

IN THE COUNTY COURT AT MANCHESTER
SITTING AT BOLTON CROWN COURT

Case No. F52YJ857

Court No. 5

Blackhorse Street
Bolton
BL1 1SU

Monday, 4th November 2024

Before:
HIS HONOUR JUDGE KHAN

B E T W E E N:

DUONG

- v -

PERVAIZ & ORS

Mr Smith appeared on behalf of the Applicant
Mr Machin appeared on behalf of the First Respondent Mr Pervaiz
Mr Lally appeared on behalf of the Second Respondent Mr Altaf
Ms Steen appeared on behalf of the Third and Fourth Respondents, Mr Rasool and Mr
Zaheer
Mr Chopra appeared on behalf of the Mr Yaquab

JUDGMENT
(Approved)

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HHJ KHAN:

Introduction

1. On 19 December 2022, the applicant, Mrs Duong issued a contempt application against the respondents. On the first day of the hearing of the application, namely 29 July 2024, the fifth respondent, Mr Yaqub, made the following admissions:-
 - a. That he was part of a conspiracy with the other respondents to stage the accident on 7 November 2018 so the claim could be made following that accident, furthered that conspiracy by attending at court to give false evidence, knowing the same to be false or being reckless;
 - b. Signed a statement of truth or a witness statement implying that the accident was genuine, knowing the same to be false or being reckless;
 - c. Gave false evidence at court that the accident was genuine and was the fault of the applicant, knowing such evidence to be false or being reckless.
2. The other respondents contested the application, and I gave judgment on 8 August 2024. Based on the evidence that I heard I was sure the application had been made out against all the respondents other than the third respondent, Mr Rasool. Accordingly, I made the following findings. As against the first respondent, Mr Pervaiz, and the fourth respondent, Mr Zaheer, they were part of a conspiracy with each other and with the second respondent, Mr Altaf and with Mr Yaqub to stage the accident on 7 November 2018 so that the claims could be brought, signed a statement of truth on a witness statement implying that the accident was genuine, but knowing or being reckless that it was not, and furthered that conspiracy by attending at court and giving false evidence, knowing the same to be false or being reckless. As against Mr Altaf, I found that he was part of the conspiracy to stage the accident and that on two occasions during the course of the trial, he attempted to influence or coach and/or help Mr Zaheer into how to respond to questions put during the course of cross-examination.
3. Put more simply, Mr Pervaiz and Mr Zaheer and Mr Yaqub conspired to stage the accident with a view to bringing claims for personal injury against Mrs Duong, furthered that conspiracy by giving false evidence in writing and orally at trial at the trial of Mr Pervaiz's claim. Mr Altaf was part of that conspiracy. To further that conspiracy, he tried to coach Mr Zaheer while Mr Zaheer was giving evidence at the trial.
4. Having reached my conclusions and to give the parties time to reflect or consider the ramifications of my rulings, I listed the application for September 2024 to consider what sanction to impose. The hearing in September was delayed for reasons not connected with any issues in the application and comes before me today on 4 November 2024.
5. Representation before me today is as follows. Mrs Duong is represented by Mr Smith of counsel; Mr Machin represents Mr Pervaiz; Mr Lally was not at the hearing before me in July and August, represents Mr Altaf, and Ms Steen represents Mr Zaheer as she did before me, and Mr Chopra represents Mr Yaqub. Miss Steen also represents Mr Rasool to deal with costs issues because I dismissed the application against him.
6. All counsel except Mr Chopra have provided written closing notes or submissions and further written material has been provided to me in the form of testimonials and

statements from family members and the like attesting to the good character of those respondents on whose behalf that material has been provided. In reaching the conclusions that I have reached I have taken account of those materials.

