

IN THE COUNTY COURT OF CLERKENWELL AND SHOREDITCH

Case No. M00EC203

Courtroom No. 7

The Gee Street Courthouse
29-41 Gee Street
London
EC1V 3RE

Tuesday, 3rd March 2026

Before:
DISTRICT JUDGE HAYES

B E T W E E N:

THE GUINNESS PARTNERSHIP

and

MOHAMMED AAMIN YUSUF

NO APPEARANCE by or on behalf of the Claimant
THE DEFENDANT appeared In Person

JUDGMENT
(APPROVED)

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This judgment was delivered in private. The judge has given leave for this version of the judgment to be published on condition that (irrespective of what is contained in the judgment) in any published version of the judgment the anonymity of the children and members of their family must be strictly preserved. All persons, including representatives of the media, must ensure that this condition is strictly complied with. Failure to do so will be a contempt of court.

District Judge Richard Hayes:

1. I gave a judgment on the 8th September 2025 determining a contempt application and finding the defendant, Mr Yusuf, was in breach of a (then interim) anti-social behaviour injunction. I adjourned sentence. This is now my judgment regarding penalty.
2. I determined that the defendant was in breach of an injunction made on the 15th January 2025 under the Anti-Social Behaviour Crime and Policing Act 2014. Paragraph one of that order, in terms of 1(a) and 1(b), provided as follows, that the respondent Mohammed Yusuf is forbidden (whether by himself or by encouraging or permitting any other person) from :
 - (a) Using or threatening to use violence against any person residing in or lawfully visiting Bullrush Court, 13 Imperial Street, London Borough of Tower Hamlets, London, Greater London E3 3DF or within the locality, including but not limited to, the recreational playground, or any person employed by, or acting on behalf of, The Guinness Partnership, including agents and contractors.
 - (b) Engaging in behaviour or using words which causes or is likely to cause harassment, alarm or distress to any person residing in, or lawfully visiting Bullrush Court, 13 Imperial Street, London Borough of Tower Hamlets London, Greater London E3 3DF, or within the locality, including but not limited to, the recreational playground, or any person employed by, or acting on behalf of, The Guinness Partnership, including agents and contractors.
3. There were three allegations that were against Mr Yusuf. I dismissed two but I found the a third proved. What I found proved was this: that on the 10th February 2025, the Defendant was stood on his balcony and pointed at Ms Elize, the concierge officer employed by The Guinness Partnership or being another officer of the claimant, and said: “You, you, you come here, I am going to bend you over and fuck you doggy style”, and that he repeated this a

further three or four times. I found that proved. I also found that came within paragraph 1(a) and paragraph 1(b) of the injunction order.

4. I adjourned the penalty hearing and provided that the claimant did not need to attend but I provided that they should update the Court, in relation to whether there had been any further alleged breach of the injunction. There has been a previous hearing of the adjourned penalty matter and I recall in relation to that hearing that the claimant had emailed to say that there had been no further alleged breach. I assume that is still the case today. Mr Yusuf was unable to attend on the last occasion; he was in custody, but not in relation to this matter I should say as far as I am aware. He attends today in person. I have reminded Mr Yusuf at the start of today's hearing that it is his right to have legal representation and advice if he wishes, but he wishes to proceed with the penalty matter today.
5. I remind myself of the leading decision in the *Lovett v Wigan Borough Council* [2022] EWCA Civ 1631 case. The objectives of sentencing for breach are, in this order: ensuring future compliance with the order; punishment; and rehabilitation. Consideration is required of culpability and the level of harm.
6. Culpability ranges from A (high culpability, which is a very serious breach or persistent serious breaches) down to C (lower culpability, which minor breach or breaches) with B, deliberate breach falling between A and C.
7. Harm ranges from Category 1 down to Category 3. The level of harm is determined by weighing up all of the factors of the case to determine the harm that was caused or the risk of being caused by the breach or breaches. In assessing any risk of harm, consideration should be given to the facts or activity, which led to the order in fact being made.
8. The three levels of harm are:
 - (i) Breach that causes very serious harm or distress.
 - (ii) Cases falling between (i) and (iii).
 - (iii) Breach that causes little or no harm or distress.

9. There is reference in *Lovett* to a grid. One looks at culpability and one looks at harm. Hence, from that grid, one ascertains the starting point and a range. In my judgment this case concerning unpleasant, repeated shouts of sexual violence towards the lady in question, is B2. That is to say, it is in the middle as regards culpability and harm. The starting point is one month in custody. The category range is adjourned consideration to three months.
10. On the 8th September 2025 I did indeed adjourn sentence. I made it clear that at that stage I was minded to impose a 28-day custodial penalty, although for credit to be given for time served on remand, and I would have considered whether the sentence should be suspended or not.
11. Mr Yusuf has said in mitigation that he is unemployed and that he is on Universal Credit. It might also be said that this is one instance, albeit that there were multiple occasions on the day of the words constituting breach being said. Furthermore, I understand that he no longer resides at the premises in question, and I see an affirmative nod from him. He was in custody for nine days because, I think, he was arrested on 10 February, and his arrest was discharged on the 18th February, and one includes the date of arrest and the date of discharge. Therefore, he is to be given credit for that twice over because he would only serve half his sentence. So he is to be given 18 days' credit.
12. I have reached the view that an immediate custodial sentence is warranted given the seriousness of what was threatened, but I am going to limit that sentence to 18 days. In other words, Mr Yusuf will not now go back to prison because of the credit to which he is entitled as a result of the time he has already served. He has served his time in relation to this matter. It is to Mr Yusuf's credit that there have been no further allegations of breach in the interim. That should and does stand to his credit.
13. The result of that is effectively that Mr Yusuf has served the time of the sentence. I will direct that there be a transcript at public expense of this judgment and the previous judgments. Mr Yusuf has the right to appeal within 21 days of this order to the circuit judge of this court. He does not need permission for that appeal. I record formally his date of birth,

23 November 2000. The order will also provide that the address for Mr Yusuf will now be the address at 4 Berberis House, Gale Street, London, E3 3RJ.

14. I should say that a final injunction remains in place on the terms it was made which, I think, expires sometime in 2027 and it is important that Mr Yusuf remains abiding by any such injunction as remains in place.

End of Judgment.

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