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Case No: BD15D02756

**IN THE LEEDS FAMILY COURT**

Leeds Family Court  
1 Oxford Row  
Leeds  
LS1 3BG

Date: Wednesday, 20<sup>th</sup> July 2022

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**Before:**

**DEPUTY DISTRICT JUDGE LINGARD**

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**Between:**

**SAMIA OSMAN**  
**- and -**  
**YUSUF MAYET**

**Applicant**

**Respondent**

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**MR MASON** appeared for the **Applicant**

**MR YEARSLEY** appeared for the **Respondent**  
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**Approved Judgment**

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**DEPUTY DISTRICT JUDGE LINGARD:**

1. This is an application within family proceedings that have been going on for an inordinately long time having first been commenced in 2015, having been the subject of a financial remedy hearing before Judge Hickinbottom in 2017, and an appeal before Mr Recorder Salter in 2018 when he overturned the order of Judge Hickinbottom and directed that there be a rehearing. I became seized of the matter in September 2018, almost 4 years ago, and after a lot of uphill and downhill struggles eventually the matter came on for hearing before me in May by way of a remote Microsoft Teams hearing, when I heard four days of evidence and then received written submissions and delivered a lengthy judgment which was handed down on 27<sup>th</sup> September 2021. That order (which I will return to) contained at paragraph 19 the following order.

“The Respondent [Yusuf Mayet, represented here today by Mr Yearsley of counsel] is forbidden to communicate with the Applicant in relation to these proceedings or implementation thereof except through solicitors until such time as she notifies him that she no longer has solicitors acting for her.”

2. Initially the application for committal was lodged at court in early November of last year and resulted in an unless order being made by me because the affidavit in support was not in proper form. That matter was rectified and the formal notice of application was issued on 15<sup>th</sup> November 2021, supported by two affidavits at that stage from Miss Osman dated 4<sup>th</sup> November and 15<sup>th</sup> November 2021 with a significant number of exhibits thereto, in fact a total of 15 exhibits thereto, one of which was expunged from the bundle by me by a later order.
3. The matter first became before the court on 10<sup>th</sup> January 2022 when directions were given. I indicated in that order that I expressed the view that matters relating to proceedings under the Children Act and/or orders made therein or matters which occurred prior to 27<sup>th</sup> September 2021 were not relevant to the question as to whether or not the respondent was in breach of paragraph 19 of the order of 27<sup>th</sup> September. There was an argument on that occasion which had a lot of force on the part of the respondent Mr Mayet that the committal proceedings had not been commenced in proper form because they had been commenced on a civil application form rather than a Form D11 in the family proceedings, whereas of course a new form FC600 had been introduced the previous year.
4. Having heard from counsel Mr Mason, who appears before me today on behalf of the applicant, I did not make a decision on that occasion and so I adjourned the matter because counsel was taken by surprise. Then on 24<sup>th</sup> January I allowed the applicant to amend by filing a form FC600 instead of the original notice of application, which was duly filed on 24<sup>th</sup> January 2022, and gave directions for hearing. I also ordered that the affidavit which was erroneously headed 15<sup>th</sup> November but actually sworn on 17<sup>th</sup> November was deemed to be duly served.
5. The committal was listed for 16<sup>th</sup> March and was listed for a full day, when Mr Mason attended ready to proceed, but there had been an unfortunate situation between Mr Mayet and his then instructed counsel the day before, as a result of which counsel felt obliged to withdraw. The matter was therefore adjourned until, as it happens now, today.

