

**General Form of Order
THE MATRIMONIAL CAUSES
ACT 1973**



In the Family Court at EASTBOURNE	
Case Number Always quote this	WM11D01779
Applicant	Julia Elizabeth Tolson
Respondent	Martin Edward Tolson
Co-Respondent	
Applicant's Solicitor's ref	AF/KY/Tolson
Respondent's Solicitor's ref	

The marriage of Martin Edward Tolson and Julia Elizabeth Tolson

Before Deputy District Judge Winslett sitting at the Family Court at Eastbourne, The Law Courts, Old Orchard Road, Eastbourne, East Sussex, BN21 4UN

AFTER hearing Andrew James Fursdon of Stephen Rimmer LLP and the Respondent Martin Edward Tolson having been served with the Applicant's application and therefore having notice of this hearing but not attending court.

AND AFTER consideration of the documents lodged herein including the Respondent Martin Edward Tolson's email communication of 30 August 2016.

ORDER MADE BY DEPUTY DISTRICT JUDGE WINSLETT SITTING IN OPEN COURT

1. On the 30th August 2016 this court committed the Respondent Martin Edward Tolson to prison
2. In relation to an Order dated 26 January 2016 which provided that the Respondent Martin Edward Tolson:-
 - i) Pay to the Applicant Julia Elizabeth Tolson periodical payments at the rate of £4,800 per annum, payable monthly in arrears by standing order of £400 from the 1 February 2016 as follows:-

(a)	1 st February 2016 -	£400
(b)	1 st March 2016 -	£400
(c)	1 st April 2016 -	£400
(d)	1 st May 2016 -	£400
(e)	1 st June 2016 -	£400
(f)	1 st July 2016 -	£400
(g)	1 st August 2016 -	<u>£400</u>
		<u>£2,800</u>

ii) Pay to the Applicant Julia Elizabeth Tolson periodical payments for the benefit of the children of the family namely Lewis Tolson (d.o.b. 12.8.02) and Alex Tolson (d.o.b. 14.7.03) at the rate of £1,200 per annum per child payable monthly in arrears by standing order of £200 from the 1 February 2016 as follows:-

(a)	1 st February 2016 -	£200
(b)	1 st March 2016 -	£200
(c)	1 st April 2016 -	£200
(d)	1 st May 2016 -	£200
(e)	1 st June 2016 -	£200
(f)	1 st July 2016 -	£200
(g)	1 st August 2016 -	<u>£200</u>
		<u>£1,400</u>

iii) Discharge in full the Pension Sharing Order implementation fees in favour of the Applicant Julia Elizabeth Tolson in respect of the Respondent Martin Edward Tolson's rights under his pension arrangement with British Airways Pension as directed in Section D of the Pension Sharing Order Annex Form E1.

iv) Pay the Applicant Julia Elizabeth Tolson's costs in the sum of £6,303.56 by 4.00 p.m. 26 February 2016 together with £1,735.44 costs already ordered, making a total of £8,039.00.

3. The court found that the Respondent Martin Edward Tolson had breached that Order by:-

i) Not paying to the Applicant Julia Elizabeth Tolson periodical payments at the rate of £4,800 per annum, payable monthly in arrears by standing order of £400 from the 1 February 2016 as follows:-

(a)	1 st February 2016 -	£400
(b)	1 st March 2016 -	£400
(c)	1 st April 2016 -	£400
(d)	1 st May 2016 -	£400
(e)	1 st June 2016 -	£400
(f)	1 st July 2016 -	£400
(g)	1 st August 2016 -	<u>£400</u>
		<u>£2,800</u>

ii) Not paying to the Applicant Julia Elizabeth Tolson periodical payments for the benefit of the children of the family namely Lewis Tolson (d.o.b. 12.8.02) and Alex Tolson (d.o.b. 14.7.03) at the rate of £1,200 per annum per child payable monthly in arrears by standing order of £200 from the 1 February 2016 as follows:-

(a)	1 st February 2016 -	£ 5 being shortfall of £195 payment made
(b)	1 st March 2016 -	£200
(c)	1 st April 2016 -	£200
(d)	1 st May 2016 -	credit be given in amount of £5 for paying £5 too much
(e)	1 st June 2016 -	£200
(f)	1 st July 2016 -	£ 15 being shortfall of £185 payment made
(g)	1 st August 2016 -	<u>£200</u>
		<u>£815</u>

The court accepted the Applicant's evidence the payment made by the Respondent in January 2016 was for child maintenance for the month of December 2015.

(iii) Not discharging the Pension Sharing Order implementation fees in favour of the Applicant Julia Elizabeth Tolson in respect of the Respondent Martin Edward Tolson's rights under his pension arrangement with British Airways Pension as directed in Section D of the Pension Sharing Annex Form E1, with such fees being £1620.

(iv) Not paying the Applicant Julia Elizabeth Tolson's costs in the sum of £6,303.56 by 4.00 p.m. 26 February 2016 together with £1,735.44 costs already ordered making a total of £8,039.00.

v) The total amount of breach of the Order as at today's date amounts to £13,274.

4. The court imposed the following sentences for those breaches:-

Breach	Sentence
i) Breach of payment of spousal periodic payments as per paragraph 3(i) above.	i) 4 month concurrent
ii) Breach of payment of child periodical payments as per paragraph 3(ii) above.	ii) 4 month concurrent
iii) Breach of payment of Pension Sharing fees as per paragraph 3(iii) above.	iii) 4 month concurrent
iv) Breach of payment of costs as per paragraph 3(iv) above.	iv) 4 month concurrent

5. Accordingly it was ordered that the Respondent Martin Edward Tolson be committed for contempt to prison for a (total) period of 4 months concurrent. The Order is suspended until the 27th day of September 2016 and will not be put into force if during that time the Respondent Martin Edward Tolson pays or causes to be paid to the Applicant Julia Elizabeth Tolson the total sum of £13,274.

6. The Respondent shall further pay £1,923.30 towards the Applicant's costs by 4 p.m. 30th September 2016.

7. Applicant's solicitors to serve

This form is to be sent to the national media, via the CopyDirect service, and to the Judicial Office, at <mailto:judicialwebupdates@judiciary.gsi.gov.uk>, for publication on the website of the Judiciary of England and Wales.

Dated: 30th August 2016