

**IN THE COUNTY COURT AT PLYMOUTH**

Case No: M00PL323

Armada Way  
Plymouth  
Devon  
PL1 2ER

Date: 7 April 2026

**Before:**

**DISTRICT JUDGE JAMES**

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**Between:**

**PLYMOUTH COMMUNITY HOMES**

**Applicant/Claimant**

**- and -**

**ABDULRAHIM**

**Respondent/Defendant**

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**MISS CHARLOTTE DAVIES** appeared on behalf of the **Applicant/Claimant**  
**MR CHRISTOPHER CUDDIHEE** appeared on behalf of the **Respondent/Defendant**

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**APPROVED JUDGMENT**  
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**JUDGE JAMES:**

1. This is an application by Plymouth Community Homes to commit Mr Abdulrahim to prison for contempt of court. It is said that Mr Abdulrahim breached an injunction made on 16 September 2025 under the Anti-social Behaviour, Crime and Policing Act 2014. That order was made by Deputy District Judge Cornford and included, amongst other things, the following prohibition:

“That Mr Abdulrahim must not enter any of the claimant’s blocks of flats, known as Lipson Court, Greenbank Road, Plymouth PL4 7JG or enter the delineated areas around Lipson Court, namely Opie Lane and more particularly shown on the attached map”.
2. The allegation, which is admitted by Mr Abdulrahim, is that he, in breach of that term of the injunction, went to Lipson Court on 20 January. In support of that I have witness statements from PC Springbatt and PS Nicholls. Those are the police officers that attended following a report on 20 January in the early hours of the morning. Following the report they went to the property of the defendant’s partner, a Miss Fowler, and they tell me in the statement that it was five minutes past midnight; that Mr Abdulrahim gave an incorrect name to the police; that the police officer nonetheless believed it to be Mr Abdulrahim and checked with the police; that on being informed that he was going to be arrested the defendant resisted, locked out his arms, was verbally challenging, was flinging his arms, turning his body around, preventing the police officers from effective arrest. It states that he became increasingly aggressive and that he lunged forward, and in the altercation or incident that took place as part of the arrest Mr Abdulrahim suffered an injury to his head, which caused blood on the carpet of the property owned by Plymouth Community Homes and let to his partner.
3. I am told by Mr Cuddihee, who appears on behalf of Mr Abdulrahim today, that Mr Abdulrahim has been dealt with in the criminal court on Saturday for obstructing or resisting arrest and that he was sentenced to time served in respect of that. That covers the period of Thursday, Friday and most likely some of Saturday. Thereafter he has been in custody since then until today; and we are late in the day today, because there was a warrant out for Mr Abdulrahim’s arrest because he had failed to surrender to this court on 27 January (which is when the matter was initially adjourned to).
4. The context of this breach is that I am told there are two previous breaches dealt with by a custodial sentence of four weeks. Those were dealt with on 9 December 2025 by District Judge Mashembo
5. The context of this case is that the injunction was imposed because of the blight that Mr Abdulrahim was creating on the lives of the neighbours of Miss Fowler in and around the block of flats. That is why he was excluded from the property and notwithstanding his right to respect for private and family life and the relationship with his girlfriend, Miss Fowler. I am told that on the last occasion this matter was before the court for sentencing for the previous breaches, that Mr Abdulrahim’s attitude was rather different to that which appears to be the case today. Nonetheless, that did not stop him, a matter of days and a few weeks – certainly after his release – committing a further breach as a deliberate non-compliance with the order that has previously been imposed.

6. I am told that he has since that date not breached the injunction order against him and there is no evidence to suggest to the contrary. He was avoiding no doubt his need to return to court.

