

# Committal or Other Order upon Proof of Disobedience of a Court Order or Breach of an Undertaking

In the

UXBRIDGE

County Court

Between HE COUNCIL OF THE LONDON BOROUGH OF EALING

Applicant  
Claimant  
Petitioner

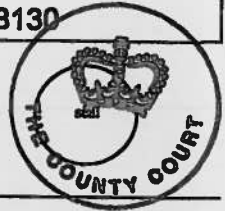
Claim No. <sup>Always quote this</sup> F00UB130

and ABDILLAH ADAN

Respondent  
Defendant

Before His (Her) Honour Judge/ District Judge DEPUTY DISTRICT JUDGE HUSSAIN

Sitting at UXBRIDGE COUNTY COURT, 501 UXBRIDGE ROAD, HAYES, MIDDLESEX, UB4 8HL ON (date) 10TH SEP 2019



- 1 ~~An application having been made by~~<sup>(1)</sup> ~~for disobeying the order (breach of the undertaking) dated~~ ~~and the allegations made by the applicant are recited on the attached notice to show good reason.~~ ~~or~~ ~~for committal of~~<sup>(2)</sup> ~~to prison~~ ~~The relevant terms of the order (undertaking)~~
- 2 Whereas<sup>(2)</sup> ABDILLAH ADAN has been suspected of a breach of the attached order dated 29TH MAY 2019 and has been arrested by a constable and brought before the Judge under section 47(6) of the Family Law Act 1996/section 43 of Crime and Policing Act 2009. ~~or~~
- 3 Whereas<sup>(2)</sup> ~~has been suspected of a breach of the attached order (undertaking) dated~~ ~~and has been arrested under a warrant of arrest and brought before the Judge under [section 47(6) of the Family Law Act 1996] [section 3(3) of the Protection from Harassment Act 1997], [section 44 of the Policing and Crime Act 2009].~~

## IMMEDIATE CUSTODIAL ORDER

It is ordered that<sup>(2)</sup> ABDILLAH ADAN be committed for contempt to Her Majesty's Prison (be detained under section 9(1) of the Criminal Justice Act 1982) at<sup>(3)</sup> HM PRISON for a (total) period of<sup>(4)</sup> FIFTEEN WEEKS or until lawfully discharged if sooner, and that a warrant of arrest and committal be issued forthwith.

And the contemnor can apply to the (court) (judge) to purge his contempt and ask for release.

~~[And, as the court by order dated~~ ~~dispensed with service of the notice of application for a committal order,~~ ~~it is ordered that the contemnor be brought before a judge of this court as soon as practicable.]~~

## ALTERNATIVE DISPOSAL

~~It is ordered that~~<sup>(2)</sup> ~~be committed for contempt to prison for a (total) period of~~<sup>(4)</sup>

~~The order is suspended until~~ 20 ~~and will not be put in force if during that time the contemnor~~<sup>(2)</sup> ~~complies with the following terms:~~

~~And it is further ordered that in the event of non compliance any application for issue of the warrant shall be made to a judge (on notice to the contemnor)~~

~~It is ordered that~~<sup>(2)</sup> ~~be fined the sum of £~~ 20 ~~Such sum to be paid into the office of the court within 14 days of the date of this order.~~

~~It is ordered that consideration of the penalty for the contempts found proved be adjourned until~~ 20 ~~and may be restored for decision if during that time~~<sup>(2)</sup> ~~complies with the following terms~~ does not

## PROVISION FOR COSTS

~~And it is ordered that~~

Date

For record of service, hearing and contempts found proved, see next page

# RECORD OF SERVICE, HEARING AND CONTEMPTS FOUND PROVED

## At the hearing

(1) THE COUNCIL OF THE LONDON BOROUGH OF EALING [appeared personally] [was represented by solicitor/counsel] [did not attend]  
 (2) ABDILLAH ADAN [appeared personally] [was represented by solicitor/counsel] [did not attend]

The court read the affidavits of (Names)

Date affidavit(s) sworn

And the court heard oral evidence given by  
 Name(s)

And the court is satisfied having considered the facts disclosed by the evidence and/or admitted in court by him/her  
 that (2) ABDILLAH ADAN has been guilty of contempt of this court by disobeying the  
 order (breaking the undertaking) dated 14TH FEB 2019 by (and as set out in the attached schedule)

And for the particular contempt the  
 court imposed the penalty of:

1. PARAGRAPH 2 COMPLIANCE OF ORDER DATED 14/02/2019

1. ACTIVATION OF SUSPENDED  
 SENTENCE OF 29/05/2019

2.

2.



DDJ J.O.V.  
 10.9.19

## RECORD OF SERVICE

### Service of Injunction Order with Penal Notice Incorporated or Indorsed

(Order dated 20  
 (for substituted) (dispensing with) service)

Service proved by

☐ certificate of service  
 dated 20

☐ certificate of bailiff

☐ oral evidence of

### Service of Notice to show good reason in form N78 or Application for Committal N244

(Order dated 20  
 (for substituted) (dispensing with) service)

Service proved by

☐ certificate of service  
 dated 20

☐ certificate of bailiff

☐ oral evidence of

### Arrest under warrant of arrest

Respondent arrested on

by 23/08/2019

in accordance with a  
 warrant of arrest issued  
 on 14/02/2019

### Service of Immediate Custodial Order

I (name of Officer) SERCO- J. M. M. certify that I served the contemnor with a copy of this order by:

☒ delivery by hand to the contemnor before he was taken from the court building or other place of arrest to the place of detention  
☐ delivery by hand to the contemnor at (time) on (date) 20 at (place)

Where a suspended committal order is made, the applicant is responsible for service. (Rules of the Supreme Court Order 52 rule 7(2).)  
 Where there is suspended committal order or penalty is adjourned on terms, personal service is advisable.

The court office is open from 10 am to 4 pm Monday to Friday.

County Court at Uxbridge, 501 Uxbridge Road, Hayes, Middlesex, UB4 8HL

When corresponding with the court, please address forms and letters to the Court Manager and quote the case number.