

Injunction Order

Between Marcus Williams, Defendant
and London Borough Of Havering, Claimant



| In the County Court at Romford | |
|--------------------------------------|-------------------------------|
| Claim Number | M00RM513 |
| Claimant (including ref.) | London Borough Of Havering |
| Defendant (including ref.) | Marcus Williams |

If you do not obey this order you will be guilty of contempt of court and you may be sent to prison

Before District Judge Mack on the 7 May 2025 listed for 10am, time estimate 1 day

UPON the applications dated the 4 and 14 April 2025 by the Claimant for committal of the Defendant in respect of breach of the Anti-Social Behaviour Injunction Order made by Deputy District Judge Moussa on the 7 March 2025, which was served on the 17 March 2025 (“Injunction Order”)

AND UPON the Court recalling that the application dated the 4 April 2025 was made pursuant to the directions of District Judge Mack by Order of the 31 March 2025 following the adjournment of that hearing at which the Defendant was produced to Court, the Defendant having been arrested on the 30 March 2025 pursuant to the power of arrest attached to paragraphs 1, 2, and 3 of the Injunction Order in respect of an allegation of breach of paragraph 1 of the Injunction Order

AND UPON the Court recalling the Order of DDJ Trigger of the 8 April 2025 which records that the Defendant did not wish to exercise his right to obtain legal assistance or representation in respect of these proceedings and listed a hearing for the 16 April 2025

AND UPON the Court recalling the order of DJ Goodchild of the 16 April 2025 which records that the Defendant was then seeking legal representation but that his legal aid application had not yet been determined and that the Defendant wished to obtain legal advice as to whether or not he ought to give his consent to be remanded on bail past 8 clear days to the listed trial date, and the Court listing this hearing for the 25 April 2025 at 10am and listed trial for the 7 May 2025 at 10am and set directions

AND UPON the Court recalling that that Order of DJ Goodchild of the 16 April 2025 remanded the Defendant on bail subject to the conditions that he comply with the Injunction Order, the Order of the 8 April 2025, and the Order of the 16 April 2025, and that he arrives at Court by 9.30am on the 25 April 2025

AND UPON the Court recalling that the Defendant did not attend, nor was represented at, the hearing on the 25 April 2025 and the Court issuing a warrant for the Claimant’s arrest to secure his attendance at trial on the 7 May 2025 and also enlarging the Defendant’s recognisance for his personal attendance at Court at 9.30am on the 7 May 2025

AND UPON the Court recalling the Order of DJ Mack of the 25 April 2025 which set directions for the appointment of a qualified legal representative (s.85K Courts Act 2003) as the Defendant did not have solicitors on the record,

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his legal aid application being refused, and the Defendant being prohibited from cross-examining Ms Burnett by Order of DJ Goodchild of the 16 April 2025; Ms Burnett being the protected person in the Injunction Order and witness for the Claimant in these committal proceedings

AND UPON hearing from Counsel for the Claimant, and the Defendant in person, save during the cross-examination of Ms Burnett, when it heard from the court-appointed qualified legal representative, Mr Mohammad Jahirul Islam

AND UPON the Court noting that the court-appointed qualified legal representative's, Mr Mohammad Jahirul Islam, attendance at Court was half-a-day as the Defendant attended court at c. 11.45am and Ms Burnett's evidence concluded c. 12.45pm, and noting the bundle for the committal hearing was 183 pages

AND UPON the Court being satisfied that the matters required by CPR 81.4(2) were set out in the applications

AND UPON the Court reading the evidence filed by the Claimant and hearing oral evidence of Ms Burnett and Mr Granger

AND UPON the Court being sure, or satisfied beyond reasonable doubt, that the Defendant is guilty of contempt by breaching the Injunction Order on two of the five occasions alleged by the contempt applications; in particular, the Court accepting the admission of the Defendant of his breach on the 30 March 2025 of paragraph 1 of the Injunction Order, and the Court finding, following oral evidence, that on the 11 April 2025 the Defendant breached paragraph 1 of the Injunction Order

AND UPON the Court considering penalty and finding that in respect of the Defendant's breach of the Injunction Order on the 30 March 2025, the necessary and proportionate sentence was one of imprisonment for a period of 5 weeks and in respect of the Defendant's breach of the Injunction Order on the 11 April 2025, the necessary and proportionate sentence was one of imprisonment for a period of 2 weeks, but that considering totality of sentencing, those sentences shall run concurrently and having regard to, and applying, the Imposition of Community and Custodial Sentences, the sentence of imprisonment ought to be suspended for a period of 6 months

AND UPON the Court noting that the Court may lift the suspension of 5-week period of imprisonment ordered today if, within the next 6 months, the Defendant is found (again) to have committed contempt and that that Court may separately and/or additionally impose a further sentence of imprisonment in respect of such further breach of the Injunction Order

AND UPON the Court informing the Defendant of his right to appeal against this committal order without permission, the appeal court being the County Court sitting at Romford and that time limit is 3 weeks

AND UPON the Court considering the Defendant's application by application notice dated 10 April 2025 to discharge the Injunction Order or, in the alternative, to vary the Injunction Order so as to remove paragraph 1 of the Injunction Order

AND UPON hearing from Counsel for the Claimant and the Defendant in person in respect of the Defendant's application to discharge or, in the alternative, to vary the Injunction Order