Sentencing Options and Framework

7. My role today is to determine what sanctions should be imposed for the contempts that I have found. The task of sentencing a contemnor, namely an individual found to be in contempt of court, is a multi-factorial exercise of judgment based on the particular facts and circumstances of the case before the court.
8. There are five options available to the Court when dealing with a contemnor which I set out in the least to the most severe: no order, a fine, adjourning consideration of the sanction, an immediate order for committal to prison, a suspended custodial sentence. Of those options, I discount making no order, adjourning sentence and imposing a fine.
9. Making no order would be unjust in the circumstances having regard to the findings that I have made and the seriousness of the contempts. Adjourning the sentence is more apt where the Court is dealing with, for example, a breach of an anti-social behaviour injunction or a similar type of case whether there is potential for further breaches of injunctions and further court hearings. That is not the context here. Imposing a fine is not a candidate not only because of the limited financial means of the respondents, but also because of comments made by the higher courts as to how contempts of the type that I have found should be dealt with.
10. At the start of the hearing, I referred the parties to an authority which I had come across, not referred to in the authorities bundle, namely a decision of Heather Williams QC, as she then was *EUI v Stephen Olayinka* [2019] EWHC 3014 (QB). I gave the parties an opportunity to consider *EUI*. At [20] the judge quotes from the judgment of Moses LJ in *South Wales Fire & Rescue Service v Smith* [2011] EWHC (Admin) 1749 at [5] and [6], who said the following: –

“Those who make such false claims should expect to go to prison. There is no other way to underline the gravity of the conduct. There is no other way to deter those who may be tempted to make such claims, and there is no other way to improve the administration of justice.

The public and advisers must be aware that however easy it is to make false claims, either in relation to liability or in relation to compensation, if found out the consequences for those tempted to do so will be disastrous. They are almost inevitably in the future going to lead to sentences of imprisonment, which will have the knock-on effect that the lives of those tempted to behave in that way of both themselves and their families are likely to be ruined”.

11. Additionally, the judge also at [20] quoted the following extract from a judgment in the Divisional Court in *Lane v Shah* [2011] EWHC (Admin) 2962;

“that this species of contempt is a public wrong and needs to be recognised and published as such. Corrupting the stream of public justice is generally more poisonous than the mere telling of a lie by one man to another”.

12. At [21] in *EUI*, the judge quoted from the judgment of Mr Justice Spencer in *Homes for Haringey v Barbara Fari* [2013] EWHC 3623 (QB) at [3]
“Falsifying claims undermine the administration of justice in a number of serious ways. Insurers have to spend a great deal of time and money identifying in weeding out claims they think may be fraudulent. False claims damage our whole system in this country of adversarial justice, depending as it does on openness, transparency and honesty.”
13. Additionally there is *Liverpool Victoria Insurance Company Limited v Khan* [2019] 1 WLR 3833 at [59] (which was contained in the authorities bundle), the Court of Appeal said the following:
“.....the deliberate or reckless making of a false statement in a document verified by a statement of truth will usually be so inherently serious that nothing over than an order for committal to prison will be sufficient. That is so whether the contemnor nor is a claimant seeking to support a spurious or exaggerated claim, a late witness seeking to provide evidence in support of such a claim or an expert witness putting forward an opinion without an honest belief in its truth.”
14. Accordingly, the candidates in terms of what sanctions are open to me are either a custodial sentence, be it a suspended or an immediate custodial sentence. When considering a custodial sentence, the maximum term that can be imposed is two years’ imprisonment. See *section 14 Contempt of Court Act 1981*. One half of the custodial term will be served in prison before automatic release. See *section 258 Criminal Justice Act 2003*. If custody is appropriate, I have to decide the length of the custodial term without reference to whether or not it is suspended.
15. I bear in mind that custody should be reserved for the most serious contempts. Any term of imprisonment should always be the shortest term which will achieve the purpose for which it is being imposed. Any sentence must be just and proportionate. The length of the sentence has to bear some reasonable relationship to the maximum two years which is available.
16. In the case of Mr Altaf, if I decide to impose a custodial sentence, I have to have regard to the totality principle, given the fact that the findings that I made against him were in relation to what could be described as separate contempts, namely the issue of coaching and the issue of conspiracy.
17. Contained in the authorities’ bundle are the Sentencing Council Guidelines for the offence of perverting the course of justice, the nearest criminal parallel to the finding which I made against the respondents. Those guidelines categorise culpability and harm as follows: culpability high, medium and lower. Harm Category 1, Category 2 and Category 3.
18. There is a similar formulation of culpability and harm in the Court of Appeal decision on the conjoined appeals of *Lovett v Wigan BC* [2022] EWCA Civ 631. Whilst I bear in mind the context of *Lovett* was breaches of orders made under the *Anti-Social Behaviour Crime and Policing Act 2014*, neither Mr Smith, Mr Machin, Mr Lally nor Ms Steen disagreed that the matrix set out at [47 and 48] and the table at [54] were an appropriate guide in dealing with the contempts in this case, or alternatively a cross-check, not least because of the comparison between the sentencing options in the Sentencing Guidelines