6. On 21<sup>st</sup> June 2022 an application was made by the applicant to lodge an amended FC600 and also for further directions to be given; an order was made in respect of disclosure by 02 Telefonica UK Limited as to the registered name and address and details of the bill payer of telephone number 07899991182. A response came, which has not been objected to, which stated that the records at Telefonica held were that the respondent and his charity were the registered payers: “Post pay direct to Mr Yusuf Mayet Learn Org UK Limited.”
7. There has been one witness statement filed by Mr Mayet which was in the form of a witness statement endorsed with a statement of truth. The rules are quite clear that an application for Committal must be supported by affidavit, but are not quite so clear as to whether any evidence in response must be by affidavit. In the event, Mr Mayet chose not to give evidence.
8. Dealing with the various procedural matters, and here I unashamedly quote almost verbatim from the judgment of Peel J in the case of *Bailey v Bailey* [2022] EWFC 5, I remind myself of the procedural safeguards applicable to the issue and conduct of the committal application. Rules 37.3 and 37.4 of the Family Procedure Rules, which came into force on 16<sup>th</sup> July 2020, codify the safeguards set out in a number of cases such as *Re L* [2016] EWCA Civ 173 (particularly para 78 thereof).
9. I am satisfied that the applicant has now complied fully with the necessary obligations in respect of the committal application before me today, although I use the word “now” because it started off on rather a poor footing.
10. This hearing has been in public. At the outset I reminded Mr Mayet through his counsel and asked his counsel to confirm that he was aware of the fact that he had the right to remain silent and there was no obligation on him to give evidence, although adverse inferences might be drawn from his silence, - the case of *Khawaja v Popat and Popat* [2016] EWCA (Civ) 362.
11. These proceedings are of course as a general principle essentially criminal in nature, even if not classified in our national law as such. Peel J referred to *Benham v United Kingdom* [1996] 2 EHRR 293 at 56 and also the case of *Ravnsborg v Sweden* [1994] Series A no 283-B.
12. The burden of proof lies on the applicant. The presumption of innocence applies (Article 6(2) of the ECHR). There is absolutely no burden whatsoever on the defendant.
13. Contempt must be proved to the criminal standard: that is to say, so that I am sure. Reference was made by Peel J to the case of see *Cambra v Jones* [2014] EWHC 2264 a decision of the President of the Family Division, Sir James Mumby.
14. Contempt of court involves a contumelious, that is to say a deliberate, disobedience to the order. The accused must (i) have known of the terms of the order i.e precisely what he is required to do or not to do and (ii) have acted (or failed to act) in a manner which involved a breach of the order and (iii) have known of the facts which made his conduct a breach. - the case of *Masri v Consolidated Contractors Ltd* [2011] EWHC 1024 (Comm).
15. So those are the matters which I have to decide.

16. The order made on 27<sup>th</sup> September of last year bore on its first page an important notice to the respondent:

**“IMPORTANT NOTICE TO THE RESPONDENT YUSUF MAYET,**

**YOU MUST OBEY THIS ORDER. You should read it carefully. If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre or Citizen’s Advice Bureau.**

**THIS ORDER contains a penal notice**

**WARNING: IF YOU DO NOT OBEY THIS ORDER YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.**

**YOU MAY ALSO BE PREVENTED FROM MAKING ANY APPLICATION TO THE COURT IF YOU DO NOT DISCHARGE THESE OBLIGATIONS BY THE DUE DATE.”**

The order made various provisions, including payment of a lump sum. Paragraph 19 (I repeat) provided :

“The Respondent is forbidden to communicate with the Applicant in relation to these proceedings except through solicitors until such time as she [the Applicant] notifies him that she no longer has solicitors acting for her.”

**“PENAL NOTICE**

**IMPORTANT NOTICE TO THE RESPONDENT, YUSUF MAYET**

**WARNING YOU MUST OBEY Paragraph 19 of THIS ORDER. IF YOU DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED”**

The effect of the penal notice was explained to Mr Mayet on the day. As far as I am aware the order was not served personally, which is a normal prerequisite for any committal application. But the court can dispense with personal service if it is satisfied that at all material times the respondent knew of the order and of the terms thereof unequivocally. There can be no doubt that the respondent Yusuf Mayet knew the terms of this order. It was made in his presence and hearing. It was served upon him by email. There can be no doubt that he got it because he applied for permission to appeal that order to His Honour Judge Kloss. Permission to appeal that order was refused.

