile phone on the 1st December 2019 as part of the drugs conspiracy. The text, designed to intimidate a person who owed you a debt read;

“If you have not dropped some money off to me by 5pm tonight I am going to acid your face off in your front garden choice is yours”.

You are a violent and dangerous criminal with little or no respect for those whom you view as in conflict with you.

Craig Makinson

You are 50 years of age.

You have previous convictions recorded against you which make worse the offences you fall to be sentenced for today. I shall explain how this is the case when I consider aggravating features to be applied in your case.

You are to be sentenced in relation to 6 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

Conspiracy to supply cocaine.

Conspiracy to supply heroin

Conspiracy to supply amphetamine

Conspiracy to possess criminal property.

You pleaded guilty to the heroin and amphetamine conspiracies at the start of a re-trial before me, your earlier trial having to be aborted through no fault of yours. I will extend 10% credit for plea to you in relation to sentence of these conspiracies only.

That credit will be expressed by a slight reduction in your overall sentence for the drug conspiracies as, in due course I shall impose concurrent sentence upon them as a whole.

You were convicted by the jury at your trial in relation to each of the other offences alleged against you. It follows you are not entitled to any credit for guilty pleas in respect of them.

You played a leading role in each of the drug conspiracies. You used an Encrochat phone and had two handle names at different times. You were first known as “topshag”. You then changed your handle name to “doctorshaggard”.

In May 2019 the evidence shows you operating a drug dealing business which had been established, according to your own evidence, over many years. You dealt in cocaine, heroin and amphetamine. You earned significant sums from this business which subsidised other business interests you had in renovating property, the leisure industry and a tanning salon.

You had a lavish lifestyle – having access to expensive motor vehicles, homes and booking luxury holidays abroad in Dubai and Thailand.

You employed others in the course of your drug dealings in particular drivers who would collect or deliver drugs or drug money on your behalf.

You used safe houses away from where you lived where your consignments of drugs could be stored and adulterated. You provided financial or other benefit to those who stored the drugs for you. You carried out adulteration of drugs at these premises yourself, together with others.

After May 2019 you decided to increase the scale of your drug dealing activities. You say you did this as a consequence of pressure from others but having heard your evidence as to this at trial I am sure that you were a willing participant in what you were doing at all times.

You were inspired to increase your wealth from drugs by greed as your proposed purchase of a new house with a swimming pool, valued at £500,000 in April 2020 makes plain.

You placed pictures of this property on your Encrochat phone for others to see. Other pictures on your Encrochat phone featured you drinking alcohol whilst sitting in a hot-tub, toasting your own success in March 2020.

During the drug conspiracies you were involved in transactions which related to in estimated amounts, 64 kilos of cocaine, 22 kilos of heroin and 15 kilos of amphetamine. The value of these drugs in the drug market at the time was over £2.5 million pounds. You were also involved in the movement of £728,000 in cash from criminal activity.

At the time of some of this drug dealing you were also involved in the acquisition of firearms and ammunition intending they be used to endanger life.

On 30th March 2020 you enquired of Jamie Rothwell if he had any “Glocks” – automatic pistols - for sale, a similar enquiry being made on the same day of a handle called “gorillaclub”.

On the 15th April 2020 you part financed the purchase of an AK47 machine gun with compatible ammunition together with your co-accused.

Your contribution was £10,000 which you willingly paid out to make sure this lethal weapon came into the immediate possession of your associates Rothwell, Close and Morris – each of them criminals prepared to use violence.

This activity indicates significant planning on your part and the part of others. High culpability is therefore established within this offending as it relates to you.

There is no evidence that this gun was subsequently used prior to being recovered by the police but it’s potential to endanger life could not have been more obvious.

The evidence suggests that you were willing to become embroiled in the illegal arms trade with Rothwell and others just as willingly as you had built up your drug dealing activities.

Callum Morris

You are 33 years of age.

You have no previous convictions. I shall ignore the caution recorded against you in 2005 for assault occasioning actual bodily harm.

You are to be sentenced in relation to 5 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

Conspiracy to murder Paul Cooper

Conspiracy to supply cocaine.

Conspiracy to possess criminal property.

You were convicted by the jury at your trial in relation to each of these offences. It follows you are not entitled to any credit for guilty pleas.

You are a close friend of James Close. You both trained together in Mixed Martial Arts. It is possible that your association with Close led you to become involved in extremely serious criminal activity despite you having no significant history of prior criminal offending.

You became involved in dealing in cocaine in kilo blocks. You were to perform a leading role within the supply chain in relation to industrial quantities of drugs far beyond the levels anticipated by the guideline level at category 1.

You were involved in transactions which related to an estimated 6 kilos of cocaine but the conspiracy to supply cocaine of which you were a part dealt in quantities of cocaine far in excess of this. In addition you were involved in the movement of £282,000 in cash from criminal activity.

You used an Encrochat phone. Your handle name was “keyhole”. You employed others to drive for you delivering drugs and picking up drug money in return. You developed a close association with Rothwell, who was at the head of the organised crime group. Like Close, you kept Rothwell informed as to the progress of drugs transactions that the conspirators were involved in.

You also had a close connection with Rothwell in relation to the acquisition of firearms and ammunition with intent to endanger the lives of others. Your involvement in the significant planning within the firearm and ammunition conspiracies displays high culpability.

You were personally responsible for taking delivery of the AK47 and ammunition purchased in Warrington on the 15th April 2020. You arranged for that firearm and ammunition to be stored at two or more addresses.

