

IN THE COUNTY COURT AT BRISTOL

Bristol Magistrates' Court and Tribunals Hearing Centre
Marlborough Street
Bristol
BS1 3NU

BEFORE:

HER HONOUR JUDGE COPE

BETWEEN:

SOMERSET COUNTY COUNCIL

CLAIMANT

- and -

MAYNARD

DEFENDANT

Legal Representation

Mr Rees (Counsel) on behalf of the Claimant
Mr Stokes (Solicitor) on behalf of the Defendant

Other Parties Present and their status

Unknown Intermediary

Judgment

Judgment date: 24 April 2026
Transcribed from 12:54:21 until 13:05:44
from 15:04:39 until 15:10:48

Reporting Restrictions Applied: Yes

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Number of folios in transcript 43
Number of words in transcript 3,074

Her Honour Judge Cope:

1. By an order dated 16 March 2026, and a notice dated 24 March 2026, Mr Maynard was summoned to attend the Family Court sitting in Bristol to respond to allegations that on 27 January, 6 and 13 March 2026, his conduct amounted to contempt in the face of court.
2. The summons was issued by the court and drafted by HHJ Skellorn KC. Her order makes clear the local authority was to have conduct of the application. For completeness, I am hearing this case with the authority of Judd J.
3. Today, Mr Rees represents the local authority, Mr Stokes represents Mr Maynard. I am grateful to them both for their assistance. I also express my gratitude to the lay advocate who has supported Mr Maynard.
4. The allegations are as follows.

Allegation one

On 27 January 2026, you acted in a way designed or likely to disrupt, to delay, to undermine, or to otherwise prejudice the administration of justice within the care proceedings number TA24C50135 and your actions amounted to contempt in the face of court.

- a) On 27 January 2026 by unknown means you did covertly record some or all of an interim care hearing taking place before HHJ Skellorn KC in court room 3 at North Somerset Magistrates' Court, Worle,
- b) you acted as alleged in paragraph 1 as above,
 - (i) despite having been present for the judge's clerk's hybrid hearing warning that it is a criminal offence or a contempt of court to record the hearing,
 - (ii) despite having been told by the Judge that it would be contempt of court to record the court hearing.

Allegation two

In the alternative, on 13 March 2026, you acted in a way designed or likely to disrupt, to delay, to undermine, or otherwise prejudice the administration of justice within the care proceedings numbered TA24C50135 and your actions amounted to contempt in the face of court.

- a) If you did not record the hearing on 27 January 2026, you falsely stated that you had done so in a voice message left on 13 March for the allocated solicitor within Somerset Council's legal department in circumstances where it was foreseeable that her duty as an officer of the court was to report your statements and that His Majesty's Court Service and judicial resources would be taken up addressing that report.

Allegation three

On 6 March 2026, you acted in a way designed or likely to disrupt, to delay, to undermine, or otherwise to prejudice the administration of justice within the care proceedings number TA24C50135, and your actions amounted to contempt in the face of court.

- a) on 6 March 2026 at the Family Court, Petters Way, Yeovil whilst attending a hearing listed before District Judge Prigg, you did aggressively verbally berate the barrister

instructed by solicitors to act on behalf of Ms [REDACTED], namely Mr [REDACTED], and did so over a prolonged period whilst following him between the corridor, waiting area and the conference room.

b) your conduct was the sole cause of Mr [REDACTED] withdrawing and the hearing being ineffective that day.

5. For the purpose of determining the matter, I have considered the bundle of documents prepared by the Local Authority and in particular:

- the partial transcript of the hearing before HHJ Skellorn KC;
- the audio recording of the message made by Mr Maynard and sent to the Local Authority;
- the witness statement of Ms Dalzell;
- the witness statement of Mr [REDACTED];
- the documents filed by Mr Maynard including the statement from his partner Ms [REDACTED];
- the medical reports relating to Mr Maynard which confirms he has a diagnosis of ADHD;
- documents from the bailiffs confirming personal service.

6. I heard from Mr Maynard and Mr Rees on 7 April 2026. I addressed various procedural issues on that occasion which included allowing the local authority witnesses to give evidence remotely, allowing Mr Maynard to rely upon a witness statement from his partner, and ordering an expedited transcript of the hearing before Judge Skellorn. This has since been provided.

7. Mr Maynard said he was entitled to a lay advocate. I could not see this from any court order or from any medical evidence, however I told him that I would make an order for such, with the view to trying to secure somebody which I did.

