



Regulation 28: REPORT TO PREVENT FUTURE DEATHS

NOTE: This form is to be used **after** an inquest.

	<p>REGULATION 28 REPORT TO PREVENT DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>1 [REDACTED] Attorney General of England and Wales</p> <p>2 [REDACTED] Director of Public Prosecutions</p>
1	<p>CORONER</p> <p>I am Darren STEWART OBE, HM Assistant Coroner for Surrey for the coroner area of Surrey</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 17 September 2021 I commenced an investigation into the death of Garry MILLS aged 46.</p> <p>The investigation concluded at the end of the inquest on 02 February 2026.</p> <p>The conclusion of the inquest was:</p> <p>Narrative Conclusion - Gary MILLS was a much loved and desperately missed member of his Family. His Family recalls him as a loving, caring, proud husband and father who placed his family's interests above his own.</p> <p>On the 8th September 2020 Mr. MILLS was arrested in relation to a Police investigation concerning activity which Mr. MILLS was alleged to have coordinated online, including on the dark web. He was interviewed by Police and released on Police bail on the 9th September 2020.</p> <p>On the 28th September 2020 a financial restraint order was placed on Mr. MILLS and which imposed a £250 pound limit on weekly living expenses for Mr. MILLS and his Family.</p> <p>Mr. MILLS subsequently suffered from considerable anxiety and stress and he experienced feelings of failure and hopelessness which he expressed to his family and therapist.</p> <p>In July 2021 Mr. MILLS was advised that the Police investigation was unlikely to be completed before mid-2022 and his family noted that this adversely impacted on his mood, stress levels and anxiety.</p> <p>On the 6th September 2021, Mr. MILLS seemed his usual self and was last seen around 11.30 hours by a family member. He was observed on security cameras departing his residence at 11.56 hours.</p> <p>Concerns were raised by his wife when he failed to collect their son from school that afternoon which was out of character for him.</p>



Subsequent Police enquiries lead to Mr. MILLS being found at a business premises in [REDACTED] at around 1750 hours later that day, 6th September 2021.

[REDACTED] His death was verified at the scene. A subsequent Police investigation revealed no evidence of third-party involvement or suspicious circumstances in relation to the death.

[REDACTED]

The restraint order, which had the effect of significantly impacting on Mr. MILLS and his family's standard of living, along with the time he had been subject to Police investigation weighed heavily on Mr. MILLS and is likely to have influenced the actions he undertook on the 6th September 2021.

Gary MILLS took his own life whilst suffering from the effects of stress and anxiety.

The medical cause of death was confirmed as:

[REDACTED]

4 CIRCUMSTANCES OF THE DEATH

Narrative Conclusion see Part 4

5 CORONER'S CONCERNS

During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths could occur unless action is taken. In the circumstances it is my statutory duty to report to you.

The **MATTERS OF CONCERN** are as follows:

Mr. MILLS was subject to a Restraint Order on all his assets made under the Proceeds of Crime Act (POCA) 2002. In circumstances where this occurs, the Restraint Order should contain an exception allowing the person subject to the Order to make expenditure from their assets on their reasonable living expenses and those of their dependents. The relevant provision under POCA is Section 41 (3).

'Reasonable living expenses' is not specifically defined within the legislation, those applying the provisions of Section 41 (3) rely upon guidance issued by either the National Crime Agency (NCA) (in the case of Financial Investigators) or the Crown Prosecution Service (CPS) (for prosecutors presenting proposed Restraint Orders to the Crown Court).

For Financial Investigators, NCA training material disclosed at the Inquest sets out NCA guidance in respect of confiscations and restraint. Parts of this training material have been updated with effect 3rd April 2020. Guidance for CPS Prosecutors is contained within the document 'Practical Guidance for Lawyers on Drafting Restraint Orders from Precedent A or B'. This document sets out the sum of £250.00 per week as the usual minimum starting point to be put forward by prosecutors to the Crown Court (pg. 10 refers). Initial applications for Restraint Orders are prepared by Financial Investigators, submitted by CPS Prosecutors and issued by the Crown Court without the subject of the Restraint Order being aware due to concerns over potential concealment, removal or destruction of assets.



The Inquest heard that as a consequence of this guidance, the initial Restraint Order will typically be issued with the exception of £250.00 per week made for reasonable living expenses. This was the case for Mr. MILLS. Provision exists for this amount to be varied, however the Inquest heard that the process is understandably challenging and requires specialist legal representation if it is to have any chance of success. Due to the terms of the Restraint Order, assets are specifically excluded from being realised to pay for legal representation. The Inquest heard evidence that although Legal Aid funding is available for defendants in criminal proceedings, applications to vary Restraint Orders is considered a non-criminal matter and therefore the provision of Legal Aid funding is rare. No application to vary the Restraint Order applicable to Mr. MILLS was made.

The sum of £250.00 per week has not been varied since 2009, despite considerable upward movement in the cost of living during the ensuing 17 years. Evidence heard at the Inquest was that no review of this figure has occurred since 2009.

In Mr. MILLS' case, he and his five dependants (his wife and four children) were to meet their reasonable living expenses from £250.00 per week, in part supplemented by Universal Credit payments.

I am concerned that the figure used by the CPS to set the minimum per week figure for reasonable living expenses (£250.00) and which is initially imposed in *ex parte* proceedings has not been reviewed since 2009. The almost universal use of this figure, unadjusted for inflation or broader cost of living increases, on the subject of the Restraint Order and their dependants, significantly impacts on their mental health and wellbeing which gives rise to a risk of death.

6 ACTION SHOULD BE TAKEN

In my opinion action should be taken to prevent future deaths and I believe you (and/or your organisation) have the power to take such action.

7 YOUR RESPONSE

You are under a duty to respond to this report within 56 days of the date of this report, namely by Juen 5, 2026. I, the coroner, may extend the period.

Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.

8 COPIES and PUBLICATION

I have sent a copy of my report to the Chief Coroner and to the following Interested Persons

Family of Gary MILLS
West Midlands Police
Cowans Solicitors [REDACTED]

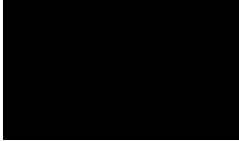
I have also sent it to

National Crime Agency

who may find it useful or of interest.

I am also under a duty to send a copy of your response to the Chief Coroner and all interested persons who in my opinion should receive it.



	<p>I may also send a copy of your response to any other person who I believe may find it useful or of interest.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest.</p> <p>You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response.</p>
9	<p>Dated: 10/04/2026</p>  <p>Darren STEWART OBE HM Assistant Coroner for Surrey for Surrey</p>