## Law

7. The approach that this court takes to contempt applications involves a different approach to that which the criminal courts take to criminal offences. The correct approach is set out in the Court of Appeal decision of *Lovett v Wigan Borough Council* [2022] EWCA Civ 163. There are three objectives to sentencing:
- ensuring future compliance with the order. That is highest in terms of importance;
  - punishment; and
  - rehabilitation.
8. The Court of Appeal in that case go on to approve the Civil Justice Council Guidance, which provides a matrix of culpability and harm against which the court is to consider the guidelines.
9. The applicant/claimant and the respondent/defendant were in agreement that the level of harm applicable in this case is category 3, namely little or no harm or distress. That seems to be correct on the evidence that is before the court. I have no evidence to suggest that any third party was caused any harm or distress. Notwithstanding that, I also have to bear in mind what is obvious from the circumstances, which is that this was the very early hours of the morning, there would have been a commotion caused by the need to arrest Mr Abdulrahim, and there was blood left. All of these things are likely to be disruptive to neighbours – who it is the purpose of the antisocial behaviour injunction in the first place to protect.
10. There is then disagreement between counsel as to the correct culpability category. Miss Davies, on behalf of Plymouth Community Homes, put this as high culpability which would be (a); and Mr Cuddihee puts this matter as being within culpability at (b). It is undoubtedly a deliberate breach which would bring it within culpability (b), but it seems to me that it is also a persistent serious breach because of the purpose for which the injunction was imposed and the fact that this is the third breach in a very short space of time that this matter comes before the court.
11. It has been delayed since that time, but it has been delayed because Mr Abdulrahim has been at large, having failed to attend as he was remanded to do, on 27 January; so, I am of the view that the correct culpability category is that of high culpability, albeit at the lower end.
12. I come to the conclusion this does fall therefore in the high culpability category and category 3. That provides for a starting point of one month in custody and a category range of adjourned consideration to three months. Looking at that guidance I take into account that Mr Abdulrahim has admitted the breach today on the first occasion on which he has received legal advice and representation, noting that was the reason for which he sought the original adjournment.

13. I take into account that he has apologised for the breach, and I take into account that he tells me that he has had a change in attitude and a change of approach and will therefore be looking hereafter to comply with the terms of his injunction, and he bears in mind the consequences that his actions have for Miss Fowler and their unborn baby.
14. Notwithstanding all of that, it seems to me that nonetheless custody is appropriate and justified in the circumstances of this case. It is, as I have set out, a serious breach of the injunction going to a place that Mr Abdulrahim knew he was not entitled to go. It was deliberate. It was serious in the sense of it was something that he knew he should not be doing but nonetheless went to at that time, with the attitude that it seems that he still held at that time.
15. Coming then to what sentence I should impose, Mr Cuddihee on behalf of Mr Abdulrahim invites me to take an exceptional course and to either impose no custodial sentence or to suspend any custodial sentence, and it seems to me the objective that needs to be achieved most importantly is to ensure future compliance with the court order. That is best served by setting out clearly to Mr Abdulrahim, who appears to have deliberately flouted the order in the past, that breaching the injunction carries with it serious consequences.
16. Ordinarily, and having regard to the fact that this is the second breach, I would have imposed a sentence of six weeks in custody. For Mr Abdulrahim in this case I reduce that by a third to take into account his admission, and I reduce it by a further seven days which takes into account the time that he has spent in custody. The order that I am therefore going to make is that Mr Abdulrahim you should serve three weeks in custody.
17. I decline the invitation to suspend that sentence. It seems to me that it should be clear to you, Mr Abdulrahim, that you cannot continue to breach injunctions made by this court and designed for a very good purpose in ensuring that neighbours of Miss Fowler are not subjected to your antisocial behaviour. That is the sentence, and I shall therefore impose - one of three weeks in custody. You must serve half of that sentence, Mr Abdulrahim. That is custody that is effective immediately
18. You have an absolute right to appeal against this sentence. If you wish to exercise it, this right must be exercised within 21 days of today's date. I will order also that there will be a transcript of these sentencing remarks uploaded on to the judicial website in the usual way.

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19. I will order the defendant to pay the claimant's costs of £1,513; those seem to me to be reasonable and proportionate. Those are to be paid within 28 days of today's date. I am conscious of course that Mr Abdulrahim is unlikely to have that money to pay within that timeframe, but nonetheless the claimant is entitled to its order and is entitled to a date following which it can enforce any costs order, so four weeks from today's date is 4 May.

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**(This Judgment has been approved by DJ James.)**

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