17. Turning to the application itself, the next thing is that the respondent has to have been served personally with the application. He was served personally with the application as it then was on 14<sup>th</sup> December 2021, as is witnessed by the affidavit of Simon Pinkney at pages 364 and following in the bundle. Further service of the FC600 apart from by email was dispensed with by my order, and similarly when the amended FC600 was filed on 29<sup>th</sup> June of this year, of course Mr Mayet has had notice of its contents, as had his solicitors prior to the hearing on 21<sup>st</sup> June, personal service of that was dispensed with because he clearly knew what the allegations were.
18. The allegations as amended are that there were 32 breaches of the order between 28<sup>th</sup> September 2021 and 10<sup>th</sup> June 2022. Of those, 18 related to emails and the balance related to messages allegedly sent by the WhatsApp medium from the telephone number which was the subject of the enquiry with O2. I have divided the emails into two categories, namely those sent direct to Ms Osman and those which were sent to this court, and there is no doubt in my mind whatsoever that they were sent, because prior to my computer deciding it would not recharge I made checks and certainly a number of those emails had been sent to the court and I recollect the terminology of them, because each and every one of those almost without exception was forwarded to me. So those are the two categories of emails.
19. I turn now to the evidence, which was the evidence of Ms Osman contained in her three affidavits and the exhibits thereto and her oral evidence on affirmation today. At the outset, I cannot find any reference in the exhibits to the two emails allegedly sent on 22<sup>nd</sup> and 27<sup>th</sup> October 2021, I have been through the exhibits one by one, which sadly are not in chronological order either.
20. Her evidence is that those emails were sent to her by Mr Mayet in breach of the order. She confirmed on affirmation that her affidavits and the exhibits thereto were true. She went on in supplemental questions relating to the WhatsApp messages, bearing in mind matters that had been raised in Mr Mayet's witness statement, and she said "That phone does not belong to me. I only used it between 2006 and 2015, which was when I left the charity Learn Org", which she says, and I accept, is effectively a one-man band organised by Mr Mayet. She said that the Sim card on that had not been used by her since 2015.
21. She made references to his sister-in-law having got messages and a statement having been made in other proceedings which were before me in the Family Court at Huddersfield, but I do not consider that to be relevant to these proceedings.
22. When she was asked, because it was alleged in the witness statement of Mr Mayet that she had concocted these emails or caused somebody else to do them, she went on to say, "Why would I send abusive emails about my solicitor, and referred to one of the emails that referred to her solicitor as a "Jahil" which in the Urdu language she says means uneducated. She denied having access to his email account or having any sufficient knowledge to hack, or even when she was cross-examined having any sufficient knowledge to alter forwarded messages, because it was suggested to her in cross-examination that she had altered the messages that were forwarded. She was adamant that she did not know how to do it and, in her view, was not the most expert in IT and email matters.

