

IN THE COUNTY COURT AT WORCESTER

A00WR506.

Worcester Crown and County Court,
The Shirehall,
Foregate Street,
Worcester,
WR1 1EQ.

Thursday, 7th January 2016.

Before:

DISTRICT JUDGE MACKENZIE

Between:

WORCESTER COMMUNITY HOUSING

Claimants

and

MARK COLLINS

Defendant

MR WHITEHOUSE (*instructed by solicitors*)

appeared for the Claimants.

The Defendant appeared on his own behalf.

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JUDGMENT
(As Approved)

Thursday, 7th January 2016.

JUDGMENT:

JUDGE MACKENZIE:

- 01 Mr Collins, you have admitted the breach of this injunction. You did go to Chantry House on the afternoon of 6th January this year. That is in clear breach of the injunction that was made on 14th November 2014 as amended on 15th December 2014. You have acknowledged that you were served with those papers. You have acknowledged that you know you should not have gone there and you have clearly breached the Order. I do find you in contempt of court for breaching that Order.
- 02 I am sympathetic however to the excuse you have given to me. It is clear that your grandmother is elderly; you say she is suffering dementia, I have no reason to doubt that. You received a telephone call from her. Unwisely you responded to that call by going and seeking to help her. I have no reason to suppose that you were not doing that for the best of motives and I accept you *were* doing it for the best of motives. But given the background of this case you really must not go to this site. It causes concern to other members of the community and that is the whole reason for this injunction. It cannot be acceptable that you breach this injunction. If your grandmother is in difficulty and your own mother cannot help her, which would be the normal way in which she would be helped, then you really ought to find another way of helping by telephoning the warden, telephoning the police, telephoning an ambulance or whatever seemed appropriate in the circumstances, but you cannot go there while the injunction remains in place as it is.
- 03 It *may* be appropriate for you to have some discussions with Worcester Community Housing and/or Mr Whitehouse to see if there can be some consent arrangement to adjusting matters so that you can see your grandmother in some shape or form, but unless and until that is done you are *not* to go to this property or any of the other properties identified in the injunction. That injunction runs out I think on 14th November 2016. What I am going to do – as I rather indicated just now – I *am* going to punish you for this contempt, I am going to sentence you for two weeks' imprisonment for this contempt but I will suspend it so it will not happen as long as you do not breach the injunction again for the currency of the injunction. In other words, if you go back there unless it has been specifically agreed and/or an amendment of the Court Order is made, if you go back there before 14th November 2016 this two weeks' imprisonment may well be implemented as well as any other penalty. You understand that? All right. On that basis you are free to go and I do suggest that if you want to make arrangements to be able to see your grandmother you speak to either Mr Whitehouse or Mr Adams perhaps or whoever they suggest you speak to and sensible arrangements might be able to be made without you breaching this injunction.