

Claim No: CL-2017-000323

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURT OF ENGLAND AND WALES (KBD)
COMMERCIAL COURT

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 06/12/2024

Before :

THE HONOURABLE MR JUSTICE HENSHAW

IN THE MATTER OF GERALD MARTIN SMITH
(Defendant)

AND

IN THE MATTER OF THE CRIMINAL JUSTICE ACT 1988

AND

**IN THE MATTER OF AN APPLICATION BY THE SERIOUS FRAUD
OFFICE FOR THE COMMITTAL OF GERALD MARTIN SMITH TO
PRISON FOR CONTEMPT OF COURT**

**Committal for Contempt of Court in Open Court at the High Court of Justice
(Queen's Bench Division)**

Statement pursuant to Practice Direction (Committal for Contempt: Open Court)
[2015] 1 WLR 2195

In relation to claim no. CL-2017-000323, on 6 December 2024 at the Royal Courts of Justice in London Mr Justice Henshaw sentenced Gerald Martin Smith to a custodial sentence of 11 months for contempt of court, and activated, to the extent of 2 months' custody, a sentence imposed by Mr Justice Butcher on 29 July 2022 of 8 months'

custody suspended for 18 months; those sentences to be consecutive to each other and to commence on 8 January 2025.

The basis of the custodial sentence which Mr Justice Henshaw imposed was that Gerald Martin Smith between about 12 January 2023 and 9 June 2023 intentionally breached, in a total of five respects, undertakings which he had given to the court relating to possession of three properties in London; further, between May 2022 and January 2024 Gerald Martin Smith intentionally breached a restraint order imposed by the court by spending, in fifteen separate months, amounts in excess of the maximum sum which that order permitted him to spend on ordinary living expenses. Consecutive sentences were imposed in respect of those contempts.

Further, the said contempts of court were committed during the period during which the custodial sentence imposed by Mr Justice Butcher on 29 July 2022 was suspended; and Mr Justice Henshaw concluded that the sentence imposed by Mr Justice Butcher should be activated to the extent of 2 months' custody.