in *Lovatt* when compared to my powers of imposing an unlimited fine or a maximum period of imprisonment of up to two years.

19. At [47 and 48] in *Lovatt*, harm and culpability are addressed as follows: there are three levels of culpability: (a) high culpability, serious contempt; (b) medium falling between (a) and (c); (c) lower culpability, minor contempt. Harm, Category 1, contempt causes very serious harm. Category 2, cases falling between Category 1 and Category 3. Category 3, contempt that causes little or no harm or distress.
20. It seems to me that in my analysis of my sentencing powers, I should first look at harm before looking at culpability. When I do so and when in the rest of my judgment I refer to for example A1, A2 etc, and the *Lovatt* table, it will be by reference to the categorisations at [54].
21. Finally, in reaching the conclusion that I have reached, as well as taking into account the *Lovatt* guidance, I have borne in mind the context in *EUI* and *LVI*, and the sentences imposed, thus giving me an additional framework within which to determine the length of the sentence which I should impose.

Mr Pervaiz.

22. Mr Pervaiz. Mr Machin categorised the contempts as I have found them as B2, where according to the *Lovatt* table the starting point is one with a range from an adjournment of sentence to a maximum term of three months. He drew a comparison between what that which was set out at [31] in *EUI*. I disagree with Mr Machin's categorisation.
23. In my judgment, this is a Category 1 case where the harm is very serious. I identify the following factors:-
 - a. Mr and Mrs Duong were elderly and therefore, vulnerable, as Mr Machin conceded. They were involved in a collision which you caused although I bear in mind that the nature of the collision was one which is commonly described as a low-velocity collision, and neither claimed to have sustained injury. They would nevertheless have been subject to the stress and anxiety of the litigation process;
 - b. their insurers sustained harm. They had to address the allegations that were made, deal with the litigation process concluded only at trial. They incurred costs. A sum of £30,000 on account of those costs still remains unpaid;
 - c. the upmost harm and one which cannot be underestimated is the harm caused to the administration of justice. Even ignoring all the administrative resources that were allocated to deal with the claim, the claim took up to two days of court time to be resolved. In respect of this application, again ignoring the administrative resources and preliminary hearings, the final hearing before me took four days to hear and there was an additional day for judgment and today for sentencing. All those resources were therefore not available for the determination of honest claims. I refer back to, and the extracts from *EUI*, *South Wales Fire and Rescue Services*, *Homes for Haringey*.
24. As for culpability, I disagree with Mr Machin's assessment. In my judgment, culpability falls under Category A. I bear in mind the fact you were not the ringleader nor the mastermind, how you appear to have been manipulated by others and had a limited grasp of the litigation process but without you the collision would not have taken place.