Additionally, at the behest of Rothwell you took delivery of and stored at least two shotguns and a handgun. These weapons were intended for use by you and others or their onward sale.

On 30th May 2020 you sent pictures on your Encrochat phone of you holding a handgun to a handle called “elpapiii”.

Previously on the 4th May 2020 you had sent the same person a picture of you holding a live round of ammunition – your fingerprints were recognisable from that picture causing your Encrochat phone later to be attributed to you by the authorities.

By this time you had become involved in an agreement to kill a man called Paul Cooper. He was an enemy of “elpapiii” who had earlier corresponded with you using the handle “costaviper”.

You agreed in that correspondence over a number of days in April and May 2020 to shoot Mr Cooper at his home in Hattersley or arrange for someone else to shoot him.

A picture of Cooper was sent to you and you discussed arrangements for the killing to take place which included the type of gun to be used, the availability of ammunition, obtaining a vehicle to take you or another to and from the scene and your financial reward for carrying out the task.

No date was set for the shooting and no attack upon Cooper ever took place however this agreement demonstrates clearly your willingness to use with lethal force the arsenal of weapons you now had access to.

You too are a highly dangerous criminal presenting a significant risk of harm to others.

Terence McDonagh

You are 34 years of age.

You have a conviction recorded against you which slightly aggravates the offences you fall to be sentenced for in these proceedings as I shall explain later.

You are to be sentenced in relation to 2 offences.

Conspiracy to possess firearms with intent to endanger life.

Conspiracy to possess ammunition with intent to endanger life

You were convicted by the jury at your trial in relation to each of these offences. It follows you are not entitled to any credit for guilty pleas.

Your role in these conspiracies was that you worked for Callum Morris. He was a friend of yours. He supplied you with drugs which you would take together. You acquired a car and he arranged insurance for it so that you could drive him about and on occasion carry out specific requests. You were not entrusted with the use of an Encrochat phone.

One of those requests was that you should take him to 9 Selwyn Street in Wigan on the 30th May 2020 where you and he were to collect a holdall.

In the holdall was an AK47 machine gun, two magazines for use in that gun and over 80 rounds of ammunition, again compatible with the gun. The gun and other items had earlier been acquired by Morris and others in a transaction in Warrington on the 15th April 2020.

You agreed with Morris to store that gun and the ammunition at your address until being told what next to do with it.

These items remained at your address, your parents home, until it was raided by the police on the 6th June 2020. You were arrested and the gun, magazines and ammunition were recovered. You have remained in custody ever since.

Your role in these conspiracies displays medium culpability given the gun was held with compatible ammunition. I accept that some features of lesser culpability are also present given your conduct took place at the behest of others and was limited in scope and duration.

John Stankus

You are 70 years of age.

You have previous convictions recorded against you but they are of some age and do not aggravate the offences you fall to be sentenced for in these proceedings.

You are to be sentenced in relation to 2 offences.

Conspiracy to supply cocaine

Conspiracy to supply amphetamine

You were convicted by the jury at your trial in relation to each of these offences. It follows you are not entitled to any credit for guilty pleas.

At the time of these conspiracies you lived at 2 Wigan Street, Platt Bridge in Wigan. You allowed Craig Makinson to use your house for the storage and adulteration of cocaine and amphetamine.

In return for this Craig Makinson provided you with drugs and other benefits which helped fund your own drug habit. You had some awareness of the scale and size of Makinson's activities

You performed a significant role in these conspiracies with some lesser role features given you had no influence of those above you in the chain of supply.

The police conducted surveillance outside your home. In May 2020 you were seen to accept two packages into your home from your co-accused one of which is likely to have been a mobile phone acquired for you by Makinson. This was not an Encrochat phone but was nevertheless a way in which Makinson could tell you what to do.

The police raided your house on the 27th May 2020. They recovered a significant quantity of amphetamine and your mobile phone. On that phone were images of blocks of cocaine being weighed and tested. Also recovered in the raid was packaging which had been around blocks of cocaine, together with adulterant used to bulk drugs out.

The inference is that with your consent your home was being used as a small drugs factory within which Makinson and others carried out adulteration of blocks of cocaine – that cocaine then being sold for greater profit.

Andrew Ackers

You are 39 years of age.

You have a conviction recorded against you which slightly aggravates the offences you fall to be sentenced for in these proceedings as I shall explain later.

You are to be sentenced in relation to 2 offences.

Conspiracy to supply cocaine

Conspiracy to possess criminal property

You pleaded guilty to these two offences on the day your trial was fixed to start. You had indicated a willingness to do this in slightly in advance of your trial date. You may have 15% credit for your guilty pleas in the circumstances.

You worked for Craig Makinson as a driver. You were trusted to carry out numerous trips throughout the UK during the drugs conspiracy collecting or delivering blocks of cocaine and/or large sums of cash. You were not given the use of an Encrochat phone.

An example of your role as a driver took place on the 10th April 2020 when you drove to and from London to collect 12 kilos of cocaine on behalf of Makinson and Rothwell. You undertook other similar trips on other days to Liverpool and Newcastle.

The total amount of drugs you transported in these journeys was at least 20 kilos of cocaine which would have a value on the drugs market at the time of approximately £700,000 – taking £35,000 from the evidence as being the value of a single block of cocaine. This quantity of cocaine is well in excess of the guideline level at category 1.

