

In the Central Criminal Court

R v Declan George Candiani

Sentencing remarks – HHJ Nigel Lickley KC

28 November 2025

1. You are to be sentenced for two offences. After a trial you were found guilty of the possession of two documents that were likely to be useful to a person preparing an act of terrorism contrary to s.58(1) Terrorism act 2000.
2. You are 26 and have been supporting your terminally ill mother since your release from custody on 31 July 2025. You had been in custody since 14 August 2024 and under qualifying curfew since release on bail.
3. Any finding I make adverse to you I do because I'm sure that is I am satisfied to the criminal standard.
4. I have taken into account all that has been set on your behalf in writing and orally in court. I have read in full the pre-sentence report.

The facts:

5. On 13 August 2024 you were stopped by police at Stanstead airport. You were about to travel to Finland on holiday with your partner. Your mobile phone was seized from you and examined and as a result of some of the documents found you were arrested on suspicion of terrorist offences. You interviewed under caution and your home address was searched. An iPad at your home was seized and examined by the police.
6. As a consequence of the examinations of your devices material was found and while some were regarded as perfectly innocent political or philosophical texts material was found containing extreme right wing beliefs and material advocating the use of violence to achieve white supremacy. The two documents with which I am concerned today were

found as part of that exercise. To prove the offences it was not necessary for the prosecution to prove that you had any terrorist intention or that you had distributed the information to other people or had any intention yourself to commit or prepare an act of terrorism. The jury had to be sure that you were in possession of material of a kind likely to be useful, that is of practical assistance, to a person committing or preparing acts of terrorism and that you are aware of the kind of information within the document. It was enough for the prosecution to prove that you knew of the nature of the material which it contained.

7. In this case the two documents with which I am concerned, were downloaded by you from the mainstream Archive.com website on 6 June 2024 on 25 June 2024. There is no suggestion that you distributed any of the material to any other person, did not discuss the contents with any other person by any medium and there is no evidence that you ever revisited either document after you had downloaded it. You were therefore in possession of the items for approximately 2 months.
8. The jury found you not guilty in relation to two other documents that had been downloaded but stored in inaccessible areas.
9. The material:
 - (i) Count 1: C18's guide to ZOG oppression. C18 or Combat 18 were an international group of white supremacists prominent in the 1990s. The numbers 1 and 8 are derived from the 1st and 8th letters of the alphabet being letters A and H and as a consequence are associated with Adolf Hitler. ZOG Stands for 'Zionist occupied government'; a white supremacist belief declares that certain world governments are secretly controlled by Jews who are referred to as Zionists. The document sets out the duties and obligations of national socialists being to fight for their race and cause. Covert action is advocated and direct action involving lone wolf acts are mentioned. Techniques to avoid detection are referred to. The prosecution case is that the document provides the reader with suggestions, knowledge, and tips of how to carry out criminal offences which could include terrorist offences and guidance as to the best way to avoid apprehension. Given some of the references the document is of some age and may well have been written around 2000.

The agreed evidence was that this document was also found on your iPad. That may have been as a result of the devices synching. However the document with a different file name was within the Quick Look cache of your iPhone having been created on the 27 December 2023. That supports action by you to locate the document some months before June 2024.

You said in evidence you must have downloaded the document by accident, did not recall opening it and it was not of interest to you because it was not related to satanic groups or a cult. You accepted knowing about Combat 18.

- (ii) Count 3: Hater's Handbook, third edition Commander Butcher aka Michail Chkhikvishili and MMC Collective aka the 'Manic murder cult'. This is an international extremist group adhering to neo-Nazi accelerationist ideology promoting violence against racial minorities. The document encourages school shootings, denies that rape is real and describes weapons of accelerationism including physical and cyber weapons. Chapter 10 is entitled 'NLM X MMC Murder guide' and contains sections including truck attacks and the selection of vehicles, weapon guides and terrorist tactics, advocating trucks filled with explosives, ramming crowds, mass shootings and nail bombs. The next section gives advice on traps, poisons for untraceable unlimited murders. An earlier version of this document was found in the quick look cache dated 30 October 2023.

