

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

In the County Court at Wrexham

Between Cartrefi Cymunedol Gwynedd CYF

Claimants and Applicants

And Edmund Williams

Defendant and Respondent

Claim No.

B00WX788

Before His Honour Judge Keyser Q.C.

Sitting at The Law Courts, Bodhyfryd, Wrexham, LL12 7BP, on 4 December 2015

UPON the application of Cartrefi Cymunedol Gwynedd Cyf (“the Applicant”) dated 16 December 2015 for the committal to prison of Edmund Williams for breach of an Order dated 4 December 2015

AND UPON the hearing (pursuant to an Order dated 11 January 2016) of the allegation that Edmund Williams further breached the Order dated 4 December 2015

AND UPON HEARING the Solicitor for the Applicants, there being no appearance by or on behalf of Edmund Williams

AND UPON RECEIVING affidavit evidence from Lois Griffiths and Gareth William Reed and oral evidence on oath from Gareth William Reed

AND THE COURT being satisfied that Edmund Williams has been guilty of a contempt of court in that he has failed to comply with the Order dated 4 December 2015 in that:

- 1) On 11 December 2015 he entered the area of Blaenddol, Bala, as identified in the Order dated 4 December 2015 and entered within the curtilage of 44 Blaenddol aforesaid;
- 2) On 31 December 2015 he entered the area of Blaenddol aforesaid.

It is ordered that:

1. The contemnor, Edmund Williams, be committed to prison for (1) a period of **14 days** from the date of his apprehension in respect of the breach on 11 December 2015 and (2) a period of **21 days** from the date of his apprehension in respect of the breach on 31 December 2015.
2. The periods mentioned in paragraph 1 above be consecutive; the total period of committal is accordingly 35 days.
3. The contemnor, Edmund Williams, has permission to apply to the Court to clear his contempt and ask for her release or discharge.

Date 2 February 2016

N79 Committal or other order upon proof and disobedience of a court order or breach of an undertaking

The court office is open from 10 am to 2 pm Monday to Friday

The County Court at Wrexham, The Law Courts, Bodhyfryd, Wrexham, LL12 7BP, is open from 10:00 am to 2:00 pm Monday to Friday. Tel: 01978 317400

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

RECORD OF SERVICE, HEARING AND CONTEMPTS FOUND PROVED

At the hearing

- (1) The Applicants were represented by a Solicitor
- (2) The Respondent did not appear and was not represented

The court read the affidavit of Lois Griffiths sworn on 22 December 2015 and the affidavit of Gareth William Reed sworn on 21 January 2016 (exhibiting and verifying his statement dated 31 December 2015)

And the court heard oral evidence given by **Gareth William Reed** on oath

And the court is satisfied having considered the facts disclosed by the evidence and admitted in court by her that **Edmund Williams** has been guilty of contempt of this court by disobeying the Order dated 4 December 2015 in the following respects, namely:

1. In breach of paragraph 1 of the Order dated 4 December 2015 he did on 11 December 2015 enter the area of Blaenddol, Bala, as identified in the said Order and did enter within the curtilage of 44 Blaenddol aforesaid;
2. In breach of paragraph 1 of the said Order, he did on 31 December 2015 enter the area of Blaenddol aforesaid.

And for the said contempts the court imposed the total penalty of 35 days imprisonment, being consecutive terms of (1) 14 days for the breach on 11 December 2015 and (2) 21 days for the breach on 31 December 2015.

RECORD OF SERVICE

Service of Injunction Order with Penal Notice Incorporated or indorsed.

(Order dated 2000 (for substituted)(dispensing with) service)

Service proved by

- Certificate of service Dated 2001
- Certificate of bailiff
- Oral evidence of

Service of Notice to show good reason in form N78

(Order dated 2000 (for substituted)(dispensing with) service)

Service proved by

- certificate of service dated 2001
- certificate of bailiff
- Oral evidence of

Arrest under warrant of arrest

Respondent arrested on
by
in accordance with a
Warrant of arrest issued
On

Service of Immediate Custodial Order

I (*name of officer*) 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*) 2001 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 a suspended committal order or penalty is adjourned on terms, personal service is advisable.**

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