You would have received significant financial reward for the work you undertook and you clearly had some awareness and understanding of the scale of the operation you were involved in. You performed a significant role accordingly.

Scott Davies

You are 36 years of age.

You have a single conviction recorded against you for a dissimilar matter to the offences you are to be sentenced for. I shall ignore this previous conviction accordingly.

You are to be sentenced in relation to 2 offences.

Conspiracy to supply cocaine

Conspiracy to supply heroin

You pleaded guilty on a basis to these two offences on the day your trial was fixed to start. You had indicated a willingness to do this in slightly in advance of your trial date. You may have 15% credit for your guilty pleas in the circumstances. The basis of plea in your case is not contested by the prosecution and I shall sentence you consistent with it.

You worked for Craig Makinson storing and delivering large quantities of both cocaine and heroin. You were trusted by him and others to carry out these tasks given the value of the drugs you stored or carried. You were not given access to an Encrochat phone.

An example of this took place on the 13th April 2020 when you delivered to James Close 4 kilos of cocaine which were to be adulterated by Close using the technique he had learnt on an earlier trip to the North East of England on the 2nd April 2020.

You stored cocaine and heroin at your home purchased by Makinson, ready to be collected by those to whom Makinson then sold it. In effect your home became a small drugs warehouse. You provided this facility according to your basis of plea on at least 3 or 4 occasions.

On the 31st March 2020 a customer of Makinson, handle name “speedyrifle” collected at least 1 block of cocaine from you near to your home address. The drugs obtained by Ackers in London on the 10th April 2020 were also stored – all or in part by you. On the 8th May 2020 you took receipt of a further 8 kilos of cocaine on behalf of Makinson near to your home address.

When the police raided your home on the 27th May 2020 a block of heroin was recovered as was cocaine from your loft. You told the police you were holding these drugs for a friend but declined to name them.

The total amount of cocaine you stored or delivered can be estimated as being at least 15 kilos, which on the evidence would have a value of over half a million pounds. This quantity is well in excess of the guideline level at category 1.

This assumes you did not store all of the consignment of 12 kilos from London on the 10th April and does not include the cocaine and heroin recovered when the police raided your home on the 27th May 2020.

You would have received significant financial reward for the work you undertook – you had a drug debt you had to pay off and you were allowed to fund your ongoing drug habit by being provided with cocaine free of charge.

You clearly had some awareness and understanding of the scale of the operation you were involved in. You performed a significant role accordingly – there also being some lesser role features within what you did, for example having no influence upon those in the supply chain above you.

John Moore

You are 38 years of age.

You have an extensive criminal record. Your previous convictions are of dissimilar nature to the offences you are to be sentenced for. I come to the view that they are relevant to the extent that you are not of good character, but do not significantly aggravate the offences I sentence you for today.

You are to be sentenced in relation to 2 offences.

Conspiracy to possess criminal property.

Participating in the activities of an organised crime group.

You were convicted of the first of these offences after a fully contested trial. You pleaded guilty to the second of these offences when it was first put to you after that trial. No credit for plea is therefore available to you in respect of the first offence. You may have 33% credit in respect of your guilty plea for the second offence. That guilty plea was entered on a basis which is accepted by the prosecution. I shall sentence you consistent with that basis of plea.

You worked for Callum Morris delivering and transporting drugs and money. You did so on at least one occasion. You were not given the use of an Encrochat phone. You participated in the activities of an organised crime group accordingly.

On the 15th April 2020 you took a package to Newcastle which you knew contained drugs. You delivered this package to another who gave you a large sum of money – in the region of £30,000.

You returned to Manchester with this drugs money which was eventually delivered to Morris, having been entrusted to you so that the drugs transaction could take place. You were paid at least £500 to do this.

That activity by you on the 15th April 2020 represents a significant role being played by you as part of group activity. Your culpability is therefore at medium level within the money laundering guidelines.

Guidelines

I have already indicated, where appropriate my application in this case of the guidelines which relate to credit for guilty plea. I have also made reference to the totality guidelines.

I shall reflect totality by imposing concurrent sentences in relation to the conspiracies which relate to possession of firearms and ammunition. Concurrent sentences will also be imposed to reflect the conspiracies to commit acts of violence, these being an aggravating feature of the firearms conspiracies.

I come to this view because the violence which took place or was contemplated by the conspirators did so with the use of the firearms and ammunition acquired in the firearms and ammunition conspiracies. There is thus a close nexus between all of this offending.

I shall take the conspiracy to possess firearms with intent to endanger life as the lead offence in each case.

I shall also impose concurrent sentences in relation to the drugs conspiracies, taking the lead offence as the conspiracy to supply cocaine. The other drug conspiracies I view as an aggravating feature of this offence as is the conspiracy to possess criminal property.

Where a Defendant falls to be sentenced in respect of both sets of conspiracies I shall impose consecutive sentences as between the two sets of conspiracies, ensuring that the overall sentence is just and proportionate as I have already outlined.

There are no sentencing guidelines in relation to offences of conspiracy.

This means that I must have regard to the general guideline which outlines the overarching principles to be applied. To assist in this I shall consider how the guidelines for the substantive offence which is the subject of the conspiracy asks me to consider culpability and harm, together with aggravating and mitigating features.

As I noted at the start of these sentencing remarks, some defendants in these proceedings have already been sentenced by others. I have been provided with a helpful note as to the sentence imposed upon others and how the Court viewed their respective roles when assessing culpability and harm.

