

IN THE COUNTY COURT AT GRIMSBY

Court No: C00ZP636

The Combined Court Centre  
Town Hall Square  
Grimsby

6th February 2017

Before

DISTRICT JUDGE SENDALL

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SHORLINE HOUSING

-v-

JADE WIGNALL

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**APPROVED JUDGMENT**

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APPEARANCES

For the Claimant:

MISS COCKER

For the Defendant:

MR STOCKDALE

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Sheffield S1 2DX



6th February 2017

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3 SHORELINE HOUSING -v- JADE WIGNALL

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5 APPROVED JUDGMENT

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7 JUDGE SENDALL: Miss Wignall, if you stay seated for a while, I suspect my comments  
8 might take a while but I will ask you to stand at the appropriate point. Miss Wignall, you have been  
9 brought before me today as you are in breach, it is accepted, of an injunction that was first issued in  
10 this Court in August 2016. I note from the file that you did not attend any of the hearings when this  
11 injunction was given. Nevertheless, it was served upon you properly and you have had notice of it.  
12 There are three breaches alleged today. All of the breaches surround the entrance of premises for  
13 which you were forbidden by the injunction, and I do take into account that these premises were  
14 sheltered accommodation, which is specifically designed to assist people who are vulnerable by way  
15 of age and infirmity.

16 The breaches are admitted, but nevertheless I think it is worth saying that the first breach  
17 involved a gentlemen who was 72. You entered into his flat and he asked you to leave. The second  
18 and the one that has been dealt with in most detail by those that address me today is that of Mr W,  
19 who again is very frail and elderly. You came into his property, asked if you knew a particular  
20 individual, asked for biscuits and he asked you if you would leave. Now you left, but after you left,  
21 because he was on his feet, he fell and broke his hip, which is an extremely serious matter for an  
22 elderly person. The third breach occurred in Sandringham Road in Cleethorpes, which again  
23 sheltered housing, Mr B. You went into his property, you asked for cigarettes, you asked to go to the  
24 toilet, and it was there that you were arrested for these breaches.

25 The purpose of an anti-social behaviour injunction is to specifically protect the community  
26 and to specifically protect, in relation to your injunction, people living who are vulnerable by reason  
27 of their age and vulnerability. When I consider the sentence, I have to consider a number of issues. I  
28 have to consider your culpability and to how the degree in which you intended to breach the Order. I

1 find in this case that you were reckless as to whether or not you breached the Order. It was served  
2 upon you. I accept Mr Stockdale's representations made on your behalf that you have learning  
3 disabilities, but nevertheless the breach has been proved of an injunction that was served upon you.  
4 The point at which I feel this enters is that this is amongst, it is very serious, and I would say that it is  
5 so serious that I must consider custody.

6 I have to consider the factors which aggravate this offence. You targeted the people, which  
7 this anti-social behaviour was specifically designed to protect. What makes it more serious is that the  
8 victims all shared a vulnerability, and in particular Mr W, who as a result of your presence in his flat,  
9 fell. I accept Mr Stockdale's representations that this is not something that you may have foreseen or  
10 you may have intended, but nevertheless it occurred, and I must bear it in mind.

11 I also take into account that this is the first breach of the anti-social behaviour injunction. I  
12 take into account your own vulnerability because of learning disability, and I take into account the  
13 sentencing guidelines that Miss Cocker placed before me today.

14 The purpose of my sentence today is to ensure that you obey the Order. Secondly, it is to  
15 punish you for the breach and also that this Order is not further breached.

16 I am going to sentence you to twenty-eight days imprisonment for the three offences. The  
17 totality of the offending is continuous, I accept that which is why I have not ordered six weeks as the  
18 guidelines suggest. I place your behaviour in the mid bracket, simply because of the victim's  
19 vulnerability. However, I order that this sentence is suspended for a period of six months and  
20 suspension is on the basis that you do not breach the offence further.

21 Can you stand up. So the sentence is that you are sentenced to twenty-eight days suspended  
22 for six months under condition that this Order is not breached further. If you breach this Order you  
23 will be brought back to this Court where you will be sentenced for any further breach as well as  
24 activating this sentence. Do you understand?

25 MISS WIGNALL: Yes.

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JUDGE SENDALL: Yes. Thank you very much.

MISS COCKER: Ma'am, can I just deal with the issues of costs.

JUDGE SENDALL: Yes.

MISS COCKER: The Claimant is just seeking an Order for the Defendant to pay the Claimants costs to be assessed if not agreed. There is not a cost schedule before the Court.

JUDGE SENDALL: The sentence is sufficient. No Order for costs, but thank you.

MISS COCKER: Thank you.

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