

IN THE WORCESTER COUNTY COURT

Claim No. B00WR015

The Shirehall  
Foregate Street  
Worcester

Wednesday, 6<sup>th</sup> May 2015

Before:

DISTRICT JUDGE MACKENZIE

Between:

REDDITCH BOROUGH COUNCIL

Claimant

-v-

WAYNE SALTER

Defendant

Solicitor for the Claimant:

MR. BARNETT

The Defendant appeared in person  
Accompanied by P.C. Paul Kennedy

JUDGMENT APPROVED BY THE COURT

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APPROVED JUDGMENT

A

1. THE DISTRICT JUDGE: Mr Salter attends before me today having been arrested by the police at about 9.25 this morning for alleged breaches of the injunction order made on 8<sup>th</sup> January this year in this court. The injunction order includes an exclusion zone within Winyates, Redditch and within that exclusion zone is Ibstock Close, a property where Mr Salter's mother apparently lives. Mr Salter has admitted breaching the

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injunction order by attending within that exclusion zone on 19<sup>th</sup> April and 1<sup>st</sup> May this year. He did that because he wants to visit his mother and he considers the exclusion zone to be unfair.

2. The order was originally made on 8<sup>th</sup> January this year. It was served on Mr Salter on 12<sup>th</sup> January this year at a time when he was in custody for other matters. He was released from custody in March of this year, since which time Mr Barnett, representing Redditch Borough Council, tells me there has been no real substantive breach of the injunction save for these two technical breaches of being within the exclusion zone, but there is no indication that Mr Salter has caused any particular problem.

C

3. Let me explain this to you, Mr Salter.

D

THE DEFENDANT: Okay.

THE DISTRICT JUDGE: An order of the court is to be obeyed. It is not to be disobeyed simply because you do not think it is fair. If you do not think it is fair or reasonable you can make an application to the court to amend the terms of the injunction.

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THE DEFENDANT: Yeah, (*inaudible*).

THE DISTRICT JUDGE: But if you choose not to do that then you must obey the injunction. If you want to apply to the court to amend the terms of the injunction you can go to a solicitor or the CAB who will give you some advice how to go about that, but in the meantime you are to obey this injunction.

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THE DEFENDANT: Okay(?).

THE DISTRICT JUDGE: It continues in force until 8<sup>th</sup> January next year. For your two admitted breaches of this injunction I am going to make a suspended order for imprisonment. I am going to direct that you be sent to prison for 14 days concurrently for the two breaches of this injunction but I am going to suspend that for so long as the injunction runs; in other words until 8<sup>th</sup> January 2016. What that means in simple terms is this, if you breach this injunction again you will go to prison for 14 days...

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THE DEFENDANT: Okay.

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THE DISTRICT JUDGE: ...for the sentence I am imposing today, plus you may go to prison for a further period of time for the future breach.

THE DEFENDANT: Yeah, okay, (*inaudible*).

THE DISTRICT JUDGE: You understand that?

A THE DEFENDANT: Yeah.

THE DISTRICT JUDGE: You are free to go when you leave this room but, as I say, if you breach this again you will be straight to prison for 14 days.

THE DEFENDANT: Okay, yeah.

B THE DISTRICT JUDGE: All right?

THE DEFENDANT: Yeah, I understand(?).

THE DISTRICT JUDGE: If you want to apply to amend this injunction—

C THE DEFENDANT: Yeah, (*inaudible*).

THE DISTRICT JUDGE: —I suggest you go to the CAB or a solicitor. In the first instance, however, you might want to have a word with Mr Barnett. You might be able to agree with him the terms for amending this injunction by consent. If you can do that all well and good. If not, I suggest you go to the CAB or a solicitor.

D THE DEFENDANT: Yeah.

THE DISTRICT JUDGE: If you do neither of those two things do not breach this again—

THE DEFENDANT: Okay, (*inaudible*).

E THE DISTRICT JUDGE: —otherwise you will be seeing the inside of a prison again.

THE DEFENDANT: Okay.

THE DISTRICT JUDGE: All right?

F THE DEFENDANT: Yeah.

THE DISTRICT JUDGE: You are free to go. There is nothing else, Mr Barnett, is there?

MR. BARNETT: (*inaudible*)

G THE DISTRICT JUDGE: You are free to go. Thank you very much.

(*End of Judgment*)

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