8. On 7 April, Mr Maynard also raised issues about security staff at the court being witnesses which I addressed. He wanted disclosure of the CCTV footage which would show that he was not in contempt of court. My own enquiries reveal that the footage, which was visual only, had been wiped, which happens automatically after a certain number of days. However, had it been in existence, I was told that it would need be to redacted to remove third parties featuring in the footage. That strikes me as being a significant exercise and I wonder how helpful it would have been given the contents of the statement of Mr [REDACTED] and Mr Maynard's own statements. However, as I say, there is no footage.

9. Having explained the availability of public funding and representation, Mr Maynard secured representation. Mr Stokes attended on 16 April on a pro bono basis and requested an adjournment to secure legal aid, which I granted. Mr Maynard has been informed of his right to silence, which he exercised today.

10. In terms of the law, whilst in the context of proceeding with a Committal Hearing in the absence of the defendant, the case of *Sanchez v Oboz* [2015] EWHC 235 (Fam) is of assistance, and it says:

- committal proceedings are essentially criminal in nature, even if not classified in our national law as such;

- findings of fact are required before any penalty can be considered in committal proceedings;
- by virtue of the quasi-criminal nature of committal proceedings, article 6(1) and article 6(3) are actively engaged, the defendant is entitled to a fair and public hearing, and the hearing is to be within a reasonable time.

11. There must be proof to the criminal standard that the respondent has committed an act calculated to interfere with or prejudice the due administration of justice. Conduct is calculated to interfere with or prejudice the due administration of justice if there is a real risk as opposed to a remote possibility that interference or prejudice would result. An attempt to interfere with or prejudice the administration of justice must also be proved, although this can be inferred from all the circumstances including the foreseeability of the consequences of the conduct.
12. First, I am satisfied that all the procedural requirements are met. I have set out the allegations elsewhere. Once again, I remind myself that I must be satisfied to the criminal standard, namely beyond reasonable doubt.
13. Ms Dalzell was not required to give oral evidence. The contents of her statement stand. Mr [REDACTED] did give evidence. He was a fair and careful witness. His language was moderate at all times. However, it was clear from what he told me that in the many years he has been a barrister, he has not experienced behaviour at the level he did on the day in question. Never, he has said, has he had to withdraw in circumstances such as this, leaving a vulnerable client on her own. He said Mr Maynard was heightened, upon clarification said he was aggressive. He felt like one might feel if they were on the brink of a fight. He referred to the fight or flight response and feeling isolated, with his back against the wall and window, and some metres from security. He felt he had no escape route.
14. There was no requirement for Ms [REDACTED] to give evidence.
15. In a statement from Mr Maynard, he accepts his behaviour towards Mr [REDACTED] in part but attributes this to his recently diagnosed ADHD.
16. In respect of allegation one, I am not satisfied that the allegation is made out to the required standard. Had I been determining this on the balance of probabilities, that would be a different matter, but I am not. The evidence is not such that I consider Mr Maynard to have recorded the hearing.
17. In respect of allegation two, the evidence in support of the allegation is simple. The words used by Mr Maynard speak for themselves. The evidence that he spoke those words is straightforward. I am satisfied that the recording is accurate. Mr Maynard seeks to distance himself from that, but the explanation makes no sense. He gave the clear impression that he had recorded the hearing and even if he had not, it was entirely foreseeable that Ms Dalzell would report the matter with the inevitable consequences that valuable court and judicial resources would be used, as indeed they have.
18. I do not accept his evidence that he was bluffing or that he was referring to the court having recorded the case. It makes no sense. I am satisfied beyond reasonable doubt that the allegation is proved. The conduct was contempt in the face of court. I am satisfied to the criminal standard of proof that the allegation in the committal notice is made out.

19. As for the third allegation, whilst barristers are used to emotional displays and frustrations from parties, it is no excuse to berate a professional, which I am satisfied was what Mr ██████ experienced. I accept his evidence as to how he was treated by Mr Maynard, and the behaviour was such that he was aggressively and verbally berated by him, and it happened over a prolonged period of time. As for the second part of the allegation, even though Mr ██████ said Mr Maynard's behaviour was not the sole cause of him withdrawing, in my view that is not a fair representation of his evidence when considered in the context of the allegation and the rest of Mr ██████'s evidence which was that had it not been for Mr Maynard's behaviour, there would have been no reason for Mr ██████ to withdraw - even taking into account the issues with the position statement which Ms ██████ had not approved. Mr ██████ was forced into that situation and plainly felt sorry for Ms ██████, leaving her unrepresented that day, and he said that he felt that he was being monitored by Mr Maynard. He liked Ms ██████, and said how well she behaved towards him. Ultimately, he was not able to take instructions from her, and that was due to Mr Maynard's behaviour. Again, the allegation is made out to the required standard. That is my judgment.