You accepted that you downloaded the document. You said you had seen it discussed on a chat but had not opened it up. You said it was not familiar to you and you did not know it was saved on your device. You said you downloaded the document inadvertently. You accepted looking at it in the quick look preview function but did not remember reading the whole document or remember everything about it. You said you were not interested in the idea of killing people and said you did not want to know about how to carry out an attack or get away with hurting someone it was not something you were interested in.

10. The background:

Examination of your devices revealed that from at least February 2024 you had accessed material because you adopted an extreme far right mindset:

- (i) You tattooed your body with Adolf Hitler symbols and began watching programmes about massacres and mass shootings.
- (ii) You downloaded a DIY instruction guide for making a sheet metal firearm on 14 April 2024.
- (iii) You used an encrypted messaging service Telegram and adopted the name Ian Stewart 88 in reference to the founder of a neo nazi group that the British government imposed financial restrictions upon having had reasonable grounds for believing that they had been involved in terrorist activities. You joined groups via this Telegram service.
- (iv) 20 May 2024 you and your partner talked about being nazi's.
- (v) 6 June 2024 you downloaded the 'Combat 18 guide' count 1.
- (vi) 25 June 2024 you downloaded the 'Haters handbook' count 3.
- (vii) 28 June 2024 you joined, via Telegram, the Order of the 9 Angles or 'ONA Middle school'. This is a group connected to extreme right-wing views and satanism.
- (viii) 30 June 2024 your partner told you in a message that she '*loved 9/11*'. You replied '*They don't make terrorist attacks like that anymore lool*'. The conversation continued with her asking you if you were a Nazi? You replied '*I find them very interesting, and I do have a certain obsession with them and the Japanese of WW2 but I feel highly misanthropic and hate a lot of white people so I wouldn't say so*'.
- (ix) From that date that prosecution established that you continued to download material relevant to your mindset including an image of the weapon used by an extreme right-wing terrorist in 2019 who carried out a mass murder in New Zealand. You continued to download material including a copy of *Mein Kamph* and the *White man's Bible*.
- (x) 21 July 2024 You sent racist and violent images to the ONA middle school via Telegram including an image of a badly mutilated black male. Two days later you searched on the Internet for '*death worship extermination mass*'. Other material was accessed as set out in the timeline used at trial.
- (xi) 4 August 2024 via Telegram you reached out to Active Club England saying you were interested in joining and how could you go about participating. You received a reply that day asking you questions including why did you want to join? And, if

you had any skills or experience that might be useful. You replied on 6 August 2024 giving your age and stating that you wanted to join *'because I'm fed up with being inactive and want to do something to help my race and nation. I have experience with weightlifting combat and nutrition.'* You were asked to join a telephone call to discuss the matter further however you did not respond, and no further contact was made prior to your arrest. The jury were told their Active clubs are right wing extremist groups generally made-up of men who hold white nationalist and white supremacist ideologies. The prosecution evidence was that it was unknown how active clubs are intending to achieve their goals.

(xii) Other material of a similar type was found.

11. Other evidence. The prosecution accepted that the examination of your devices discovered 1.5 million digital files on your iPhone and 250,000 digital files on your iPad. The material was made up of downloads, web searches, web history, calls, WhatsApp messages and messaging via Telegram. The two documents in this case should be assessed in the context of that vast amount of material and internet activity.

12. When your bedroom was searched Nazi memorabilia and a Japanese WW2 flag were recovered. You had written 'kill, kill, kill' on a box.

13. Your account: You provided your phone PIN and answered questions in interview. In evidence, although denying the offences, you maintained your earlier account that you had become interested in satanism and the occult from the age of 16. You began to consume alcohol then cannabis, cocaine, ecstasy, ketamine and LSD. In summary that interest in satanism, your mother's illness and your depression took you along a route towards the material found. You were, despite your suggestions of bad health, working at the time as a duty manager of a theatre in Clapham and you did night security work. You accepted the ONA group had a crossover with extreme right wing thinking. You were introduced to other material you described as outlandish and provocative.

14. The sentencing guideline: The collection of Terrorist information guideline was effective from October 2022. I am required to assess your level of culpability and harm according to the guideline. I am then to make upward and downward adjustments to

appropriate sentence starting points for aggravating and mitigating factors I find proved.

