

## Control Order/TPIM comparison

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