23. She was asked questions about the fact that an Egyptian court found that a document purportedly signed by the respondent Yusuf Mayet was not in fact signed by him. Her answers on that were not particularly helpful because she immediately went on the defensive when referred to a translation of the Egyptian court order and said, “Well, that’s his translation.” She then went on to say, “I can read and write Arabic and I might have read it. I might have scanned it”, meaning looking at it briefly, but suggested that there should be a proper translation but she has not checked it. So to a certain extent she (dare I say it) poo-pooed the decision of the Egyptian court, but that is not a matter for me today, although it is a matter that I must balance when considering her credibility.
24. She was also asked about matters that had happened in the previous proceedings. I have already recorded in the previous order that matters that occurred prior to 27<sup>th</sup> September 2021 are not in my judgment relevant, although it was suggested by Mr Yearsley of counsel that they showed a propensity on her part to dishonesty.
25. She was cross-examined at length about the emails and said “No, I don’t have the knowledge”, and went on in response to say to Mr Yearsley, “Your client is the master of forgery”, and she made that comment more than once, just as at an earlier stage in the proceedings she said “We hate each other.” Doubtless the feeling is mutual. It was put to her that there was an email in April 2021 from her solicitors saying that she had blocked all means of communication. It was then put to her that immediately before the trial in May 2021 she had received and opened an E-bundle which had been sent to her by Mr Mayet. She said that having blocked, the emails went into her junk box. It was suggested by Mr Yearsley that maybe that was not the case and if you blocked an email it was not received at all. Her evidence was that they went into her junk email but she realised that they needed to be looked at because it appeared – and this was before the order was made and in fact was one of the very reasons the order was made – that Mr Mayet was sending documents, in fact a trial bundle to her rather than to her solicitors, because throughout these proceedings he has demonstrated a vitriolic hatred of just about every member of Messrs Ashwells Solicitors and has referred to them in uncomplimentary terms on numerous occasions. She said that in those circumstances she unblocked him. She said, “It’s not about what I do. It’s about what he was told not to do.”

That was her evidence.

26. I have heard no evidence from Mr Mayet. His witness statement effectively said, “It’s not me. Somebody else must have done it. It’s probably the applicant who did. There are various people she’s still associating with.” It was suggested that she was still volunteering at the charity and she said quite categorically, “I have nothing to do with the charity. I do not work for the charity. I haven’t done anything for the charity since I left at the time of the marriage breakdown in 2015, and I even avoid going to Dewsbury or Batley”, which is the area in which the respondent works, he being of no fixed abode according to his witness statement. She avoids going into those areas. So her evidence was that those emails and the *WhatsApps* were sent by Yusuf Mayet and clearly he knew what he was doing.
27. Firstly, I look at the emails themselves, starting on 28<sup>th</sup> September – an email from the Respondent to her, which she forwarded to her solicitors on the 29<sup>th</sup>:

“\*copy to be placed on court file.

Dear Ms Osman,

NOTICE SERVED

Pursuant to calls, I remind you in writing court orders/ papers relating to my father and/or third parties kindly serve directly using a court process server.

Papers relating to my father and/or other third parties served on me are deemed not served on those people.”

That was because there was already a question of the involvement of Mr Mayet’s father, and later his mother, as the title holders, subject to various transfers which happened in the meantime, of the property which I had declared belonging to both parties.

28. There was an email dated 29<sup>th</sup> September sent by the solicitors to Mr Mayet, complaining about the email of 28<sup>th</sup> September. I do not know whether he received that or not, because he has always said throughout these proceedings that communication with Ashwells is blocked.
29. The next email that is referred to is that of 9<sup>th</sup> October, which was an email addressed to the court, copied to Ms Osman, acknowledging receipt of the 2 orders of 27<sup>th</sup> September :

“ .... Kindly ‘scan and email’ papers. ....

**To be placed before DDJ Lingard**. In relation to the order of 27<sup>th</sup> September (main) that permits ‘*parties to apply to the court concerning the implementation and timing of this order only*’  
I cannot comply with

paragraph 19 “injunction” applying HRA ( Human Rights Act).

I refuse to communicate with corrupt officer of the court (Ashwells) and for the fact Mr Khan (parties’ conveyancing solicitor) was caught with his pants down with Ms Osman that led to the breakdown of my family and my children displaced, (lives ruined). In God we trust. There is no application with a fee paid before the court for a penal notice (a LiP ( Litigant in person) must be afforded an opportunity to seek legal advice  
.....”

So, within a month of the order he was challenging the validity of the order and throwing insults.

30. They go on in similar vein; 14<sup>th</sup> October: email to Family Applications Leeds. Copy to Ms Osman.

“Cc. Ms Osman,(service dispensed applying HRA right to refuse to communicate with corrupt officer/Miss Osman’s new partner - Ashwells.

