

**IN THE COUNTY COURT**  
**AT NEWCASTLE-UPON-TYNE**

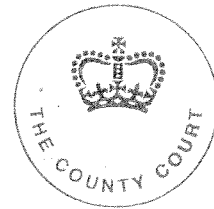
**Claim No. BO1NE272**

The Law Courts  
The Quayside  
Newcastle-Upon-Tyne  
NE1 3LA

Monday, 10<sup>th</sup> August 2015

Before:

**DISTRICT JUDGE MORGAN**



Between:

**NCC**

Claimant

-v-

**MR COLIN MARTIN**

Defendant

Solicitor for the Claimant:

MRS ATKINSON

Solicitor for the Defendant:

MISS BARRETT

**JUDGMENT APPROVED BY THE COURT**

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JUDGMENT

A  
DISTRICT JUDGE MORGAN:

- B  
1. Mr Martin, can you stand up please? You appear in front of me today for a fourth and a fifth breach of the order that was made as recently as 16<sup>th</sup> June of this year and you will recall that when you appeared before the court on 2<sup>nd</sup> July I was the judge who actually dealt with it on that day. I know that you were provided with a copy of the map which showed the area from which you were forbidden to enter because it was a matter that you raised with me and I am sure that you were provided with a copy of that map.
- C  
2. Immediately following your release from prison I have been told of two further breaches of you going into the exclusion area. On the last occasion you appeared before me I had explained to you that you were bound by the terms of the injunction order that had been made against you on 16<sup>th</sup> June, and that continues to be the case. When you were released I am told that your probation officer also explained to you again that you were bound by the terms of that order.
- D  
3. In terms of the mitigating factors that I have in front of me today, you have openly admitted, and it is to your credit and I give you credit for it, the fact that you have admitted the two further breaches but against the background that I have outlined, the aggravating factors are these are the fourth and fifth breaches, the fact that you have had confirmed to you that the order was still current not only by me but by the probation officer upon your release and I regard the two breaches as being deliberate breaches.
- E  
4. That is a situation that cannot be allowed to continue. I accept that in relation to the first breach there was no harassment as far as members of the public were concerned, but on the second you have admitted that you were shouting in the street. I have heard the explanation that has been given on your behalf, but I am satisfied that that was likely to cause alarm to other members of the public.
- F  
5. Because of the fact that we have two very rapid breaches immediately following your release, bearing in mind the sentencing guidelines, the only course of action that is open to the court today, having taken into account all the factors that have been put on your behalf, is a further custodial sentence. That custodial sentence will be for a period of three months on each of the two breaches, both to run concurrently. In other words you will serve a term of three months in all.
- G  
6. For the avoidance of doubt, the order will continue to run for the allotted period. I think it was an order which was to run until 15<sup>th</sup> June 2016. It will continue to run until that date upon your release.
- H  
7. So that is the order that I make today. Stand down. No order as to costs save for detailed assessment of your client's publicly funded costs.

MRS ATKINSON: Thank you, sir.

THE DISTRICT JUDGE: I will draw the order. I am very grateful for your assistance at short notice, Miss Barrett.

A MISS BARRETT: Thank you, sir.

*[Court adjourns]*

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