

IN THE MAIDSTONE FAMILY COURT

Case No. 1724-4214-1326-5365

Courtroom No. 2

The Law Courts
Barker Road
Maidstone
ME16 8EQ

Thursday, 11th June 2026

Before:

DISTRICT JUDGE WRIGHT

B E T W E E N:

DEILDRED CECILIA GULLETT

and

RICHARD JAMES GULLETT

THE APPLICANT appeared In Person
THE RESPONDENT appeared In Person

JUDGMENT

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District Judge WRIGHT:

1. This is matter 1724-4214-1326-5365 and I am concerned with the Claimant's application to commit the Defendant to prison for contempt of Court. The applicant in the financial remedy proceedings and the claimant in the committal application is Mrs Deildred Gullett who is a litigant in person. The respondent in the financial remedy proceedings and the defendant in the committal proceedings is Richard James Gullett who is also a litigant in person. I shall refer to them throughout this judgment as the Claimant and Defendant.
2. This is the third hearing that I have undertaken in the committal proceedings. All hearings have been heard in open Court and I have robed. Originally by order dated 20th June 2025 amended under the slip rule on 14 July 2025, Deputy District Judge Clarke attached a penal notice to an order that the defendant fully complete his Form E and provide all of the documents required. Her order was made at a First Directions Appointment which had been adjourned twice previously as the defendant had failed to comply with the court orders for disclosure of evidence of first appointment documentation. The Defendant was present at the hearing when this order was made. Her order required that the documents be provided by the 1 August 2025. They were not.
3. The claimant made an application for committal which came before me on 4 September 2025. At that point, I set out that the defendant has a right to silence; that he has a right to be legally represented in the contempt proceedings; that he is entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid, which may be available without any means test. I confirmed that he is entitled to a reasonable time to prepare for the hearing. He is entitled but not obliged to give written and oral evidence in his defence. He has the right to remain silent and may not be compelled to answer any questions, the answer to which may incriminate him.
4. At that hearing I went on to say that if he did not attend the hearing, the Court may proceed in his absence, but whether he attended or not, the Court would only find him in contempt if satisfied beyond a reasonable doubt of the facts constituting contempt and that they do constitute contempt.
5. I said that if the Court is satisfied that he has committed a contempt, the Court may punish him by fine, imprisonment, confiscation of assets or other punishment permitted under the

law. If he admits the contempt and wishes to apologise to the Court, that is likely to reduce the seriousness of any punishment by the Court.

6. I explained that the Court's findings will be provided in writing as soon as practicable after the hearing. The Court will sit in public unless and to the extent that the Court orders otherwise, and its findings will be made public.
7. On that date, as I was satisfied that the defendant had been served with the application I dispensed with the requirement for personal service. I ordered that the claimant's signed but unsworn affidavit of 7 August 2025 should stand as her witness statement in support of the application. I gave permission to the defendant to send to court, and to the claimant, a witness statement in response to the application. I gave permission for my order to be served by email due to difficulties with post being received at the address which the defendant has given the Court for service. The matter was then listed before His Honour Judge Robinson SiR on 29 October 2025.
8. When the matter was before HHJ Robinson SiR, the defendant did not attend. HHJ Robinson SiR recorded that the defendant had not complied with the order of DDJ Clarke and the Court found that he was in contempt of court by failing to do so. HHJ Robinson SiR also found the defendant to be in contempt of court by failing to attend that hearing in breach of my order dated 4 September 2025. HHJ Robinson SiR then adjourned both the financial remedy and committal applications before Deputy District Judge MacIntyre on 12 December 2025.
9. On that date both parties were present in person. No steps were taken on the committal application and it was listed for hearing on the first open date after 28 days. In a separate order, DDJ MacIntyre ordered that the defendant should within 28 days, provide full disclosure and a reconciliation of the sum of £78,000, alleged to have been retained by him, together with all necessary supporting documents and bank statements. He was also ordered to provide documentary evidence from previous employments that, as stated by him, he had no further pensions other than the one disclosed. In any event, he was ordered to provide statements of the CEV of all pensions, again within 28 days. It was ordered that he provide a letter from the solicitors acting for the estate of his late parents that he received no benefit now or in the future from their estate. DDJ MacIntyre did not endorse this order with a penal notice and he set the matter down for an adjourned FDR on the first open date after 28 days.
10. The committal application then came back before me on 17 March 2026. The defendant said he had not received the order of HHJ Robinson SiR dated 29 October 2025, although it appeared to me, as I recorded on my order, that he was certainly aware of the contents and

had seen some of it. I read out the findings of contempt. The defendant told me he did not know that he could have filed a statement. I considered that I should not deal with sentence without the defendant having had an opportunity to file a statement and reminding him that he is entitled to non-means-tested legal aid for this application. He had not complied with the order of DDJ McIntyre dated 12 December 2025 and I made a separate order on 17 March 2026 repeating those orders that Judge MacIntyre had made and I endorsed a penal notice to all of them. The order was made in the presence of the defendant and I dispensed with personal service. I reminded him at that hearing all of the rights which I have previously set out. I listed this hearing for today to consider whether a sentence should be imposed in relation to breach, or whether the proceedings should be adjourned until the financial remedy proceedings concluded so that the Court could consider any further breaches without the need for a fresh application.

