

Annex 3 - Recent Prosecution Cases (December 2017 to end of January 2018)

A number of prosecutions have been successfully concluded in recent months, arising from investigations conducted across the Shared Service.

Case	Court date	Offence(s)	Outcome
1	1.12.17	<p>On the 17th October 2017 the defendant pleaded guilty to 2 counts of illegal money lending, 1 count of money laundering, 1 count of possessing with a view to selling counterfeit goods and 1 count of perverting the course of justice. For over 20 years the defendant had traded as an illegal money lender whilst claiming benefits. A search of his premises revealed large amounts of counterfeit tobacco and cigarettes. It was estimated that in just the previous 3 years he had lent in cash loans approximately £61,000 per year. He charged his victims extortionate rates of interest on those loans.</p> <p>In sentencing the Recorder stated that during the 20 years of offending there had been approx. 160 victims and a £ ¼ million in terms of loans offered. He had brought a catalogue of misery by money lending and preyed on the vulnerable in the community. People who were desperate were tied into repeated indebtedness. He was claiming benefits whilst making a vast income from money lending. He had previous convictions for dishonesty and violence including the harassment of one of the debtors in the case. Furthermore after he was bailed he continued to collect money and attempted to get witnesses to</p>	<p>He was sentenced as follows:</p> <p>Count 1 (illegal money lending) 12 months imprisonment</p> <p>Count 3 (illegal money lending) 14 months consecutive</p> <p>Count 4 (money laundering) 3years 6 months concurrent</p> <p>Count 5 (Trade Marks) 4 months concurrent</p> <p>Count 6 (Perverting course of justice) 16 months consecutive</p> <p>This gave an overall custodial sentence of 3 years and 6 months. The 23 days that he had been tagged would count towards that figure. He will be released on licence after he has served half of that sentence.</p>

		<p>change their evidence or give false evidence. Looking at his reference he was clearly a 'Jekyll and Hyde' character.</p> <p>A Proceeds of Crime application was made and a timetable set.</p>	
2.	22.12.17	<p>The defendant was found to have in his possession for supply at a market a quantity of counterfeit branded goods and electrical equipment. In addition to the goods on display, large quantities of counterfeit goods (including hand rolling tobacco) were found in an ISO shipping container at the rear of the market, the contents of which belonged to the defendant.</p>	<p>The defendant pleaded guilty to offences under the Trade Marks Act 1994 of possessing with a view to selling counterfeit goods. He was fined £166 by the Magistrates. He was also ordered to pay costs of £280 and a victim surcharge of £30.</p> <p>A forfeiture application had already been granted by the court.</p>
3	22.12.17	<p>The defendant was found to be selling a large quantity of counterfeit designer goods alongside the defendant in case 2 above</p>	<p>The defendant pleaded guilty to offences under the Trade Marks Act 1994 of possessing with a view to selling counterfeit goods.. Magistrates imposed a fine of £120 ordered costs of £280 and a victim surcharge of £30 to be paid</p> <p>A forfeiture application had already been granted by the court.</p>
4	11.1.18	<p>The defendant, a company director, pleaded guilty to 11 offences under the Food Hygiene (Wales) Regulations 2006 concerning poor standards of food hygiene at her take away business. During two visits in November 2016 and May 2017, the following was established</p> <ul style="list-style-type: none"> • The business did not have a documented food safety management system which is required for 	<p>The Judge stated that this was an 'horrendously dirty restaurant' despite visits from the local authority and the advice and assistance they had given. However, having reviewed the company accounts it was clear that there were no assets and the director was in her own words surviving on tax credits. The company was fined a total of £3200, ordered to pay costs of £1660 and a victim surcharge of £40. Due to the company's poor finances, payment would be at a rate of £20 per week.</p>

		<p>all food businesses</p> <ul style="list-style-type: none"> • Pest control measures were ineffective and advice from the company's own pest control officer had not been followed resulting in mouse droppings throughout the premises including the food preparation areas • On both occasions, the company signed a voluntary closure agreement until cleaning works were carried out and pest control measures were implemented. 	
5	12.1.18	<p>Complaints were received from tenants about the conditions at two neighbouring properties that are owned by the defendants. Upon visiting the properties, officers found inadequate heating provision, lack of constant hot running water, poor kitchen facilities placing tenants at risk of excessively cold conditions, damp and mould hazard and food poisoning. They were found guilty of the following offences:</p> <p>Neither defendant attended court and the matters were proved in their absence in relation to eight offences against the first defendant</p> <ol style="list-style-type: none"> 1. Failing to comply with the requirements imposed by an abatement notice under section 80 of the Environmental Protection Act 1990 2. Two counts of failing to comply with the requirements of an Improvement Notice served under the Housing Act 2004 3. Two counts of failing to comply with the 	<p>The magistrates fined both defendants £660 for their first offence with no separate penalty for the others. They were also ordered to pay cost of £175 each and a victim surcharge of £66 each.</p>