To the Court Manager

Please find on notice application with the draft order.....”

It then went on to register a “complaint to HMCTS and Judiciary“

31. To suggest that an email such as that has been concocted by the applicant and/or her colleagues, servants or agents, is frankly utterly fanciful, because it was an email filing an application at the court, which was clearly copied to Ms Osman.

32. 30<sup>th</sup> October: addressed to Ms Osman

“Please find attached court order with your partner’s correspondence to the court as way of service. Firstly we advise you instruct a professional firm that is experienced in FAMILY LAW ”

And then this:

“You are an Egyptian, not some 57 year old jahil Pakistani from a rural village near Sialkot purporting to be a lawyer that only knows of scamming vulnerable people..... ”

And the emails continued.

33. Having considered all the evidence as far as the emails are concerned, I accept the evidence of Miss Osman that those emails were sent to her either direct, or directly as a cc. to an email sent to the court, and I find that emails were sent on 28<sup>th</sup> September, 9<sup>th</sup> October, 14<sup>th</sup> October (twice), 15<sup>th</sup> October, 30<sup>th</sup> October, 3<sup>rd</sup> November, 4<sup>th</sup> November 2021, 6<sup>th</sup> November 2021, 19<sup>th</sup> November, 23<sup>rd</sup> November, 26<sup>th</sup> November, 10<sup>th</sup> December, 14<sup>th</sup> December, 21<sup>st</sup> December 2021 and 27<sup>th</sup> May 2022.

34. I make no findings as to the emails dated 22<sup>nd</sup> October and 27<sup>th</sup> October 2021 as they were not annexed to the affidavits of the Applicant .

35. I am entirely satisfied and make those findings as I am sure, and am satisfied beyond reasonable doubt that they were sent and were sent blatantly – I use that word quite deliberately – in breach of the order.

36. I turn now to the flurry of *WhatsApp* messages between December 2021 and June 2022. The clear evidence of Miss Osman is that she has no control of the number 07899991182. The clear evidence from Telefonica is that it is registered to the charity Learn Org. There is a bundle of bills from O2 at exhibit YM6 to Mr Mayet’s affidavit – pages 295 to 301 inclusive – for the period from December 2021 to June 2022. It says:

“Invoice for No 07899991182. User Samia Osman.”



That may well be how it was recorded with O2 at the outset, but interestingly the information from Telefonica does not refer to Samia Osman. To suggest that she was still using that phone is quite remarkable, and as she said in her evidence, and it was backed up in submissions by Mr Mason, why on earth would the charity keep paying a relatively small amount, £10 or £11 a month, on a telephone which was, it would appear if I accept the respondent's submissions, being used by the former wife of certainly a director of the charity and a person who is very much in control of the charitable affairs.

37. The suggestion made by Mr Mayet that it was still in Miss Osman's control is frankly one which bears no scrutiny. But the question is: has it been proved beyond reasonable doubt that these WhatsApp messages were sent by Yusuf Mayet? They are all couched in third party language. The first one on 31<sup>st</sup> December (13.53 and 14.02) was a bundle index just forwarded – no evidence who that is from, but it is clearly a document emanating from the respondent; and then the second message:

“Dear Mrs Samia from Mr Yusuf. Index for court hearing 10.1.22 following court letter of 30.12.21 para 4. Thank you.”

15.59 on the same day:

“Directions sought filed today. Another PDF sent. Mr Mayet 10.2.60 sign ‘Dear Mrs Samia from Mr Yusuf.’”

Next one:

“Copy of the FC600. Copy of an S22 section 22(c)”, whatever that was, “on 20<sup>th</sup> January.”

Then an email on 12<sup>th</sup> February:

“Dear Mrs Samia, talk with Mr Mayet direct to solve issues.”