Where applicable, I shall keep in mind the principle of parity with these earlier sentences when determining the appropriate sentence for an individual defendant I am to sentence.

As to guidelines for substantive offences, I have already outlined where within the guidelines I view each defendant's role as falling.

In summary, in the firearms conspiracy Rothwell, Close, Morris and Makinson acted with high culpability - level A.

Rourke and McDonagh acted with medium culpability (level B), McDonagh having some features of lesser culpability (level C) to consider.

As to harm, Rothwell's role resulted in severe physical harm being caused namely the injury to Mr Barnes. Rothwell's case is a 1A offence.

In relation to the other defendants, category 2 harm is present given the high risk of death or serious injury as a consequence of the acquisition of the AK47 and other firearms with compatible ammunition.

There is no evidence within Operation Dryer of severe physical or psychological harm being caused as a consequence of an agreement to possess any firearm within the ambit of that conspiracy.

An aggravating feature of the conspiracy evidenced in this operation, applicable to all defendants (save McDonagh) is the amount and type of firearms the conspiracy related to, some with available ammunition. I use this aggravating feature in my assessment of harm within the guidelines in this case.

So far as the drug conspiracies are concerned, where applicable Rothwell, Rourke, Close, Makinson and Morris all took leading roles. Ackers and Davies took significant roles as did Stankus although there are some lesser role features in the cases of Davies and Stankus.

Moore's role in the possession of criminal property conspiracy displays medium culpability within the money laundering guidelines.

In relation to harm, the conspiracy to supply cocaine was on the most serious commercial scale, involving drugs far beyond category 1 levels. This offending is sometimes categorised as at level 1A where those in a leading role can expect to receive sentences of 20 years or more imprisonment after trial.

As to harm in the case of Moore the guidelines place his offending as towards the lower part of category 5, the starting point being based upon £50,000, he having transferred approximately £30,000.

I have considered the guidelines in relation to the offences of violence which I am to sentence, including those which relate to inflicting GBH with intent and murder, the latter now to be found in Schedule 21 of the Sentencing Act 2020. I have also considered the guidelines for attempted murder.

Given my approach to totality and my taking the firearms conspiracy as the lead offence I shall, as I have indicated view these offences as an aggravating feature of the sentence to be imposed upon the firearms offence. The conspiracies to commit acts of violence will therefore attract concurrent sentences.

Aggravating Features

In some cases previous convictions aggravate the offences defendants in this case fall to be sentence for.

Rothwell has 16 convictions recorded against him for 25 offences including robbery with a firearm in 2003 and possession of class C drugs with intent to supply in 2007.

Close has 6 convictions for 16 offences including robbery and attempted robbery in 2005, offering to supply heroin in 2005, money laundering in 2014 and conspiracy to supply cocaine in the same year.

Makinson has 13 convictions for 20 offences including possession of amphetamine with intent to supply in 1997.

McDonagh has an offence of possession of a balded article in 2013 and Ackers has a single conviction for possession of cocaine in 2019.

In addition to these aggravating features I view the use by a defendant of an Encrochat phone as an additional aggravating feature because the phone could only have been used to avoid detection by the authorities of involvement in serious criminal activity.

I do not view the quantity of drugs involved in this case or the number of automatic firearms acquired as an **additional** aggravating feature at step 2 in relation to either conspiracy. To view them as additional aggravating features would in my view involve double counting, because I having already used these features in assessing harm.

Similarly I do not view the fact that this activity took place within organised criminal activity by a group of offenders as an **additional** aggravating feature, my already having considered this when assessing harm and culpability.

Mitigating Features

In respect of each defendant, I have read the large number of testimonials, letters, certificates and references provided to me. I have read the individual letters some of the defendants have sent to me. I shall attach appropriate weight to this material accordingly.

I have listened carefully to the various pleas in mitigation I have heard. I am grateful to each advocate for their assistance and in particular the notes as to sentence that have been uploaded to the DCS file. I have read and re-read all of this material with care.

Each advocate asked me to consider delay in these proceedings as a mitigating feature. Where it is true that the delay in these proceedings can not be attributed to the actions of a defendant I am prepared to extend some mitigation accordingly. I make it clear that the delay caused by there being a re-trial in this case is not the fault of any defendant.

I have already outlined the level of credit I shall provide to each defendant by virtue, where applicable of them entering guilty pleas.

In relation to **Jamie Rothwell** – I accept that the time you have spent in custody has caused you to reflect upon your criminal past. I note in particular the references I have read from members of staff where you are or have been detained. I remind myself of the harm caused to you in custody during these proceedings and I shall take account of the days you spent in custody in Holland awaiting extradition. You continue to enjoy the support of your family.

In relation to **Zac Rourke** – You have no previous convictions as I have already remarked. You are also the only defendant before me entitled to full credit for your guilty pleas. You enjoy the continuing support of your family as the references make clear.

In your case there is an overlap in your leading role within the drug conspiracies with features that suggest elements of significant role. I accept that you acted at the behest of others as I have already said – you acting as a conduit between drug dealers with whose activities you were very familiar.

Your involvement in the firearm conspiracy did not concern the AK47 machine gun and I accept that there is no evidence you resorted to violence in what you did or directly threatened to do so.

In relation to **James Close** – I accept that you have made progress in custody. I am impressed with the reference from Anthony Keyes that makes this clear. You have mitigation available to you given your family circumstances and having heard your evidence at trial I agree that you present as respectful and as you say willing to change your life.