25. Accordingly, the starting point for a custodial sentence is six months albeit the range is from eight weeks to 18 months. I bear in mind the following mitigating factors:
- a. Mr Machin expressed on your behalf a genuine apology and told me you now acknowledge that what you have done was wrong and unacceptable;
 - b. You are a man of previous good character whose references explain how your reputation has been tarnished by your involvement in this claim;
 - c. The value of your personal injury claim was modest. You sustained soft tissue injuries which were resolved after 10 months which Mr Machin agreed could be valued between £2,500 and £3,000. In comparison the other losses in respect of which you would have had no personal benefit comprised storage recovery charges and credit hire charges of some £9,000;
 - d. The claim was not pursued to furnish a lavish lifestyle given the modest sum to which you would have been entitled;
 - e. You are aged 35, married with six children, and of limited means. One of your children aged 10 suffers from autism and attends a special school and relies upon you for support;
 - f. You face the prospect of being pursued by Mrs Duong to bankruptcy given the fact that she has obtained orders for damages and costs against you in excess of £35,000 which sum you are not in a position to pay;
 - g. If a custodial sentence is imposed which is not suspended, you may lose your job and you will be unavailable to assist your father attending hospital appointments or the local mosque;
 - h. The delay since the accident, namely six years, and the delay since trial, some three years ago, are factors which I should also take into account.
26. The starting point for the custodial sentence is six months or 26 weeks, for each of the contempts I have found. I reduce that period of 26 weeks having considered the factors identified in mitigation to a period of 18 weeks. In my judgment, 18 weeks is the shortest term which will achieve the purpose for which it is being imposed and is just and proportionate. Each of the sentences will run concurrently. The sentence should be seen in comparison to the sentences imposed in *LVI* of nine months and *EUI* of four months, albeit in both of those cases have distinguishing features. *LVI* involved the contempt of an expert described by the Court of Appeal serious for the reasons given at [60]. *EUI* does not appear to be a case of a staged accident and in any event, was not pursued to trial but discontinued.
27. I am asked to suspend sentence. Part of the reasons given relate to the pressure on the prison estate but also because of the factors identified in *Breen & Ors v Esso* [2022] EWCA Civ 1405. In summary, *Breen* identified the following factors to be taken into account when not suspending a sentence: the risk or danger to the public, an appropriate punishment can only be achieved by immediate custody, a history of poor compliance with court orders. Three factors to take into account in suspending are a realistic prospect of rehabilitation, strong personal mitigation and where immediate custody will result in significant harm or impact on others.
28. Mr Machin acknowledged that where personal circumstances have been taken into account in mitigation, less weight can be attached to them when relied upon in support

of the question of suspension. I bear in mind that there is no danger, risk or danger to the public and you do not have a history of poor compliance with court orders. However, having regard to the quotes from *EUI* and *LVI* to which I referred earlier, an appropriate punishment can only be achieved by immediate custody. I do not accept that the matters relied upon by you are strong personal mitigation or that a custodial sentence will have a significant harmful effect upon others but if I am wrong to reach those conclusions, they are not outweighed by the fact that immediate custody is an appropriate punishment.

29. I have taken in account the pressure on the prison estate. It seems to be that it would be wrong in principle for that factor alone to support the submission that any sentence should be suspended. Were that the case, contempt applications on broadly similar facts involving staged accidents, would be determined differently depending on the size of the prison population or the size of the prison estate at any particular time. In my judgment, that would not be just.
30. Mr Pervaiz, would you please stand up. On my finding that you were part of a conspiracy with other respondents other than Mr Rasool to stage the accident on 7 November 2018 against Mrs Duong, to bring a claim relating to the index accident and further that conspiracy by attending court and giving false evidence knowing the same to be false or being reckless, I sentence you to an immediate term of imprisonment of 18 weeks. On my finding that you signed a statement of truth on a witness statement implying that the index accident was genuine, and knowing or being reckless that it was not, I impose an immediate prison sentence of 18 weeks. On my finding that you gave false evidence to the court that the accident was genuine, was the fault of Mrs Duong and knowing that such evidence was false or being reckless, I impose upon you a prison sentence of 18 weeks. All those sentences are to be served concurrently.
31. You have a right of appeal against the decision that I have made. You have a right of appeal to the Court of Appeal and the appeal notices and documentation need to be filed within 21 days. Your solicitors may be able to assist you in completing and lodging those documents.

