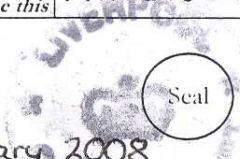


Committal or Other Order upon Proof of Disobedience of a Court Order or Breach of an Undertaking

In the
Liverpool
County Court
Case No. **7WNO1606**
Always quote this

Between Wigan Borough Council Applicant
Plaintiff
Petitioner
And David Stephens Respondent
Defendant

Before His (Her) Honour Judge Recorder Main QC
Sitting at Liverpool County Court on (date) 11th January 2008



- 1 An Application having been made by ⁽¹⁾ WIGAN BOROUGH COUNCIL for committal of ⁽²⁾ DAVID STEPHENS to prison for disobeying the order [~~breach of the undertaking~~] dated 13 AUGUST 2007 and the allegations made by the applicant are recited on the attached notice to show good reason The relevant terms of the order (~~undertaking~~)
or
- 2 Whereas ⁽²⁾ has been suspected of a breach of the attached order dated before the Judge under Section 155 Housing Act 1996. and has been arrested by a constable and brought

IMMEDIATE CUSTODIAL ORDER

It is ordered that ⁽²⁾ David Stephens be committed for contempt to Her Majesty's Prison (be detained under section 9(1) of the Criminal Justice Act 1982) at ⁽³⁾ HMP FOREST BANK for a (total) period of ⁽⁴⁾ 5 months or until lawfully discharged if sooner, and that a warrant of arrest and committal be issued forthwith.

And the contemnor can apply to the (court) (judge) to purge his contempt and ask for release.

[And, as the court by order dated dispensed with service of the notice of application for a committal order, It is ordered that the contemnor be brought before a judge of this court as soon as practicable.]

ALTERNATIVE DISPOSAL

~~It is ordered that ⁽²⁾ be committed for contempt to prison for a (total) period of ⁽⁴⁾~~

~~The order is suspended until 19 and will not be put into force if during that time the contemnor complies with the following terms:~~

~~And it is further ordered that in the event of non compliance any application for issue of the warrant shall be made to a judge (on notice to the contemnor)~~

~~It is ordered that ⁽²⁾ be fined the sum of £ Such sum to be paid into the office of the court within 14 days of the date of this order.~~

~~It is ordered that consideration of the penalty for the contempts found proved be adjourned until 19 and may be restored for decision during that time.~~

PROVISION FOR COSTS

And it is ordered that (1) THE CLAIMANT'S COSTS BE PAID BY THE DEFENDANT, THIS ORDER NOT TO BE ENFORCED WITHOUT FURTHER ORDER OF THE COURT, THE AMOUNT OF SAID COSTS TO BE DETERMINED BY DETAILED ASSESSMENT; (2) THE DEFENDANT'S COSTS BE ASSESSED
For record of service, hearing and contempts found proved, see overleaf FOR THE PURPOSES OF PUBLIC FUNDING
Dated 11/1/08

N79 Committal or other order upon proof of disobedience of a court order or breach of an undertaking (Order 29, rule 1(5)) (Domestic Violence and Matrimonial Proceedings Act 1976) (Family Proceedings Rule 3.9)