(proceedings continue)

20. This is my judgment in respect of sentencing. Allegations of contempt in the face of court should be dealt with fairly and expeditiously. One of the purposes for bringing proceedings for committal in the face of court is to protect the administration of justice. It does not send a clear message to court users that such conduct is treated seriously if allegations are not dealt with appropriately and quickly. There was a request for an adjournment solely on the basis that Mr Maynard could put in steps to ensure his partner was all right if he went to prison. I checked with Mr Stokes and it was not a request to reflect upon my findings and put forward further mitigation.
21. I have reminded myself of the judgment in *Re Greg Hazeltine* [2024] EWHC 2982 (Fam) where Cobb J considered the options open to the Court which ranged from imposing a custodial sentence to no penalty. I have had in mind a Court of Appeal comments about sentence in contempt cases in *Liverpool Victoria Insurance v Khan* [2019] EWCA Civ 392. I have also considered the more recent Supreme Court decision in *His Majesty's Attorney General v Crosland* [2021] UKSC 15 where the following approach was suggested:
- (i) the court should adopt an approach analogous to that in criminal cases;
 - (ii) in light of its determination of seriousness, the court must first consider whether a fine would be a sufficient penalty;
 - (iii) if the contempt is so serious that only a custodial penalty will suffice, the court must impose the shortest period of imprisonment which properly reflects the seriousness of the contempt;
 - (iv) due weight should be given to matters of mitigation, such as genuine remorse, previous positive character, and similar matters;
 - (v) due weight should also be given to the impact of committal on persons other than the contemnor, such as children of vulnerable adults in their care;
 - (vi) there should be a reduction for an early admission of the contempt to be calculated consistently with the approach set out in the Sentencing Council's guidelines;
 - (vii) once the appropriate term has been arrived at, consideration should be given to suspending the term of imprisonment. Usually, the court will already have

taken into account mitigating factors when setting the appropriate term such that there is no powerful factor making suspension appropriate, but a serious effect on others, such as children or vulnerable adults in the contemnor's care, may justify suspension.

22. I bear in mind that the sanction which I impose, if any, has a primary function of marking the disapproval of the court and deterring others from engaging in conduct compromising content. I also have regard to the comments of Hale LJ as she was then in *Hale v Tanner* [2000] EWCA Civ 5580. In particular, it is common practice, given the sensitive circumstances of the case, to take some other course other than imprisonment on the first occasion. If imprisonment is appropriate, the length of the committal should be decided without reference to whether or not it is to be suspended. A longer period of committal is not justified because its sting is removed by virtue of its suspension. The length of the committal has to bear some relationship to the maximum period which is available. The Court has to bear in mind the context. It may be aggravating, it may be mitigating.
23. The case law suggests that there should be consistency in sentences passed for contempt in the face of court. The maximum sentence I may impose is one of two years.
24. The aggravating factors are these. Mr Maynard's conduct was highly disruptive to the proceedings. It was intimidating and very unsettling for Mr [REDACTED]. Barristers come to court in difficult and emotionally charged cases. Of course, litigants will speak with emotion and passion, however, there has to be maintenance of certain standards of conduct and respect, failing which justice cannot be done. This is why the conduct is so serious. It disrupts and intimidates those who are trying to uphold justice and undermines the court system. All litigants should understand that disrupting the proceedings is unacceptable. This was the same to some extent in respect of the message sent to Ms Dalzell. It has caused significant disruption to the public law proceedings. Mr Maynard cannot be said to be a man of good character. He has a catalogue of convictions which include abusive and threatening behaviour on more than one occasion, and an assault of an emergency worker although I am told he has made personal changes since lockdown.
25. The mitigating factors are these. Mr Maynard has offered an apology in his initial email to Mr [REDACTED], which he repeats in his skeleton argument. He says today he would not want anyone to feel as Mr [REDACTED] did. I also note that he has a diagnosis of ADHD and this is unmedicated. This is no defence to his actions but it is a factor which I have considered. His behaviour in court today suggests he is highly anxious about the prospect of going to prison. He cares for his partner and is concerned that he would lose his accommodation, and I can see him sitting at the back of the court holding his partner's hand.
26. In my view, the conduct is so serious that custodial sentence only will suffice. In respect of allegation 2 I impose a sentence of 14 days. As for allegation 3, I impose a sentence of 28 days. While the allegations are on different days and some distance apart, I consider it appropriate for them to run concurrently.
27. I have considered whether there are circumstances that allow me to suspend the sentences, and in the Family Court I have more flexibility. His criminal record causes me significant concern, but I am satisfied that on this occasion, both sentences should

be suspended for a period of 12 months. However, Mr Maynard, you must understand there cannot be a repeat of this behaviour. That is my judgment.

This Transcript has been approved by the Judge.

The Transcription Agency hereby certifies that the above is an accurate and complete recording of the proceedings or part thereof.

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