Mr Altaf.

32. Mr Altaf. You do not need to stand up, Mr Altaf. Mr Pervaiz, you can sit down.
33. Mr Altaf, much of what I have said to Mr Pervaiz is relevant to the findings of contempt that are made against you. Mr Lally categorised the contempt relating to conspiracy to stage the accident and your coaching of Mr Zaheer as Category B2. I would address the conspiracy issue first and the coaching issue second.
34. Albeit that you were not a potential claimant, unlike Mr Zaheer or Mr Yaqub you clearly had an interest in Mr Pervaiz's pursuit of the claim for the reasons which I gave on 8 August 2024. Principally you accompanied Mr Pervaiz to the offices of the credit hire company and you attempted to coach Mr Zaheer. In my judgment, you are therefore as culpable as Mr Pervaiz and your culpability is determined under Category A.
35. As regards harm, for all the reasons I gave to Mr Pervaiz, harm is determined as Category 1. Even if I were to ignore the harm to Mr and Mrs Duong and their insurers, the harm to the administration of justice, for the reasons which I gave, would be sufficient to place the harm in Category 1.
36. The starting point is therefore six months with a category range of between eight weeks and 18 months. I bear in mind the following mitigating factors:
 - a. You now regret your actions having been given time to reflect on the findings which I made and are now genuinely remorseful;

- b. You are 54 years old, married with three children aged between 18 and 26, two of whom are at university and one of whom is in the public gallery today;
 - c. You are worried about the impact a term of imprisonment will have upon the studies of those of your children whom are at university;
 - d. You are man of modest means and your income barely covers your outgoings;
 - e. Your health. You suffer from ill-health being a diabetic, suffered a stroke last year, have low mood and anxiety and have high blood pressure albeit this is controlled by medication;
 - f. Your wife suffers from ill-health, she is also a diabetic, has recently had surgery for a long-standing infection or condition of her womb, and relies upon you to do housework, to care for her, to do shopping and rarely leaves the house on her own.
- 37. The starting point for the custodial sentence is six months or 26 weeks. I reduce that having considered the factors identified in mitigation to a period of 22 weeks for each of the contempts that I have found. In my judgment 22 weeks is the shortest term which will achieve the purpose for which it was being imposed and is just and proportionate.
- 38. I turn to the coaching issue. This is either an aggravating factor or deserves a separate sentence. In the latter case I must have regard to the totality principle. The trial of a claim operates on the basis that when a witness gives evidence before a court, the witness gives evidence which reflects his recollection of the events to the best of his ability. That is undermined in circumstances where a witness is coached, or a third-party attempts to coach that witness. I found that on two occasions you attempted to coach Mr Zaheer. The coaching of a witness seems to me to fall on the cusp of Culpability A and B. I cannot ignore the context in which the coaching took place on what might be said to be a tangential issue namely the circumstances in which Mr Altaf chose to instruct his solicitors. On that basis in terms of harm it amounts to Category 2.
- 39. The starting point therefore is either one or three months, four to 12 weeks. Taking a mid point of eight weeks, and applying the mitigating factors, I consider an appropriate sentence to be six weeks. This is the shortest term which will achieve the purpose for which is it being imposed and it is just and proportionate. Having regard to the totality principle, I further reduce your sentence by four weeks, making a total sentence of 26 weeks.
- 40. Mr Altaf, would you please stand up. On my finding that you were part of a conspiracy with the other respondents, other than Mr Rasool, to stage the index accident of 7 November 2018, against Mrs Duong's vehicle, so that claims could be made flowing from the accident and further the conspiracy by attending court and giving false evidence knowing the same to be false or being reckless, I sentence you to a term of imprisonment of 22 weeks. On my finding that on two occasions you attempted to influence, coach or prompt Mr Zaheer on how to respond to questions put during his cross-examination, I sentence you to a term of imprisonment of four weeks. Those terms are to run consecutively.
- 41. I have considered whether to suspend the sentence but for the same reasons I gave to Mr Pervaiz, I do not intend suspending the sentence. I do not accept that the matters relied upon by you are strong personal mitigation or that a custodial sentence will have a significant harmful effect upon others but if I am wrong to reach those conclusions, they are not outweighed by the fact that immediate custody is an appropriate punishment.

