

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



Name of court

Liverpool Civil & Family Court

Claim no.

QB-2022-001236

Claimant's name (including ref.)

North Warwickshire Borough Council

Defendant's name (including ref.)

Joshua Smith

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

14

Month

April

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="37"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

1) That the Defendant must comply with the Injunction of the 14 April 2022 as varied by the Court on the 6 May 2022 or by any subsequent order.

2) The suspension period shall be 9 months

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt or

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£ 250 within 182 days
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
03 06 2022
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year
13 05 2022