11. I gave the defendant permission to send to Court and to the claimant a witness statement in response to the application for him to be held in contempt of court, including his non-attendance before HHJ Robinson SiR and why he had failed to comply with the order of DDJ Clarke. The order sets out that he should include any mitigation that he wished the Court to take into account.
12. The financial remedy proceedings then went for an adjourned FDR before Deputy District Judge Ilsley on 9 April 2026. It was an ineffective FDR as the defendant (or respondent as he was in that hearing) had still failed to provide any of the disclosure. DDJ Ilsley's order records that the defendant had not complied with the three penal notices set out in my order of 17 March 2026. The order further records that he had informed the Court that he had been busy with work and ran out of time, but had been looking to instruct solicitors to assist with compliance. I observe that he has told me that at previous hearings. DDJ Ilsley extended time for compliance with my order of 17 March 2026, and identified that there was little point endorsing a further penal notice in relation to those particular three paragraphs as there has already been non-compliance twice and a penal notice already exists. She warned Mr Gullett that a failure to comply with Court directions may result in adverse inferences being drawn against him in the financial remedy proceedings. That date has passed and he has not complied.
13. Both parties confirmed they were aware of this hearing before me today. DDJ Ilsley also gave directions leading to a final hearing. That is now listed on 6 August 2026.

14. At the outset of this hearing I reminded the Defendant of his right to silence and advised him he did not need to answer any of my questions. I asked him whether he had complied with the order that I had made in March or the order that DDJ Ilsley had made, and he said “no”. I gave him the opportunity to say anything further that he wished to do so as he has not filed a witness statement in relation to the contempt proceedings and he said that “*I don’t think I can help. I have tried to explain in the past but it is probably worth me not adding to what I have already tried to say*”.
15. The Defendant has already been found to be in contempt by HHJ Robinson SiR in relation to DDJ Clarke’s order and I am satisfied today, based upon the admission he makes, that he is in contempt of Court for failing to comply with the three penal notices I attached to my order of 17 March 2026. There are presently no further penal notices outstanding. There are no existing suspended penalties imposed. I have to consider what sentence should be imposed or whether I should adjourn sentencing until after the final hearing on the basis that there may be further breaches.
16. I am satisfied that I should proceed to sentence now on the basis that there has been failure to comply with orders now for a period of 12 months, and in the expectation that all matters can then be resolved before the final hearing to ensure it is effective and fair.
17. I have considered the legal principles which apply the case of *Hale and Tanner* [2000] 2 Family Law Reports 879, *Re G (Contempt: Committal)* [2003] 2 Family Law Reports 58, and *Lovett and Wigan Borough Council* [2022] EWCA Civ 1631.
18. Before me today there has been a widespread failure to comply with court orders which has meant that the applicant in the final remedy proceedings, the claimant in the committal proceedings has not been able to make any progress with resolution of her final remedies claim now for, she tells me, three years.
19. Certainly there has been no progress in 18 months of court proceedings. Additional hearings have had to be listed using court time, which is extremely scarce. I have explained on multiple occasions that the defendant has the right to legal representation and encouraged him to take steps to obtain this. He has not done so. He has not provided me with any meaningful information as to why compliance has not taken effect other than he has been busy with work. This is a case where there is a wholesale failure to comply with court orders leading to expense, stress and delay.
20. I am satisfied that these are serious breaches. I am satisfied that the orders have been made at hearings where the Defendant has been present. There has been a widespread failure to

comply with orders, delaying proceedings and potentially dissipating assets as time passes. Whilst the defendant appears sorrowful for his failure to comply he has made no attempt to do so even in part, with any of the orders which have been made. This is entirely a wilful breach. There are multiple breaches; HHJ Robinson SiR found two breaches, I have found three breaches arising from my order in March. However, I bear in mind that the overall penalty should not be a consecutive penalty for each of the breaches. I take into account that the Defendant has admitted the breaches, but he takes no steps to then comply.

21. In proceedings such as this, the Court wants compliance to ensure that orders are followed, that hearings are effective and fair, and that court time is not wasted. I have heard no meaningful mitigation about any of this.
22. I am satisfied that the threshold for imprisonment is met. I am satisfied that the breaches which have been found justify a period of imprisonment of one month. I bear in mind that should the defendant be committed to prison at this point there is no prospect of him being able to provide any of the documents which he has been ordered to do so. Clearly, if the hearing in August can be a two-sided hearing where the Court has disclosure and evidence from both parties, that is a far better outcome than a final order being based upon the evidence of one party and inferences being drawn in relation to the other party.
23. I am therefore satisfied that it is appropriate to suspend that period of imprisonment on terms that the order of DDJ Clarke of 20 June and my order of 17 March are complied with within 28 days of today. Should the matter return for lack of compliance the Court will have to consider reactivating any suspended sentence and considering whether it should be increased.
24. As I have made a suspended order, at this time the defendant will not serve any term imposed provided he complies with the conditions for the period of suspension. I will extend the time for compliance with the previous penal notices by 28 days to 4pm 9 July 2026. If he does not comply with the conditions or the orders then he is liable to serve all or part of that term imposed in addition to any other penalty imposed for further breach.
25. I shall direct that a transcript of my remarks and my judgment is obtained at public expense on an expedited basis and that this judgment is published on the website of the judiciary of England and Wales.
26. Finally, I must inform the defendant that he has a right of appeal without permission. The time limit for appealing is 21 days. Any application must be made within 21 days of today and the route of appeal is to a Circuit Judge.

27. I shall make an order to this effect, Mr Gullett. You will have a further 28 days from today to comply. I will dispense again with personal service of the orders on the basis that every document that is sent by post to the address you have given is returned marked “not at this address”. We have no address by which you can be served by bailiff or post so I will direct that the order be served by email. The orders continue in force to be complied with by 4pm on 9 July 2026. I urge you, Mr Gullett, to get legal advice.

End of Judgment.

Transcript of a recording by Acolad UK Ltd
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