I do not accept however that there is no evidence in this case that you currently present no significant risk to the public of harm. I shall return to the subject of dangerousness later in these sentencing remarks where I make my reasons clear as to my assessment of the risk you present.

In relation to **Craig Makinson** – I accept that you too have made progress in custody. The testimonial from Eva Hamilton is particularly impressive. I accept that you have a supportive family and are capable of being a good father.

I remind myself you have no previous convictions for violence and there is no evidence that you used or wished to use any firearm in this case yourself to cause harm. On the other hand, I find that you provided firearms to others knowing that they would be used to endanger lives.

In relation to **Callum Morris** – You have no previous convictions. You enjoy the support of your parents. You dealt in less quantities of drugs and drugs money than others who also had a leading role in those conspiracies.

I have read much about your mental health. I have read reports from the intermediary who assisted you at trial, from Professor Iqbal and from Doctor Todd. I have read material from Doctor Johnson. I have also considered the guidelines applicable to sentencing offenders who have mental disorders as Mr Cole KC properly urged me to do.

There is some conflict in your diagnosis. I am prepared to accept that you have previously been diagnosed as having ADHD and there is a recent diagnosis of autism. I am also prepared to accept that this may have had some influence upon your culpability in committing the offences for which you fall to be sentenced.

However there is dispute between the medical experts as to how much your culpability would have been affected by your diagnosed health difficulties. Professor Iqbal and Doctor Todd appear to take different views in relation to this.

I apply some mitigation in your case to reflect the mental health difficulties which you have to deal with but these difficulties provide no excuse for what you have done.

Your evidence at trial was that much of your offending during the period concerned was connected to your willingness at the time to take class A drugs and whilst your mental health may also have affected your culpability, you recognised in your evidence that had you not been taking drugs at the time in significant quantities your involvement in criminal activity would have been less.

In relation to **Terence McDonagh** – within the guidelines I categorise your offending, as I have said as B2 offending – the AK 47 had compatible ammunition with it and was clearly capable of causing serious physical harm. I agree there are features in your case of lower culpability and in particular that your conduct was limited in scope and duration and was a lesser role within the activity of the group who acquired and stored the gun and ammunition.

The authority of **Nurden and others (2022) EWCA Crim 913** is distinguishable because in the case before me there is evidence that the organised crime group was involved in other serious criminal activity – namely drug dealing supported by acts of violence or threats thereof as seen by other convictions within these proceedings, including conspiracy to murder.

Other mitigation available to you McDonagh is established by your progress in custody as seen by the letter from Eva Hamilton and the continuing support of your family.

In relation to **John Stankus** – Your age and your medical difficulties is mitigation available to you as are the contents of the PSR in your case. I agree you present a low risk of re-offending and of causing serious harm to others.

For a limited period of time you turned a blind eye to the activities of others whom you allowed to use your home for the purpose of storing and adulterating significant quantities of drugs.

To this extent you were taken advantage of by others, although the evidence I heard indicated that you did receive financial benefit from Makinson and clearly had some awareness of the scale of his operation. You performed a significant role in the drug conspiracies which had lesser role features as well.

In relation to **Andrew Ackers** – I have read your PSR. I note the low assessment of the risk you present of re-offending. You are very lightly convicted – one previous conviction for possession of drugs, I agree there is evidence to suggest that you have moved away from the type of activity you were heavily engaged in in 2020 with your co-accused.

You have the support of your family and an impressive work record including service in the armed forces on behalf of your country.

In relation to **Scott Davies** – I shall sentence you as though you are of good character and in accordance with your basis of plea. I have read the PSR in your case. I have read the medical evidence about you. I have explained that I view you as having a significant role in the drug conspiracies that you have admitted but that there are also features of you having played a lesser role.

I shall reflect these features as mitigation to be applied in your case by reducing the starting point as I shall with other defendants in a similar position where roles overlap.

In relation to **John Moore** – I remind myself of your basis of plea and will sentence you consistent with it. You undertook one transfer of criminal property within the conspiracy of which you have been convicted – nothing more than this.

I have read your PSR. I note that in addition to the qualifying curfew days to be counted towards any custodial sentence you have also been subject to curfew between other dates which was not monitored and thus did not amount to qualifying days. Mitigation is available to you in respect of these non-qualifying days. Given the amount of days you have spent on remand in these proceedings and subject to curfew I view you as time served.

Dangerousness

In sentencing Rothwell, Rourke, Close, Makinson, Morris and McDonagh I am obliged to assess dangerousness in deciding the type of sentence to be imposed upon them.

I must do this because of the type of some of the offences of which they have been convicted. These offences are specified offences as defined by Section 306 of the Sentencing Act 2020.

The test I must apply is whether the defendant whose case I am dealing with poses a significant risk of causing serious harm to members of the public by the commission by him of further specified offences. In assessing this I must take into account the factors set out in Section 308 of the Sentencing Act 2020.

If I believe that the defendant concerned meets the test I have outlined I must then consider the type of sentence that should be imposed upon him. This may be a determinate sentence, an extended sentence or a sentence of life imprisonment. A sentence of life imprisonment is to be imposed only as a sentence of last resort.

In the case of you, **McDonagh** I do not believe the test is satisfied. You played a limited role in the firearms conspiracy and your previous convictions are not so serious as to make me conclude that you are an offender to be sentenced within these provisions.

