

RECORD OF SERVICE, HEARING AND CONTEMPTS FOUND PROVED

At the hearing

- (1) Wigan Borough Council ~~appeared personally~~ [was represented by solicitor/ counsel] ~~did not attend~~
- (2) David Stephens ~~appeared personally~~ [was represented by solicitor / counsel] ~~did not attend~~

The court read the affidavits of (Names)

- (1) LISA VICTORIA DALY
 (2) KAREN JANE KENNEDY
 (3) ALEXANDER HEYES

Date affidavit(s) sworn

- (1) 21 DEC 2007
 (2) 07 JAN 2008
 (3) 02 JAN 2008

And the court heard oral evidence given by

Name(s) Miss Daley
 Mr Stephens

And the court is satisfied having considered the facts disclosed by the evidence and ~~or~~ admitted in court by him ~~her~~ that **DAVID STEPHENS** has been guilty of contempt of this court by disobeying the order ~~by and as set out in the attached schedule~~ (breaking the undertaking) dated **18 AUGUST 2007**

1. ON 20 AUGUST 2007 BY ENTERING COLUMBUS STREET IN BREACH OF TERM 2 OF THE ORDER;
2. ON 22 AUGUST 2007 BY CAUSING DISTURBANCE & ANNOYANCE TO PAUL WHELAN AND OTHER RESIDENTS OF COLUMBUS STREET ENTERING COLUMBUS STREET AND COMMITTING ABUSIVE BEHAVIOUR AGAINST KAREN KENNEDY IN BREACH OF TERMS 1, 2 AND 3;
3. ON 24 AUGUST 2007 BY ENTERING COLUMBUS STREET IN BREACH OF TERM 2;
4. ON 20 DECEMBER 2007 BY CAUSING DISTURBANCE & ANNOYANCE TO RESIDENTS OF COLUMBUS STREET AND ENTERING COLUMBUS STREET IN BREACH OF TERMS 1 AND 2.

And for the particular contempt the court the penalty of:

1, 2 & 3 - 28 days each to be served concurrently;

4 - 4 months to be served consecutively ~~with~~ to the sentence above making a total sentence of 5 months.

RECORD OF SERVICE

Service of Injunction Order with Penal Notice incorporated or indorsed

(Order dated) 19

(for substituted) (dispensing with) service)

Service proved by

affidavit of

sworn on 19

certificate of bailiff

oral evidence of

Service of Notice to show good reason in form N78

(Order dated)

(for substituted) (dispensing with) service)

Service proved by

affidavit of

sworn on 19

certificate of bailiff

oral evidence of

Done
 REC. P. R. MANN Q.C.
 11/1/08

Service of Immediate Custodial Order

I (name of Officer)

certify that I served the contemnor with a copy of this order by:

- delivery by hand to the contemnor before he was taken from the court building or other place of arrest to the place of detention
- delivery by hand to the contemnor at (time) on (date) 19 at (place)

Where a suspended committal order is made, the applicant is responsible for service. (Rules of the Supreme Court Order 52 rule 7(2).)
 Where there is suspended committal order or penalty is adjourned on terms, personal service is advisable.