

General Form of Judgment or Order

In the County Court at Kingston-upon-thames	
Claim Number	F01KT804
Date	30 October 2020



CLARION HOUSING ASSOCIATION LIMITED	1st Claimant Ref 004110063.02200
DAVID RILEY	1st Defendant Ref
MICHAEL RILEY	2nd Defendant Ref FJD/NC/RILEY

Before District Judge Armstrong sitting at the County Court at Kingston-upon-Thames, St James Road, Kingston Upon Thames, Surrey, KT1 2AD.

ORDER ATTACHED.

Dated 29 October 2020

The court office at the County Court at Kingston-upon-thames, St James Road, Kingston Upon Thames, Surrey, KT1 2AD. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0208 972 8700 Fax: 0870 3240315. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by: Mr R Payne
CJR065C

In the Kingston upon Thames County Court

Claim Number F01KT804

Clarion Housing Association Ltd

Claimant

**and
Michael Riley**



Second Defendant

ORDER

Upon hearing from Counsel for the Claimant and Counsel for the Second Defendant but upon Second Defendant not himself attending that the court determining it was appropriate to proceed in his absence and upon the court imposing sentence the contempt of court arising from the breach of a court order dated 2 January 2020, such breaches occurring on 7 March 2020 and 2 October 2020, and upon the court considering activation of the suspended sentence imposed on 4 March 2020 following contempt of court for further breaches which occurred on the 15th February 2020, 20 February 2020, and 23 February 2020

it is Ordered that;

- 1 Service of notice of this hearing dispensed with
- 2 The Defendant sentenced to 12 weeks imprisonment for the breach occurring on 7 March 2020
- 3 The Defendant is sentenced to 12 weeks imprisonment for the breach occurring on 2 October 2020
- 4 The sentence imposed on 4 March 2020 is activated
- 5 All periods of imprisonment to run concurrently with no credit to be given for time spent on remand
- 6 A transcript of the judgement and hearings of today and the hearing on 7 October 2020 be obtained at public expense
- 7 No order as to costs say for legal aid assessment of the defendants publicly funded costs

District Judge
Armstrong

District Judge Armstrong 29 October 2020

A handwritten signature in black ink, appearing to be 'J. Armstrong', is written over the printed name and date.

In the Kingston upon Thames County Court

Claim Number F01KT804

Clarion Housing Association Ltd

Claimant

and

Michael Riley

Second Defendant

SUMMARY OF COMMITTAL HEARING 29TH OCTOBER 2020

In relation to the above numbered case on 29 October 2020, before District Judge Armstrong, the court sentenced the Defendant Mr Michael Riley to a custodial sentence of 12 weeks for contempt of court on breach of an injunction order dated 2 January 2020. The basis of the sentence was that Mr Riley had breached the order dated 2 January 2020 by entering an exclusion zone at Atkinson House, Old Reigate Road in Bletchworth, Surrey on 7 March 2020 and again on 2 October 2020. A sentence of 12 weeks imprisonment was imposed for each breach. The court further ordered that the suspended sentence of 12 weeks imprisonment imposed by the court on 4 March 2020 for breaches on 15 February 2020, 20 February 2020, and 23 February 2020 of the same injunction be activated. All sentences of imprisonment were to run concurrently. The court made note of the persistent nature of the breaches and earlier breaches of the order for which no action had been taken.

District Judge Armstrong

30th October 2020

Order on determination of proceedings for contempt of court

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



Name of court

Kingston Upon Thames County Court

Claim no.

F01KT804

Claimant's name (including ref.)

Clarion Housing Association Limited
Ref: 004110063.02200

Defendant's name (including ref.)

Michael Riley

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

02

Month

01

Year

2020

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="-----"/>	<input type="text" value="12"/>	<input type="text" value="-----"/>	<input type="text" value="-----"/>

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

N/A

3. The defendant shall pay to HM Paymaster General 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
£
 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
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
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



Warrant of committal

(issued under rule 81.9(2) of the Civil Procedure Rules 1998)

To:

- the Tipstaff (if in the High Court), attending on Her Majesty's High Court of Justice, their deputy or assistants, and
- the officers of the court and all police constables whom it may concern

Name of court

Kingston Upon Thames County Court

Claim no.

F01KT804

Claimant's name (including ref.)

Clarion Housing Association Limited
Ref: 004110063.02200

Defendant's name (including ref.)

Michael Riley

By the order of committal of this court given this day it was ordered that the defendant

Michael Riley

stands committed to HM Prison for their contempt as set out in the order.

This warrant commands you and every one of you in Her Majesty's name to apprehend the defendant and convey them safely to HM Prison at


HMP Wandsworth

to be detained there and kept in safe custody for a period of

12 weeks

from the date of their apprehension or until further order.

Signature

 District Judge
Armstrong

Dated

Day

29

Month

Oct

Year

2020

Judge of the

High Court

County Court