In the case of you, **Rourke** I come to a similar conclusion. You have no previous convictions and were not involved in the acquisition of the AK47 in the firearms and ammunition conspiracies. You also pleaded guilty to the offences you fall to be sentenced for before your trial.

You, **Rothwell** are in a different position. You have a previous conviction that falls within Schedule 14 of the Sentencing Act 2020 (robbery with the use of a firearm). This creates an assumption of dangerousness within the statutory provisions.

You played a leading role in the firearm conspiracies including the acquisition of the AK47 with ammunition – a lethal weapon on any view. You placed hundreds of firearms within the United Kingdom on the evidence and offered for sale many more, including an anti-tank gun.

Your willingness to use or authorise the use of firearms to settle disputes is clear within the events of the 24th April 2020 which led to the serious injury to Mr Barnes. At one point you refer in text exchange to being involved in a 6 month war with a person with whom you were in conflict during which you say you “went on a rampage”.

The dangerousness test in your case is satisfied. Given your background and the facts of these offences, you are likely to remain for some time a criminal who presents a grave risk of causing serious harm to the public as defined in the test - a career path which, as yet you have not properly and fully relinquished.

I must now consider if a sentence of life imprisonment should be imposed. Given your guilty pleas in these proceedings I believe that this sentence of last resort need not be imposed.

Additionally, there are available alternative sentences which can be imposed particularly in the light of the very long custodial terms those sentences will attract which will result in you remaining in custody for a significant period of time.

The period of time you will spend in custody before being released subject to licence means that there is some scope for rehabilitative work to be undertaken both in custody and then on licence which may at some future point reduce the risk of further similar offending in your case.

This is particularly the case given the age you are likely to be when eventually released on licence.

Your current risk is not appropriately addressed by a determinate sentence being imposed – an extended period on licence is required to ensure the rehabilitative work I have outlined above is completed. An extended sentence will be imposed in your case.

An extended sentence will also be imposed upon you, **Close**.

I have already explained why I view you as being a violent and dangerous criminal. Your willingness to help organise receipt of the AK47 and ammunition and on a different occasion at least one shotgun is further evidence of this.

Having heard your evidence at trial I come to the view that you currently have little understanding of your offending behaviour particularly given your previous convictions for violence, rehabilitative work then failing to stop you becoming involved in very serious offending some time later in 2020. I note that you do not have the benefit of a guilty plea by way of mitigation in these proceedings.

You remains a risk notwithstanding the time that has passed since your arrest in these proceedings and progress you may have made in custody in the light of this . The dangerousness test is satisfied in your case.

I do not view a sentence of life imprisonment as appropriate given that would be a sentence of last resort – however nor do I view a determinate sentence as the correct sentence in your case

given the risk you currently present. An extended period on licence is required to address your current risk.

So far as you, **Morris** are concerned, your case also satisfies the dangerousness test.

I accept you have no previous convictions prior to these proceedings. However, the evidence in this case shows you to have been heavily involved in the acquisition and storage of at least four guns with ammunition available, one of which was the AK47 acquired on the 15th April 2020.

Additionally, you agreed to murder Paul Cooper in April and May 2020 with the use of a firearm in a planned attack. A person who acquires an automatic machine gun and also agrees with others to murder another person for payment can properly be viewed as a dangerous offender. That remains the case notwithstanding the passage of time that has passed since you were arrested in these proceedings.

You too do not have the benefit of a guilty plea and in your evidence at trial and thereafter you have shown little appropriate insight into your offending behaviour, suggesting you remain a risk to the public in accordance with the dangerousness test.

Fortunately, the plan to murder Mr Cooper was not carried out – had it been a life sentence would have followed. Looking at the attempt murder guidelines, where this offence may be considered a B3 offence given the planning involved, a life sentence is not automatically to be imposed unless the offence is serious enough to merit this. Again, a life sentence should only be imposed as a last resort. Such a sentence need not be imposed in your case.

You have no previous convictions. Notwithstanding this, in my view a determinative sentence does not properly address the risk you currently present as a dangerous offender, whereas an extended sentence does.

An extended period of licence is required in your case given the seriousness of the offending you are to be sentenced for and your role within it.

You, **Makinson** have no previous convictions for violence but you do have a criminal record spanning many years. The evidence at trial was that in May 2019 you decided to expand your business interests by buying and selling firearms with compatible ammunition.

You asked Rothwell and others for guns (plural) and part financed the purchase of the AK47 and ammunition. You did so because you wished to raise money for yourself by endangering the lives of others, placing deadly weapons into the hands of organised criminals as you did so.

You have lived by the proceeds of criminal activity for many years as your established drug dealing activities made clear. You gave evidence that you were well aware that drug dealing was linked not infrequently to the use by other criminals of serious violence.

You knowingly provided a firearm to these others (in this case, Morris, Close and Rothwell) by part purchasing an AK47 machine gun that they wished to have access to with a view to enforcing their drug dealing activities. You also wished to obtain other guns for sale to other violent criminals.

Your willingness to provide automatic firearms and ammunition to violent criminals shows you to be a dangerous offender accordingly.

You denied these offences at trial and thus have not addressed your risk of offending in a similar fashion in the future. If the opportunity arose for you to make money by similar means in the future I am sure you would take it.

It follows that the risk you present to the public as outlined in the dangerousness test currently remains the same as it was prior to your remand into custody in these proceedings, notwithstanding progress you have since made.