AND UPON the Court having regard to all the relevant circumstances including the findings of DJ Moussa who granted the Injunction Order, the impact on the Defendant of the order excluding him from his home (save to collect his belongings in the company of the police), the Defendant's physical and mental health, the Defendant's Article 8 ECHR rights and his privacy rights, the Article 8 ECHR rights of Ms Burnett and her child, the bail conditions imposed on the Defendant in respect of the criminal proceedings arising from the same factual matrix that gave right to the application for the Injunction Order, as well as the findings of the Court made today

AND UPON the Court recalling its costs order of the 25 April 2025 and considering the remainder of the costs of these proceedings and hearing from both counsel for the Claimant and the Defendant in person

IT IS ORDERED that:

1. The Defendant is committed to prison for a period of 5 weeks.
2. The committal of the Defendant to prison under paragraph 1 above shall be suspended for 6 months on condition that the Defendant complies with the terms of the Injunction Order.
3. The Defendant's application made by application notice dated 10 April 2025 to discharge or, in the alternative, vary the Injunction Order is refused. For the avoidance of doubt, both the Injunction Order and the power of arrest shall remain in force until 7 March 2026 at 23.59pm unless before then it is revoked by further order of the court.
4. By 4pm, 7 August 2025, the Defendant shall pay to the Claimant its costs of these proceedings, which were summarily assessed, in the sum of £6,600.
5. The Defendant may apply under CPR 81.10 to discharge the committal order.
6. The Defendant has a right of appeal.
7. The Court before which any appeal must be brought the County Court sitting at Romford and, if such an appeal is brought, it will be heard by a Circuit Judge.
8. An appeal may be made by Appellant's Notice, which must be filed at the appeal court by 4pm 28 May 2025
9. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales; this will be prepared at public expense.
10. The Court office is directed to serve this Order on each party both by email and by post. Good service of this Order is effected by sending it to the Defendant's email address: j80433new@gmail.com . This Order is deemed served on the Defendant on the day the email is sent if the email is sent on a business day before 4.30pm; in any other case, the deemed date of service is the next day at 9am.
11. The Court has noted the following provisions for the Cross-Examination Qualified Legal Representative Remuneration Scheme:
 - a. Heard before: District Judge Mack
 - b. Name of court-appointed qualified legal representative:
 - c. For the Defendant - Mr Mohammad Jahirul Islam of counsel
 - d. Name of Court: Romford County Court
 - e. Case Number: M00RM513
 - f. Court Type: Civil
 - g. Case Type: Contempt of Court
 - h. Type of hearing: Final Hearing with Cross-examination
 - i. Cross-examination took place
 - j. Pre-hearing discussion from 11.45am.
 - k. Hearing started at 10.35am and the QLR finished his role 12.50pm

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Injunction Order

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and London Borough Of Havering, Claimant

London Borough Of Havering
Housing And Lirigation Team
Legal Services
1000 Dockside Road
Newham
E16 2QU

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Produced by:ALKAN MUSTAFA
CJR105

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AND UPON the Court informing the Defendant of his right to appeal against this committal order without permission, the appeal court being the County Court sitting at Romford and that time limit is 3 weeks

AND UPON the Court considering the Defendant's application by application notice dated 10 April 2025 to discharge the Injunction Order or, in the alternative, to vary the Injunction Order so as to remove paragraph 1 of the Injunction Order

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AND UPON the Court having regard to all the relevant circumstances including the findings of DJ Moussa who granted the Injunction Order, the impact on the Defendant of the order excluding him from his home (save to collect his belongings in the company of the police), the Defendant's physical and mental health, the Defendant's Article 8 ECHR rights and his privacy rights, the Article 8 ECHR rights of Ms Burnett and her child, the bail conditions imposed on the Defendant in respect of the criminal proceedings arising from the same factual matrix that gave right to the application for the Injunction Order, as well as the findings of the Court made today

AND UPON the Court recalling its costs order of the 25 April 2025 and considering the remainder of the costs of these proceedings and hearing from both counsel for the Claimant and the Defendant in person

IT IS ORDERED that:

1. The Defendant is committed to prison for a period of 5 weeks.
2. The committal of the Defendant to prison under paragraph 1 above shall be suspended for 6 months on condition that the Defendant complies with the terms of the Injunction Order.
3. The Defendant's application made by application notice dated 10 April 2025 to discharge or, in the alternative, vary the Injunction Order is refused. For the avoidance of doubt, both the Injunction Order and the power of arrest shall remain in force until 7 March 2026 at 23.59pm unless before then it is revoked by further order of the court.
4. By 4pm, 7 August 2025, the Defendant shall pay to the Claimant its costs of these proceedings, which were summarily assessed, in the sum of £6,600.
5. The Defendant may apply under CPR 81.10 to discharge the committal order.
6. The Defendant has a right of appeal.
7. The Court before which any appeal must be brought the County Court sitting at Romford and, if such an appeal is brought, it will be heard by a Circuit Judge.
8. An appeal may be made by Appellant's Notice, which must be filed at the appeal court by 4pm 28 May 2025
9. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales; this will be prepared at public expense.
10. The Court office is directed to serve this Order on each party both by email and by post. Good service of this Order is effected by sending it to the Defendant's email address: j80433new@gmail.com . This Order is deemed served on the Defendant on the day the email is sent if the email is sent on a business day before 4.30pm; in any other case, the deemed date of service is the next day at 9am.
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Romford
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