

IN PUBLIC

Case No: HC14X03192

[2015] EWHC 2019 (QB)  
**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**

The Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Friday, 26 June 2015

BEFORE:

**SIR DAVID EADY**  
Sitting as a High Court Judge

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BETWEEN:

**QRS**

Claimant/ Appellant

- and -

**DANIEL CHARLES BEACH**

Defendant/ Respondent

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MR GODWIN BUSUTTIL appeared on behalf of the Claimant

MR D BEACH appeared on his own behalf

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**Judgment**

(As Approved)

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(Official Shorthand Writers to the Court)

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1. MR JUSTICE EADY: The nature of the contempts alleged and proved is set out in the judgment handed down on 22 May. There are, according to my calculation, thirteen instances proved on the first application, dated 10 December, and three in relation to the second application, dated 14 April.
2. Every opportunity has been given to you since January of this year to comply with the orders made but there has been defiance at every stage.
3. You were also given the opportunity to attend yourself, to be represented by a lawyer or to serve relevant medical evidence on the issue of what, if any, penalty should be imposed.
4. In the end, on 22 May, 1 June, 12 June and 19 June, the court was left with no alternative but either to impose a penalty in your absence or to have you arrested and brought before the court to give yet another opportunity to make representations.
5. As to the penalty to be imposed, there is no doubt that time and a gain the custody threshold has been reached and passed, but it would be necessary to give careful consideration to the question of whether any sentence should be suspended.
6. Potentially relevant to that issue would be whether or not there was any last minute change of heart and a willingness to try and comply with the orders and remove the websites in question, but no such mitigating factors have been advanced and I must now decide on the appropriate course to take.
7. Last week, following your arrest, you complained of ill health, were taken to hospital and then discharged yourself after about three quarters of an hour.
8. I will impose a penalty on each of the sixteen separate contempts to which I have referred, to run concurrently. The total sentence will be six months. Ordinarily you can expect to be released when half of that has been served. If there is no further offending, you would normally expect to hear no more of the matter. On the other hand if there is a further defiance of the court's order, then the rest of the sentence imposed could well be activated, quite apart from any separate penalty imposed in respect of the new offending.
9. You will pay £11,000 in respect of the costs incurred by the Claimants since 22 May.