15. Culpability: It is agreed by counsel that category A does not apply. I agree and need not say more. The point of contention concerns categories B and C where the distinction is whether or not you had terrorist connections or motivations. Thornton J in *R v Niinimäe* [2025] EWCA Crim 984 stated that the guideline does not define the terms and does not impose temporal restrictions.
16. I have considered the submissions made. I am not sure you had terrorist connections. The facts in this case are very different to *Niinimäe*. The short-lived link to Active Club England is not sufficient. I am also not persuaded that you were motivated in the sense required. I conclude the material was a peripheral part of a wider interest in far-right extremist and satanic material however racist, repugnant, distasteful and offensive your interests were. Accordingly, the level of culpability is level C. I am not persuaded to consider the other mindset material as capable of meaning upward movement in the guideline. I agree with Mr Jamieson that the criteria require consideration of specific issues that is connection and motivation. The background however can be reflected as Miss Dommett agreed as an aggravating factor.
17. Harm: I have considered the submissions. In my judgement the material in count 1 falls within the category of material described in *Niinimäe* that was regarded as capable of being of use to a terrorist but not specific and therefore falls within category 3. It is information that is not instruction for specific terrorist activity and is capable of being used for other unlawful activity. The harm level is category 3. Accordingly the sentence starting point is 1 years custody up to 2 years.
18. The document in count 3 is different. Within that document a terrorist would find specific information regarding the type of and methods necessary to carry out a mass murder terrorist attack. Absent connections or motivations and your lack of access to the document after downloading, I am persuaded that the harm level is category 2 because the material provides instruction for specific terrorist activity endangering life but harm is not very likely to be caused given the facts of this case. In other words, it is

not very likely that this copy of this document will be used for terrorist activity. Accordingly, the sentence starting point is 1 year 6 months custody up to 3 years.

19. Pre-sentence report: Your report is dated 24 November 2025. Having discussed the case with you the author of the report said it was difficult to come to any firm conclusions in respect of your true feelings. Your offending was thought to have coincided with a period of turbulence in your life given your mother's illness and your mental health difficulties which were perhaps caused by your use of drugs and alcohol. Your offending was described as not impulsive and you were considered in what you were doing. Later your offending was described as more planned and considered.
20. The author said they found it difficult to believe that you were not aware that some of the content was illegal given how informed you are about everything else. It was said that your true level of risk is only likely to become clear after further exploration with specialist workers. No concerns were expressed in relation to your level of maturity.
21. Under the heading 'lifestyle and associates' the author said they found it difficult to align how you describe yourself namely, as having no friends, being introverted and struggling with communication with your background. You went to the BRIT school of performing arts, had intimate relationships and held down customer facing employment. The author said *'It therefore seems he is either good at masking his difficulties or there are two sides to him'*. Later in the report the author said *'it is difficult to get a sense of his underlying attitudes. He carefully presented himself as having no racist, Islamophobic, anti-Semitic or transphobic attitudes. However his offending and the contents of his bedroom would suggest otherwise. Is therefore difficult to get a sense of what he really thinks and this would perhaps take time'*.
22. Assessments were conducted as to your likelihood of reoffending. You're assessed as posing a low risk of general reoffending, re conviction and serious offending within the next two years. You are assessed tentatively, being the word used by the probation officer, as posing a high risk of serious harm to the public.
23. Medical evidence: You had been prescribed anti-depressant medication in 2024 shortly before your arrest having had suicidal thoughts, low mood and insomnia. The agreed

psychiatric evidence was that you suffer from a mild personality disorder or personality traits. The disorder was considered mild in your case because you completed higher education. It was agreed that you have traits of an emotionally unstable personality disorder. The doctors agreed there is no evidence you lacked agency over your actions at the time of offending that is you were able to initiate and control your actions. The medical evidence is not said to and does not reduce your culpability in my judgement. You are intelligent and knew what you were doing.

