

**TRANSCRIPT OF PROCEEDINGS**

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Ref. E00MS443

**IN THE COUNTY COURT AT MAIDSTONE**

Barker Road  
Maidstone

**Before DISTRICT JUDGE WRIGHT**

**IN THE MATTER OF**

**GOLDING HOMES LIMITED (Claimant)**

**-v-**

**DIXIE-LEI WHITE (Defendant)**

**MR DEDMAN (Solicitor) appeared on behalf of the CLAIMANT**

**MR GANNON (Counsel) appeared on behalf of the DEFENDANT**

**JUDGMENT**

**11<sup>TH</sup> NOVEMBER 2018, 11.32 TO 12.17**

**(For Approval)**

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DISTRICT JUDGE SARAH WRIGHT:

1. Dixie-Lei White an injunction was made against you in August 2018 when a previous Court found allegations of poor conduct of behaviour by yourself and your cousin to be proved.
2. As you know, in October 2018 there was an incident when you lost your temper and you made an extremely unpleasant threat to one of your neighbours in breach of that injunction. I acknowledge that you do not remember exactly what was said, but you have accepted that you said something and that it was something unacceptable. I have read the evidence of the police officer that arrested you at the time and he records that you had made a threat to kill your neighbour.
3. You were arrested and then brought before the court, before District Judge Suh. She granted you bail and the matter then returned before me. I extended your bail and adjourned the matter until today to enable you to obtain legal advice.
4. Paragraph 4 of the injunction prohibits you from using or threatening to use violence towards any person who resides, visits or engages in lawful activity in the locality of flat 4, Phoenix Court. You have admitted that the words that you used and the way in which you used them at the time were in breach of that order. I have read in your witness statement some background as to how that incident arose and submissions have been made by Mr Gannon on your behalf this morning.
5. The background has not been challenged by your landlord today and so I accept that you had contacted your landlord with what you felt was a grievance and then felt that matters were spiralling out of your control and that you were not receiving the support that you thought you might have been entitled to. You've accepted that this led to a loss of control of your temper and led to the threats that you made and a breach of the injunction.
6. I take notice of the fact that you admitted the breach immediately and you've admitted it again in your witness statement. You've expressed regret, remorse and I find that your remorse is genuine.
7. I've also had sight of a report prepared on behalf of the Criminal Justice Liaison Team, who've supported you since your arrest. That report has set out difficulties that you have had with understanding proceedings, social difficulties that you have experienced from your childhood, and difficulties you have with reading and writing. It also confirms that since this incident you've been seeking help to try to avoid finding yourself in a similar

situation. You've cut ties with your cousin, who was party to the injunction proceedings as well. You're seeking help with mental health difficulties and speech therapy that will hopefully help you in the future to process not just reading and writing but will also help you with understanding spoken instructions and will help you, I hope, to feel more in control of your temper.

8. I'm satisfied that you are trying your best to remove yourself from the situation that you found yourself in. No evidence has been before me of any breach since then or any complaint of any behaviour which would suggest any further breaches. I indicated to you at the hearing last time, that if the breaches were proved it would inevitably be a serious breach because it was a serious threat. However, I do find that the threat was made in a fit of temper and that you did not intend to carry out the threat that you had made. I also acknowledge that the threat was made over the telephone, it was not face to face. Whilst this has been the only incident since the injunction was made, it did follow a course of poor behaviour and conduct leading up to the injunction, but I do acknowledge and accept that you have tried your best to remove yourself from the situation and there have been no other reported incidents since then. You've expressed remorse, which I've accepted a genuine and since the arrest you have co-operated with all of the organisations who are trying to support you.
9. Mr Gannon has referred me, in relation to sentencing for the breach which is admitted before me, to *Birmingham City Council v Flat* [2008] COA. I have considered that and I agree that the matter does not cross the threshold for an immediate custodial sentence. There was an immediate admission, there has been remorse, there has been no repetition of poor behaviour and steps are being taken to obtain the help needed to avoid any further incidents. However, it must be said that the breach was serious and I do consider that a sentence in relation to the breach of four weeks imprisonment suspended for a period of six months would be appropriate in this case. You understand that any further repetition of the behaviour will trigger that sentence, but I acknowledge fully that you are doing your very best not to find yourself in that situation. The consequences of this event are enormous for you in any event, and so the sentence I will pass is four weeks imprisonment suspended for a period of six months.

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*We hereby certify that the above is an accurate and complete record of the proceedings or part thereof.*