18<sup>th</sup> February:

“Dear Mrs Samia, stop instructing your new partner and associates to call our offices or Mr Mayet. Follow court orders.”

4<sup>th</sup> March:

“We inform you again. Ashwells are not permitted to call company mobile or office. Emails from Ashwells remain blocked. Mr Mason represents you.”

Then some Tik Tok messages about the children. Message from Mr Mayet:

“Your partner Mr Khan is a coward calling from private numbers. There is no victory by you or Mr Mayet in court process because social media”.....

Four photographs were sent. I do not know what those photographs are. They are just referred to as photographs which the applicant did not open.

Then on 29<sup>th</sup> May:

“(Aziza Patel) from parents of Yusuf. Offer: They seek to include yourself and Yusuf’s name on legal title to secure children. Yusuf pay you £10,000 per year until death do you part. Guarantee Mr and Mrs Sokatali Mayet ”

Mr and Mrs Sokatali Mayet are Mr Yusuf Mayet’s parents.

“They object to sale in relation to flat in Egypt. Confirm you do not want it. Your Mr Andani left his wife and kids for another woman living in Huddersfield. Good man he is.”

30<sup>th</sup> May:

“Good morning. Your Mr Khan called today from a private number inviting Mr Mayet to his home. Expect you to be present. Thank you. Message from a friend. Ishmael, Israr and Tasneem are scaring off potential buyers. Don’t trust anyone.”

A message about parental alienation:

“X is showing signs of self-hatred – “the girl you hate “- this is due to parental alienation.”

6 June 2022 : “Good afternoon” (message from Mr Mayet) concerns raised in relation to children.”

8 June 2022 “Good morning. (Message from Mr Mayet) NOTICE. All correspondence from Ashwells is disposed of hereon without being examined. CA or other applications Ashwells threaten to make kindly before court”.....”

10<sup>th</sup> June:

“Message on behalf of the Board of the Charity:

“Please stop defaming trustee, Mr Mayet in public domain that impacts on Charity and children. Mr Mayet did not prevent you from travelling to Egypt when your father passed away in February 2017. Indeed your bank records and witnesses’ evidence and children witness statements to school evidence you travelling to Egypt leaving children with third parties.”

38. They clearly relate in part to the Children Act proceedings, in part to matters relating to the children generally, and in part relating to these proceedings. Injunctions are strictly interpreted. They are interpreted, if there is a doubt, against the person putting them forward. So effectively on the interpretation of the injunction the respondent Mr Mayet has the benefit of the doubt in any event. The injunction did not prevent him communicating or encouraging or asking other people to communicate. It was a prohibition on direct communication.
39. It appears that some of those messages are from other parties using that phone, particularly the reference to the Board of Trustees. I remind myself that it is incumbent

upon the applicant to prove beyond reasonable doubt that those messages were sent by Mr Mayet. I am not satisfied that it has been proved beyond all reasonable doubt that they were so sent. So those allegations on the amended FC600, which are numbered 12 to 25 inclusive, are dismissed. They have not been found proved. But allegations 1-5 and 7-11 and 26-32 inclusive are proved.

(Discussion between Judge and counsel regarding sentencing)