		<p>requirements of a requisition for information under section 16 of the Local Government (Miscellaneous Provisions) Act 1976</p> <ol style="list-style-type: none"> 4. Failing to comply with the requirements of a requisition for information under section 16 of the Local Government (Miscellaneous Provisions) Act 5. Failing to obtain a licence for the carrying out of letting activities 6. Failing to obtain a licence for the carrying out of property management activities <p>A further three offences were proved against the second defendant as follows:-</p> <ol style="list-style-type: none"> 1 Failing to comply with the requirements of a requisition for information under section 16 of the Local Government (Miscellaneous Provisions) Act 2 Carrying out property management work in respect of that dwelling when they did not have a licence to do so 3 Carrying out property management work in respect of that dwelling when she did not have a licence to do so 	
6.	12.1.18	<p>The defendant, a taxi driver, pleaded guilty to one offence under the Local Government (Miscellaneous Provisions) Act 1976 for failing to return his vehicle licence private hire plate. In December 2016, the vehicle plate expired. In January 2017, the defendant informed the Shared Regulatory Service that he was not working, as a taxi driver anymore and therefore</p>	<p>The defendant was fined £150, ordered to pay costs of £150 and a victim surcharge of £30.</p>

		had to find the plate to return it. Following a number of letters requiring the return of the plate, the defendant signed a declaration of loss of the plate in April 2017. However, in June 2017 a vehicle owned by the defendant was seen in Cardiff with the expired plate secured to the rear of the vehicle.	
7	11.1.18	The Shared Regulatory Service had received numerous complaints of loud amplified music and shouting arising from a property. An officer witnessed the nuisance on the 2 nd December 2015 and subsequently the occupier was served with a Noise Abatement Notice. Following service of the notice further complaints were received and on 3 separate occasions in May 2017, June 2017 and July 2017 officers witnessed breaches of the Notice with amplified music and shouting emanating from the property. On the 30 th November 2017 the Notice was again breached and on this occasion a warrant was executed to enter the property and remove noise equipment	The defendant pleaded guilty to all four charges and was fined £120. In addition, they were ordered to pay £150 in costs and a victim surcharge of £30. A forfeiture order was made for the sound equipment.
8	19.1.18	The defendants failed to control their pet dog and consequently, it ran onto the driveway of a neighbour and bit him on the upper arm. The attack was unprovoked and was witnessed by the neighbour's wife who was 8 months pregnant at the time and their 4 year old son. The dog remained aggressive after the incident and the police were called. Subsequently the dog was signed into the care of SRS during which time it bit a member of kennel staff. The dog had a	The first defendant was fined £350, ordered to pay costs of £595 and a victim surcharge of £35. Her partner was fined £225, ordered to pay costs of £595 and a victim surcharge of £30. Both defendants must pay compensation of £250 each to their neighbour for the injury and trauma caused. Based on expert witness evidence, the Magistrates decided against a Destruction Order, a move supported by the Prosecution, and imposed instead a Contingency Destruction

		history of straying and showing aggression and in 2016 advice was given by the Animal Warden.	Order requiring the dog to be kept under control, muzzled and in the care of a fit and proper person over the age of 16.
9	29.1.18	Work carried out by the defendant at two properties was found to be substandard and incomplete. In one case the property was left in a dangerous condition as a result of a botched loft conversion, and in the case of a bathroom installation that was not completed, the owners were without hot water for a considerable length of time. In both cases, the residents had to spend more money to have the necessary remedial work done by other traders, the combined cost of which amounted to more than £30,000.	The defendant initially pleaded not guilty to all matters and the case was committed to Cardiff Crown Court for a trial. However he subsequently pleaded guilty to 8 offences under the Consumer Protection from Unfair Trading Regulations 2008 concerning his misleading and unfair commercial practices. He was later sentenced to 42 weeks imprisonment suspended for 18 months and a curfew was imposed on him between the hours of 7pm and 6am Costs were awarded in the sum of £2500 and a victim surcharge of £140.

In addition, the following Forfeiture Order was sought:-

Court date	Details	Outcome
12.1.18	In June 2017 during the UEFA Champions League Cup Final in Cardiff the Shared Regulatory Service discovered that a High Street bookmaker was offering to supply numerous items including footballs, scarves, t-shirts and keyrings bearing the various trademarks of Juventus FC, Real Madrid and UEFA. In total, 932 items were seized and later confirmed to be counterfeit. In interview, the bookmaker stated that the goods were intended as a free giveaway to celebrate the Champions League Final being held in Cardiff and that there was no intention for financial gain.	The Forfeiture Order was granted. The defendant subsequently accepted a simple caution.