42. You also have a right of appeal against my decision automatically. The appeal is to the Court of Appeal and the appeal papers need to be lodged within 21 days. As I said to Mr Pervaiz, your solicitors may be able to assist you in preparing and lodging those documents.

Mr Zaheer

43. Mr Zaheer, what I have said to Mr Pervaiz and Mr Altaf applies to you for the same or similar reasons.
44. Ms Steen categorised your contempt at C3. In terms of harm and for all the reasons I gave to Mr Altaf harm is determined at Category 1. Even if I were to ignore the harm to Mr and Mrs Duong and their insurers, the harm to the administration of justice for the reasons I gave to Mr Altaf would be sufficient to place the harm into Category 1.
45. However, I do not disagree with Ms Steen when she submits that you were less culpable than Mr Pervaiz or Mr Altaf. Given that you were a passenger and therefore had a different role, however, the difference between your role and the roles of Mr Pervaiz and Mr Altaf is not sufficient for me to conclude that it should be categorised as Category C. In my judgment it is categorised more properly in Category B.
46. The starting point is therefore three months with a range of adjournment of sentence albeit that is not applicable here, to six months. I have taken into account the following mitigating factors;
- a. In the same way as I described Mr Pervaiz, you are unsophisticated, and could be categorised as being naïve and gullible rather than unscrupulous;
 - b. You are man of good character with no criminal record and had no broader involvement in staged or fraudulent accidents;
 - c. Albeit you submitted a claims notification form shortly after the accident, you did not further pursue your claim for personal injuries;
 - d. Through Ms Steen you apologised to the Court unreservedly;
 - e. You are aged 47, the sole breadwinner in your family and your earnings are relied upon to cover the mortgage on your property, your family property and daily outgoings;
 - f. You provide emotional support to your wife who recently lost her mother;
 - g. You have provided statements from your wife and eldest son which I have read explaining how a custodial sentence would affect them personally and the family.
47. Taking the starting point of 12 weeks, I reduce the period to eight weeks, taking into account those mitigating factors relied upon. In my judgment eight weeks is the shortest term which will achieve the purpose for which it was being imposed and it is just and proportionate.
48. For the same reason that I gave to Mr Pervaiz and Mr Altaf that sentence will not be suspended. I do not accept that the matters relied upon by you are strong personal mitigation or that a custodial sentence will have a significant harmful effect upon others but if I am wrong to reach those conclusions, they are not outweighed by the fact that immediate custody is an appropriate punishment.
49. Mr Zaheer, will you please stand up. On my finding that you were part of a conspiracy with the respondents other than Mr Rasool, to stage the accident of 7 November 2018 against Mrs Duong's and so that claims could be made following the index accident and furthering the conspiracy by attending court and giving false evidence knowing the same

to be false or being reckless, I sentence you to an immediate term of imprisonment of eight weeks. On my finding that you signed a statement of truth on a witness statement implying that the index accident was genuine, knowing the same to be false or being reckless, I sentence you to a term of imprisonment of eight weeks. On giving false evidence to the court that the accident was genuine, was the fault of Mrs Duong, but knowing that such evidence was false or being reckless, I sentence you to a term of imprisonment of eight weeks. All those terms are to run concurrently.