40. JUDGE LINGARD: Yusuf Mayet, stand up. Mr Mayet, this court has found you guilty of 17 breaches of an order which was made on 27<sup>th</sup> September 2021. The first breach occurred on 28<sup>th</sup> September. These proceedings were commenced in the middle of November 2021 and would have been served on you certainly no later than 23<sup>rd</sup> November 2021, following which you committed a further 6 breaches: 5 of which were between 23<sup>rd</sup> November 2021 and 21<sup>st</sup> December 2021 from which it might have appeared that you were beginning to realise that maybe you had been found out. But then on 27<sup>th</sup> May 2022 you sent yet another email which was in relation to the insolvency proceedings before District Judge Greenan (No 8 of 2022) to the Court Manager, copied to Samia Osman. “Implementation of these proceedings. The application to set aside the statutory demand.” So that falls within it as well. So clearly you had not learned your lesson at all, and suggestions today that you apologise and seek forgiveness are (in the words of your counsel) perhaps better late than never, sadly in my judgment too late.
41. I have to consider the appropriate sentence, and in doing so I am very much assisted by the judgment of Peel J in the case of *Marie-Therese Elisabeth Helene Hohenberg Bailey v Anthony John Bailey, Cyril Woods and Farley Rentschler*. He sets out very helpfully the comments of Hale LJ (as she then was) in *Hale v Tanner* [2000] EWCA (Civ) 5570. The alternatives open to this court are limited. A fine – clearly you are not in a position to pay a fine. And the length of committal has to depend on the court’s objectives. There are always two objectives in contempt of court proceedings: one is to mark the court’s disapproval of the disobedience, and the other is to secure compliance with that order in the future. Thus the seriousness of what has taken place is to be viewed in that light as well as for its own intrinsic gravity (paragraph 29 of *Hale v Tanner*). The court has to bear in mind if there are concurrent proceedings based on either the same or similar facts. There aren’t. And the court should explain very briefly why it has made the choices that it has made.
42. Clearly a financial penalty is not something you can pay. In any event, you have a huge amount outstanding against you under the original order. Whether or not the various orders for costs that have been made have been discharged or not is a matter for discussion on another day. A financial penalty is not appropriate.
43. There has been wholesale and deliberate disregard of the order that was made, and that has continued until as recently as 27<sup>th</sup> May of this year. You came up with fanciful arguments in response to the allegations as far as the emails were concerned. The only appropriate sentence in my judgment can be and must be one of imprisonment. The question is, firstly, how long should that sentence be. I take into account all the circumstances. You now tell the court you have a permanent residence and you now tell the court that you are a digital coordinator, which were not descriptions given in witness statements heretofore. You clearly have an address, which you do not wish to disclose, and the view may well be taken that you are avoiding the consequences of

court orders by refusing to disclose where you live so that documents can be served upon you.

44. The only appropriate sentence in respect of each of these breaches is a sentence of imprisonment which will be for a period in respect of each breach of three weeks. In respect of the first two breaches, i.e. the breaches on 28<sup>th</sup> September and 9<sup>th</sup> October, those sentences will be consecutive. The remaining sentences will be concurrent. That is to say, you are sentenced to a total of six week's imprisonment, which means in all probability that you will serve three weeks. The question then has to be whether or not that sentence should or could be suspended. Sadly, in view of the nature of the breaches, the persistence of them and the period over which they have been committed, in my judgment the option of suspension is not appropriate, and therefore those sentences will be immediate.

(Discussion re costs)

45. JUDGE LINGARD: I will deal with the costs on a broad-brush basis, because an awful lot of time has been wasted. I have dealt with matters previously as far as the initial application was concerned. We have a total of £12,000 on the second one. That is 16<sup>th</sup> March. I see we have Mr Andani raising his head again today and we have two fee-earners from your instructing solicitors present at the hearing. (Pause) It did not warrant the attendance of a solicitor if there is a qualified legal executive who could deal with it. And as for preparing and reviewing the costs at £311, that is grossly excessive.
46. I will deal with it on a broad-brush basis and make an order for the respondent to pay costs assessed at £8,000, not to be enforced without permission from me. That permission can be sought in due course, but there are a lot of other enforcement things flying about which will be dealt with in due course.
47. MR MASON: Could I just clarify one matter, Sir. Does that figure include or exclude VAT?
48. JUDGE LINGARD: It includes VAT and everything else that you might conceivably want to include. It is a round figure. Every conceivable cost, as it used to be said.
49. The warrant of committal will need to be prepared, and Mr Bailiff you will need to take Mr Mayet into custody.

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**(This judgment has been approved by the Judge.)**