24. Aggravating and mitigating factors.

- (i) Aggravating factors: The offences are aggravated by your use of the encrypted messaging App Telegram.
- (ii) The background mindset material aggravates you offending to an extent. It puts the offending into a context. It is right that it reflected because this is not a case of a person with no other interests downloading the type of document with which I am concerned.
- (iii) Mitigating factors:
 - (a) Change of mindset. I have read your letter to me. I note you want to take more steps to make sure you do not go down the path you did in 2024 again. You have said you have benefitted from counselling. You may well have now seen the error of your ways and rejected satanism and far right ideologies. You are now a pagan and believe in Norse gods. However, this case and your criminality is about your thinking and behaviour in 2024. Over a period of months and unknown to others who knew you well your beliefs led you to committing these serious crimes. As has been said you knew what you were doing. I accept you are remorseful.
 - (b) Your mother's illness. Your mother was diagnosed in 2023. She has stage 4 advanced colorectal cancer. Your mother was undergoing radiotherapy. She is described in the letter from the Royal Marsden hospital of 18 September 2025 as generally in good health however her treatment has side effects. I

have been told her treatment is now palliative. You help your mother in providing support both physically and psychologically despite your difficult relationship. When you were in custody your mother relied on friends to help her.

- (c) Your lack of previous relevant convictions. Your earlier offence of affray can be discounted.
- (d) You have been subject to very strict conditions of bail and have not sought out similar material and complied with the conditions imposed.
- (e) I have read the letter from your mother and Danuta Mayer. I have noted what they have said about your upbringing, character and how you have been while on bail. I have noted the progress you have made as set out in the letter from the health and wellbeing coach to change your mindset and behaviours.
- (f) I note that at a time of significant events in the UK in 2024 you did not engage in commentary with others.
- (g) I note the time frame that the offences were committed within and as I have said the lack of repeat viewing and distribution.
- (h) I, add for completeness, am not persuaded that your age and maturity level mitigates your offending. You are intelligent and you made the decisions you did knowing what you were doing.

25. Decision:

Your offending in 2024 is of a type where it is right to be concerned about you and the future. Your accessing and downloading of material likely to assist a person planning a terrorist act was deliberate and part of your interest in mass killings, death and extreme right-wing views. You were deeply immersed in truly horrifying belief systems and associated material. You joined groups to discuss such things and albeit for a short time contemplated joining a far-right group in the UK. The material was on your devices. It

had not been removed. To act in such a way can only be regarded as very serious and very concerning. Fortunately, you were stopped. It is accepted on your behalf that not all future risk is extinguished.

26. I have taken all that has been said on your behalf. I acknowledge the effect my decision will have on your mother. I have a public duty however to pass an appropriate sentence. In my judgement the offending in this case is so serious that immediate imprisonment is required. I come to that decision because of the offending itself and because there is much about you that remains unknown as the pre-sentence report identifies. I have made appropriate upward and downwards adjustments for aggravating and mitigating factors.
27. The sentence I will pass, taking into account the time you have served on remand will mean a further period in custody. You will be released at some stage and because of the sentence you will be eligible for specialist interventions aimed at assessing and minimising risk. I have considered totality and will pass a sentence that is just and proportionate.
28. I add the sentence does not qualify for consideration as an extended sentence due to the duration. Similarly, because of the duration suspension is not possible see *R v John [2022] 1 WLR 2625*.
29. The sentences. Count 3 is the most serious offence given the sentence starting points. I will aggregate the overall sentence onto that count as the lead offence. I will pass a concurrent sentence on count 1. Both of your offences fall within s.278 of the SA 2020. I am required by that section to impose on you a special custodial sentence for offenders of particular concern which will combine the custodial period and an extended licence period of one year in relation to each count.
30. The sentence on count 3 will be a custodial sentence of 23 months' imprisonment plus one year of licence resulting in a special custodial sentence of 35 months. The sentence on the count 1 will be a custodial sentence of 10 months' imprisonment plus one year of licence resulting in a special custodial sentence of 22 months. That sentence will run concurrently to count 3.

31. The effect of this is that you will serve two-thirds of your total custodial term in custody before your case is referred to the Parole Board for consideration of whether and on what terms it is safe for you to be released. Whatever view the Parole Board takes, you will be entitled to release as of right no later than the end of the custodial term, which in your case is 23 months. At whatever point you are released you will then serve the remainder of the custodial term (if any) and the additional licence period of one year in the community on conditional licence and subject to supervision. You must abide by the conditions of your release, or you will be liable to serve the full sentence in custody.
32. The time you have served in custody and the qualifying curfew will count towards the custodial elements of the sentences.

Notification requirements. Because of the sentence I have imposed the provisions of s.45 and pt. 4 of the Counter Terrorism Act 2008 the notification requirements apply.

The appropriate Surcharge order will be drafted.

HHJ Nigel Lickley KC

28 November 2025