50. As I have explained to Mr Pervaiz and Mr Altaf, you have an automatic right of appeal to the Court of Appeal. The appeal documents need to be lodged within 21 days of today. Your solicitors may be able to assist in the preparation and lodging of such documents.

Mr Yaqub

51. Mr Yaqub, much of what I have said to Mr Pervaiz, Mr Altaf and Mr Zaheer also applies to you for the same or similar reasons.
52. Mr Chopra categorised your contempt as Category C3. In terms of harm and for all the reasons I gave to Mr Altaf and Mr Zaheer harm is determined as Category 1. Even if I were to ignore the harm to Mr and Mrs Duong and their insurers, the harm to the administration of justice for the reasons which I gave would be sufficient to place the harm into Category 1.
53. However, I do not disagree with Mr Chopra when he submits that you were less culpable than Mr Pervaiz or Mr Altaf in the same way I have reached that conclusion regarding Mr Zaheer, given that you were a passenger and therefore had a different role. However, the difference between your role and the roles of Mr Pervaiz and Mr Altaf is not sufficient for me to conclude that this should be categorised as Category C. In my judgment it is categorised as Category B. The starting point is therefore three months with a range of adjournment of sentence, to six months.
54. I bear in mind the following mitigating factors:
- a. Your remorse, and the distress, anxiety and depression that has been caused as a result of your involvement in the claim;
 - b. You are a man of previous good character;
 - c. You are 69 years old, you are married with no children, you care for your wife who has high blood pressure, who suffers from headaches and you also support your elderly parents;
 - d. Without your support there will be no-one else available to support your wife;
 - e. That you have been found to have been in contempt of court is what Mr Chopra described as a life sentence in itself.
55. Taking the starting point of 12 weeks, I reduce that to eight weeks to take into account the mitigating factors relied upon. In my judgment, eight weeks is the shortest terms which will achieve the purpose for which it is being imposed and is just and proportionate. You are also entitled to an additional discount of two weeks having regard to your admission albeit the admission was made at a very late stage at the start of the hearing of the contempt application. It would be unjust to ignore your admission in the circumstances.
56. Mr Yaqub, would you please stand up. On my finding that you were part of a conspiracy with the other respondents other than Mr Rasool, to stage the accident against Mrs Duong's vehicle so that claims could be made following the accident on 7 November 2018 and furthering that conspiracy by attending court and giving false evidence

knowing the same to be false, I sentence you to a period of imprisonment of six weeks. On my finding that you signed a statement of truth on a witness statement, implying the accident was genuine, knowing the same to be false or being reckless, I sentence you to a term of imprisonment of six weeks. On my finding that you gave false evidence to the court that the accident was genuine was the fault of Mrs Duong but knowing that such evidence was false or being reckless, I sentence you to a term of imprisonment of six weeks. All those sentences are to be served concurrently.

57. For the reasons I gave to Mr Pervaiz which I adopted in relation to Mr Altaf and Mr Zaheer I do not consider it just to suspend that sentence. I do not accept that the matters relied upon by you are strong personal mitigation or that a custodial sentence will have a significant harmful effect upon others but if I am wrong to reach those conclusions, they are not outweighed by the fact that immediate custody is an appropriate punishment.
58. As I have explained to the other respondents, you have an automatic right of appeal. Appeal papers need to be lodged with the Court of Appeal within 21 days and your solicitors may be able to assist you in the completion and lodging of those appeal papers.

Conclusion

59. I direct that a transcript of my sentencing remarks be made available on the judiciary website at public expense.
60. Those are my reasons for reaching the conclusions that I have reached in relation to the issues for my determination.

End of Judgment.

Transcript of a recording by Acolad UK Ltd
291-299 Borough High Street, London SE1 1JG
Tel: 020 7269 0370
legal@ubiquis.com

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This transcript has been approved by the judge.