You are not however an offender upon whom the imposition of a life sentence is necessary.

In your case an extended sentence is appropriate given the risk you currently present as I assess it to be, having heard your evidence at trial. That evidence was completely rejected by the jury and illustrates you as being in denial in relation to the risk your willingness to buy and sell firearms currently represents.

The licence provisions within a determinate sentence do not in my view properly address the risk you present, and thus an extended period of licence is appropriate in your case.

Sentences

I have already set a timetable for confiscation proceedings. I expect all defendants to provide a Section 18 statement by the 25th September 2025. The first hearing in those proceedings will be a mention hearing on the 27th February 2026.

I make a destruction and forfeiture order in respect of the AK47 machine gun, ammunition and magazines for the gun recovered by the police in these proceedings on the 6th June 2020. I understand these items will not form part of the confiscation proceedings. Other ancillary orders will await the outcome of the confiscation proceedings.

Custodial sentences will be imposed upon each of the defendants. Some of the defendants will be subject to release on licence immediately or almost immediately given periods spent on remand or days accumulated by being subject to a qualifying curfew. I shall outline qualifying curfew days where appropriate when sentencing.

The applicable remand days can be calculated by the prison authorities and provided to each defendant without this case being further listed in Court.

Once a defendant is released on licence they must abide by conditions of licence and not offend whilst on licence. If they do not abide by conditions of licence or they re-offend they will be liable to recall to custody throughout their licence period.

The time a defendant will spend in custody prior to either being considered for release on licence or release itself will depend upon the type of sentence I am about to impose. The defendants will be notified as to this date in accordance with policy issued by the Home Office relevant to the offence they are to be sentenced for.

Jamie Rothwell – The conspiracy to supply cocaine has a starting point of 24 years in your case which is increased to 25 years to reflect aggravating features before being reduced to 24 years applying mitigation available to you. This sentence is reduced further to 18 years to reflect credit for plea and then the principle of totality. There will be a concurrent sentence of 6 years imposed upon you in relation to the conspiracy to supply ketamine.

The firearms conspiracy in your case has a starting point of 18 years which is increased to outside the category range to reflect the two conspiracies to inflict grievous bodily harm with intent for which you also fall to be sentenced together with other aggravating features.

The aggravated figure is a sentence of 25 years which I will reduce to 21 years to reflect firstly credit for plea and then totality. There will be an extended period of licence added to that sentence of 4 years making a total sentence of 25 years. I shall impose no separate penalty upon you in the circumstances for the ammunition conspiracy.

In relation to the two conspiracies to inflict grievous bodily harm with intent I shall impose determinate sentences of 10 years which will run concurrently to the sentence imposed for the firearms conspiracy – as I have explained these all form part of the same series of offences.

The sentences imposed within the two sets of conspiracies (the drugs and the firearms conspiracies respectively) will run consecutively to each other making a total sentence in your case of 43 years.

I direct that you serve the 18 years sentence for the drugs conspiracy first before then serving the extended sentence of 25 years, that sentence having a 21 year custodial element with 4 years of extended licence thereafter.

The days you have spent on remand in these proceedings will count in their entirety towards the sentence I have imposed upon you.

James Close – The starting point in your case for the conspiracy to supply cocaine is 20 years which I increase to 22 years to reflect aggravating features, before reducing to 18 years taking into account mitigation available to you. No separate penalty will be imposed for the conspiracy to possess criminal property.

The starting point in your case for the firearms conspiracy is 14 years which I increase to 16 years to reflect aggravating features before reducing back to 14 years in respect of totality. That sentence will have an extended period of licence of 4 years producing a custodial sentence of 18 years. A concurrent sentence of 4 years will be imposed for the ammunition conspiracy.

The sentences imposed within the two sets of conspiracies will run consecutively to each other making a total sentence in your case of 36 years. I direct that you serve the 18 years sentence for the drugs conspiracy first before then serving the extended sentence of 18 years, that sentence having a 14 year custodial element with 4 years of extended licence thereafter.

The days you have spent on remand in these proceedings will count in their entirety towards the sentence I have imposed upon you.

Callum Morris – There will be a starting point in your case in relation to the conspiracy to supply cocaine of 15 years which will be increased to 17 years to reflect aggravating features but then reduced to 14 years to reflect the mitigation available to you. There will be no separate penalty imposed upon you in relation to the conspiracy to possess criminal property.

The firearms conspiracy in your case has a starting point of 14 years but this must be significantly increased to outside the category range to reflect your conviction for conspiracy to murder.

The aggravated figure is 23 years which I will reduce to 20 years to reflect mitigation and totality. To that sentence I add an extended period of licence of 4 years making a total custodial sentence of 24 years.

The same sentence will be imposed upon you concurrently in respect of the offence of conspiracy to murder and there will be no separate penalty imposed in relation to the ammunition conspiracy in your case given these sentences. The conspiracy to murder forms part of the same series of offences as the firearms conspiracy

The sentences imposed within the two sets of conspiracies (the firearms and drugs conspiracies respectively) will run consecutively to each other making a total sentence in your case of 38 years.

I direct that you serve the 14 years sentence for the drugs conspiracy first before then serving the extended sentence of 24 years, that sentence having a 20 year custodial element with 4 years of extended licence thereafter.

The days you have spent on remand in these proceedings will count in their entirety towards the sentence I have imposed upon you.

