IN THE COUNTY COURT AT LEEDS

Case No: B04LS250

The Combined Court Centre
Oxford Row
Leeds

4th February 2016

Before

HIS HONOUR JUDGE GOSNELL

LEEDS FEDERATED HOUSING

-v-

ANITA KUMAR

SENTENCE

APPEARANCES:

Not known as no log provided

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Sheffield S1 2DX

4th February 2016

LEEDS FEDERATED HOUSING -v- ANITA KUMAR

SENTENCE

JUDGE GOSNELL: Miss Kumar, please stand please. I have been having a discussion with your Solicitor which may be a bit complicated and bit difficult for you to understand, but basically the situation is this. An injunction was ordered to be made by the Court on I think the 22nd December, which said that you should not do certain things including making a noise, disturbing your neighbours, harassing them etc. I think you accept that you breached that Order on at least five different occasions, 18th January, 19th January, on the evening of the 21st and 22nd January, on the 28th January and the 2nd February. On each occasion it is quite similar, you are pressing the intercoms of other tenants, banging on the doors, shouting, making a noise, and basically disturbing your neighbours.

I am not sure why you will not comply with the Order. It has been explained to you by your Solicitor very carefully. You have a drink problem, and when you are in drink, you are noisy. The difficulty is your neighbours are entitled to a night's sleep without you waking them up. The Court has told you not to do it, and you cannot I think stop yourself drinking, and then that leaves to the behaviour which creates problems for your neighbours.

Miss Hignett has tried to persuade me that I should make a positive requirement to make you do detox, and I think what I have said is, that has been tried by the Magistrates Court and you are not complying with it because you are still drinking. So I am not prepared to make an Order with a positive requirement because that has already been done and it is not working. You are still drinking, you are still making a noise.

So I need to punish you for the breach of the Orders, which I am going to do. There are five occasions and you are entitled, you are to be punished for each breach, and I am going to make a short sentence which will cover all five breaches. I am going to sentence you to four weeks

imprisonment on each of the five Counts. That will be concurrently, which means the total is four weeks. You will serve one half of that in custody, you are entitled to remission on half of your sentence anyway. I also order that the one day that you spent on remand from Judge Raeside's Order yesterday to today should count against your sentence. So that will be, the sentence will be reduced by that amount by the prison when you get there.

I have taken into account your guilty plea. I have taken into account everything your Solicitor has said, that is why I have made it a very short sentence which will, in effect you will spend 13 days in custody, less whatever the prison decide in terms of their release policy. So I think, you should look at it, you will spend 2 weeks in custody for punishment for those five breaches.

However, the injunction still is in effect when you come out. If you breach it, I will sentence you again and it will be a longer sentence next time. So when you do come out of custody you need to change your ways in some way, because otherwise you are going to find yourself in conflict with the Courts which is not a good place to be.

Okay. Do you understand that?

Right, thank you, you can take her down.