

Control Order/TPIM comparison

CONTROL ORDER	TPIM
Annual Renewal	Permanent.
Instigated by the Home Secretary with the permission of High Court except in urgent cases	Instigated by the Home Secretary with the permission of High Court except in urgent cases
Made on the basis of reasonable suspicion of involvement in terrorism.	Made on the basis of reasonable belief of involvement in terrorism.
Control orders are indefinite: renewable every 12 months on unlimited occasions.	Initially for 2 years , but can be re-imposed (on unlimited occasions) on new 'evidence'.
High Court reviews an order after it is made; it can quash or revoke the order or a condition of the order on the basis the Home Secretary's decision was flawed.	High Court reviews each TPIM after it is made; it can quash or revoke ; and may direct that restrictions be replaced.
Closed proceedings and Special Advocates to examine secret evidence forming the basis of the Order, a hearing from which the 'controlee' and their lawyer are excluded.	Closed proceedings and Special Advocates to examine secret evidence forming the basis of the Order, a hearing from which the 'TPIM subject' and their lawyer are excluded.
Made "with a view to prosecution": <ul style="list-style-type: none"> Home Secretary asks chief officer of police if there is evidence for prosecution before making the order. Chief officer under a duty to secure investigation of 'controlee' in order to prosecute. 	Made "with a view to prosecution": <ul style="list-style-type: none"> Home Secretary asks chief officer of police if there is evidence for prosecution before making the order. Chief officer under a duty to secure investigation of 'TPIM subject' in order to prosecute and report back.
Breach of CO without reasonable excuse is a crime: max 5 years' imprisonment.	Breach of a TPIM without reasonable excuse is a crime: max 5 years' imprisonment.
Curfew (averaging 11.9 hours in 2010); electronic tagging.	Overnight residence requirement; electronic tagging.
Restrictions on communication and association.	Restrictions on communication and association.
Prohibited and vetted visitors, banning from particular places , no overseas travel ; restriction on bank accounts and more.	Exclusion from particular places ; overseas travel bans ; restrictions on bank accounts and more.
Forced relocation.	No longer available – ruled unlawful by the courts.