Craig Makinson – The starting point for the conspiracy to supply cocaine in your case is 22 years. Aggravating features in this case increase that to a sentence of 24 years before your mitigation (including credit for the guilty pleas you entered) reduces the sentence to 20 years.

There will be concurrent sentences imposed upon you of 8 years for the other two drug conspiracies which relate to the supply of heroin and amphetamine respectively. No separate penalty will be imposed in relation to the conspiracy to possess criminal property.

As to the firearms conspiracy, the starting point is 14 years in your case which is increased to 16 years to reflect aggravating features before being reduced back to 14 years to reflect totality.

That sentence will be an extended sentence with an extended licence period of 4 years making a total custodial sentence of 18 years. There will be a concurrent sentence of 4 years in respect of the ammunition conspiracy.

The sentences imposed within the two sets of conspiracies will run consecutively to each other making a total sentence in your case of 38 years. I direct that you serve the 20 years sentence for the drugs conspiracy first before then serving the extended sentence of 18 years, that sentence having a 14 year custodial element with 4 years of extended licence thereafter.

The days you have spent on remand in these proceedings will count in their entirety towards the sentence I have imposed upon you.

Zac Rourke – Dealing first with the conspiracy to supply cocaine, the starting point is 18 years which is increased to 22 years to reflect the aggravating features of your case. I shall reduce that back to 18 years to reflect your personal mitigation which I reduce further to 12 years applying credit for your guilty plea. There will be a concurrent sentence of 5 years imposed in relation to the ketamine conspiracy and no separate penalty imposed in relation to the conspiracy to possess criminal property.

Turning to the firearms conspiracy, the starting point is 9 years which is increased to 10 years to reflect aggravating features and then reduced to 9 years to reflect totality. I reduce that sentence further to 6 years to apply credit for plea. There will be a concurrent sentence of 3

years in respect of the ammunition conspiracy making a total sentence of 6 years for those two offences.

That 6 year sentence will run consecutively to the 12 year sentence I have imposed upon you in relation to the drug conspiracies giving a total sentence in your case of 18 years. The days you have spent on remand in these proceedings will count in their entirety towards that sentence.

Terence McDonagh – the starting point for your offending within the firearms conspiracy is 8 years. This is increased to 9 years to reflect the aggravating features in your case but then reduced back to 8 years to reflect your personal mitigation. There will be a concurrent sentence of 4 years in respect of the ammunition conspiracy making a total sentence in your case of 8 years.

You have been on remand throughout these proceedings. Each day you have spent on remand will count towards the sentence I have imposed upon you – those days to be calculated by the prison authorities. I anticipate you are likely to be released on licence shortly.

John Stankus – the starting point for the conspiracy to supply cocaine in your case is 8 years. This is increased to 9 years to reflect the aggravating features of your case. I reduce this sentence further to 6 years to reflect your personal mitigation. In relation to the conspiracy to supply amphetamine there will be a concurrent sentence imposed upon you of 4 years imprisonment, meaning the total sentence in your case is one of 6 years.

The period of time you spent on remand will count towards this sentence, as calculated by the authorities and a further 900 days will be credited to the sentence by way of time spent on qualifying curfew.

Scott Davies – in relation to the conspiracy to supply cocaine the starting point is 9 years, This is increased to 12 years to reflect the aggravating features in your case which I then reduce to 10 years by application of the personal mitigation available to you. The sentence is then reduced to 8 years 6 months to reflect credit for plea.

So far as the conspiracy to supply heroin is concerned, there will be a 6 year sentence imposed upon you having applied credit for plea – that sentence will run concurrently to the sentence I have just imposed upon you in relation to the conspiracy to supply cocaine.

This means your total sentence is 8 years and 6 months. In your case there are remand days to be credited to you, to be calculated by the authorities and additionally 914 days will count towards your sentence given the time you have spent on qualifying curfew.

Andrew Ackers – in relation to the conspiracy to supply cocaine the starting point is 10 years. This is increased to 14 years to reflect the aggravating features of your case but is then reduced to 12 years to reflect your personal mitigation. You may have credit for your guilty pleas which reduces this sentence to 10 years and 2 months. There will be no separate penalty imposed in relation to the conspiracy to possess criminal property.

There are remand days to count in your case to be calculated by the authorities and there are a total of 912 qualifying curfew days which will also count towards your sentence.

John Moore – in relation to the conspiracy to possess criminal property, the starting point is 15 months. This is increased to 20 months to reflect the aggravating features in this case but reduced to 14 months to reflect mitigation available to you including the credit for plea you may

have for your guilty plea to the offence of participating in the activities of an organised crime group. That offence will attract no separate penalty.

There are remand days to count towards your sentence and 517 days by way of qualifying curfew. I anticipate you will be released from this custodial sentence today given these features of your case.

Finally – I recognise that these proceedings have benefited from the efficient, conscientious and highly effective work of the officer in this case – former DS Colin Shackleton now of the National Crime Agency .

I had the benefit of hearing evidence from Mr Shackleton in the course of one of the two trials I presided over. His evidence was concise, helpful and displayed an encyclopaedic understanding of the evidence in this case which had obvious technical nuances. I am in no doubt the jury in that trial would have been greatly assisted by his testimony.

I have no hesitation at all in commending Mr Shackleton for his role in these proceedings.

I thank him for his help and extend my thanks to all counsel and lawyers in this case. I am most grateful to you all for the assistance you have provided me with.

HHJ John Potter

Manchester Crown Court (Crown Square)

14th August 2025.