



Case No: K70MK021

IN THE MILTON KEYNES COUNTY COURT
Sitting at Milton Keynes Magistrates' Court

301 Silbury Boulevard, Witan Gate East, MK9 2AJ

Date: 24/12/2024

Before :

DISTRICT JUDGE NUTLEY

Between :

MILTON KEYNES CITY COUNCIL

Claimant

- and -

WARREN JAMES PAGE

Defendant

Mr Hathaway (instructed by **Milton Keynes City Council**) for the **Claimant**
Ms Mather for the **Defendant**

Hearing dates: 24 December 2024

Sentencing Remarks

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DISTRICT JUDGE NUTLEY

*These remarks were not published until March 2025
due to delays in the transcription process.*

District Judge Nutley:

1. Warren Page, I am sentencing you for breach of an antisocial behaviour injunction imposed by this court on 27 June 2023, and subsequently amended in June 2024. I am also dealing with you for breach of a suspended committal order.
2. On 20 December this year, you were found within the address of Cassandra Lewis, with whom you were previously in a relationship, in the Leaf Hill area of Milton Keynes. The background to this injunction is one of alleged violence, and coercive and controlling behaviour by you towards Ms Lewis.
3. There have been previous breaches of this injunction. On 10 August 2023, before this court, you admitted two breaches of the injunction on 12 and 27 June 2023, by entering the Campion area of Milton Keynes where at the time Ms Lewis was living.
4. You admitted those breaches before me. I concluded that the custody threshold was not crossed, and a financial penalty was not appropriate, but I warned you that any further breach of the injunction order was likely to result in immediate imprisonment. I made no further order.
5. On 27 February 2024, you were arrested in the company of Ms Lewis. You were both approaching her address. On 4 June 2024, you admitted that breach of the order, by again being in the Campion area. Deputy District Judge Abrahams committed you to prison for 14 days but suspended the committal order until 4 June 2026.
6. On the same date, the injunction order was extended, to prohibit you from contacting, communicating with, speaking to or harassing Cassandra Lewis. You were present in court when that amendment to the injunction order was made, and the order was also served personally on you on 6 June this year.
7. I come to 20 December 2024, which is the occasion for which I am sentencing you. A neighbour described being woken up at approximately 4.00am by noise which they described as being loud and excessive from Cassandra Lewis' address. The neighbour said they could hear two people shouting and screaming at each other, like they were fighting, and described the voices as being of a man and a woman.
8. I make it clear that I am not sentencing you for having engaged in any sort of domestically abusive behaviour to Ms Lewis on 20 December, but this is the background to how the police became involved and came to visit the address.
9. Ms Lewis has not made a witness statement in relation to what happened on 20 December, but she did make an earlier statement to Milton Keynes City Council, on 12 March 2024.
10. In that statement, Ms Lewis described you as coercively controlling, and that in the past you have abused, threatened her and been violent towards her. It is important to set that context, which is that the Court made this injunction order to prevent anti-social behaviour, but also to protect Ms Lewis from this sort of behaviour occurring again.
11. It is in the nature of domestically abusive behaviour, that often victims of such behaviour are apparently willing to let a former partner back into their address. Ms

Lewis has spoken in her statement about in the past feeling sorry for you, and letting you into her address for that reason, only again to become a victim of abusive behaviour. She also explains in the statement that, at times, she feels unable to refuse entry to you when you turn up at her address, particularly if there are no other people around.

12. Cassandra Lewis also said in her statement that you have continuously breached the injunction ever since it was issued. You were released by the Court and continued to visit her, and to manipulate her by telling her things will be different now. She felt that she was stuck, and she could not get out, but said that she felt more empowered by the injunction being in place. It was at her request that, in June 2024, the injunction order was amended to say that you should not have contact with her.
13. I proceed on the basis that you have no previous convictions because I have not been given any information to the contrary. I have applied the Civil Justice Council Guideline for sentencing breaches of these types of injunctions.
14. The claimant argues that your breach is within Category A of that Guideline in terms of culpability. They say it was a very serious breach. I cannot be satisfied, on the basis of you being present at the address alone, that this amounted to a serious breach; but it did certainly amount to a deliberate breach, which falls within Category B of the Guideline.
15. As far as harm is concerned, the claimant says this is a Category 2 case. They do not suggest that your presence caused very serious harm or distress, but they say it is not the case that it caused little or no harm or distress either. Given the background and what Ms Lewis has said in her witness statement, I agree with this analysis.
16. Therefore, in my judgment, this is a Category B2 case with a starting point of one month imprisonment, with a range between 'adjourning consideration' to three months' imprisonment.
17. I also remind myself of the aim of sentencing in this context which is, unlike the criminal courts, primarily to ensure compliance with the injunction; but there is also carried with it an element of punishment for breaches of orders. The appropriate starting point, in my judgment, is one month imprisonment.
18. Your previous breaches of this injunction, which I have already referred to, are a significant aggravating feature which justify an increase from that starting point.
19. On the other hand, I treat you as having no previous convictions and I have heard able personal mitigation put on your behalf by Ms Mather. She reminds me of the significant effect upon you of losing your accommodation, and I am told that you have a longstanding problem with alcohol dependence and some mental health problems, and that you have been working to address those problems.
20. I do not have any independent evidence of these matters before me and I am not asked to adjourn in order that evidence be obtained, but I do take your mitigation into account and give it what weight I can.

21. I have concluded that, had you contested the breach, the appropriate sentence would have been nine weeks' imprisonment. I give you full credit for your early admission and reduce that to a sentence of six weeks' imprisonment.
22. I have considered very carefully whether it would be appropriate to suspend the committal order which gives effect to that sentence. I have reached the conclusion that it would not be appropriate in view of the previous breaches. I have applied, by analogy, the Sentencing Council guideline on the imposition of community and custodial sentences, and reached the conclusion that appropriate punishment can only be achieved by an immediate custodial sentence.
23. Would you stand up, please, Warren Page.
24. Warren Page, the breach of the injunction order is so serious that only a custodial sentence can be justified. The shortest possible sentence I can impose, having regard to the seriousness of the breach, is one of six weeks' imprisonment.
25. In relation to the breach of the suspended committal order, I have considered carefully whether it would be unjust to activate the sentence. You breached the injunction order within months of it being imposed, despite it being suspended until 2026, and I do not consider that it would be unjust to activate it.
26. I have applied, by analogy, the Sentencing Council guideline on totality. The suspended committal order of Judge Abrahams will be activated in full, so that is a period of two weeks' imprisonment, which will run consecutively.
27. This means that I am imposing a total sentence of eight weeks' imprisonment, or 56 days.
28. You will serve up to half of that time in custody. I will order that the four days that you have spent on remand will count towards that sentence, so there will be a deduction of eight days from that sentence of eight weeks. Therefore, with the reduction, the total sentence which I am imposing is one of 48 days' imprisonment.
29. I will direct that a transcript of my remarks be obtained at public expense on an expedited basis and that they be published on the website of the judiciary of England and Wales. I must also remind you, Mr Page, that you remain subject to the injunction, as it was amended by Judge Abrahams on 4 June, and that injunction remains in force until 4 June 2025. Any further breaches of the injunction can lead to your arrest and lead to you being dealt with for that breach.
30. It is my duty to inform you that you have a right to appeal my sentence and permission to appeal is not required. The time limit for lodging such an appeal is within 21 days of the sentence being passed. The route of appeal is to a Circuit Judge.
31. End of sentencing remarks.