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IN THE MANCHESTER COUNTY COURT
(Sitting at Manchester Magistrates' Court)

No. QB-2022-001236

Neutral Citation Number (2022) EWHC 2387 (KB)

Sitting at Manchester Magistrates' Court
Wood Street
Crown Square
Manchester
M3 3FL

Wednesday, 24 August 2022

Before:

HIS HONOUR JUDGE BIRD

B E T W E E N :

NORTH WARWICKSHIRE DISTRICT COUNCIL

Claimant

- and -

JAKE HANDLING

Defendant

THE CLAIMANT did not attend and was not represented.

THE DEFENDANT appeared In Person.

J U D G M E N T

JUDGE BIRD:

- 1 This hearing is being recorded and everything we have said is available on a transcript, should that ever be needed in the future. I am going to order that out of an abundance of caution, a copy of the court's order of 13 May 2022, which is the order sending you to prison for thirty-seven days, should be served on you as soon as reasonably practicable at the prison you are being held at by the claimant. So that you have that with you and you understand why you are there. You will also be given a copy of the warrant, which is the means by which you are lawfully detained under this thirty-seven day period.
- 2 I will also require that the claimant serve on you at the prison that you go to, a copy of the warrant of arrest of the original order in respect of which the committal order was made and the grounds for the schedule of allegations as it is called.
- 3 I should make clear, that is not on the basis that these documents have not been served on you. My understanding is they have been served on you, but I want you to have them, just in case you need them. You will then be taken from here by the officers in accordance with that warrant to serve your thirty-seven days.
- 4 I have noted the point that you have made that the action you are taking is lawful, that point has already been determined by the High Court judge in determining that you should be sent to prison. The order tells you about how you can appeal that order, and you will now be too late to appeal it, but you can appeal out of time. It may be that that will be the appropriate venue for you to raise any of these issues.
- 5 I ought to tell you, as I am sure you are aware, those points have been raised in other hearings, and my understanding is that they have not found favour with the court. However, I understand you did put them forward.
- 6 On that basis, I am going to make an order that you be taken to prison to serve the thirty-seven days. Against that background, we started off by me asking you about adjournment, if you do still want to ask for an adjournment then the order I told you I am going to make would, potentially, be put off until you have been heard. The adjournment would probably no longer than seven days, but I am not guaranteeing I would grant an adjournment. I would also have to ask you why you wanted an adjournment, so you would have to come up with a good reason. It may be that the choice you are making not to make an adjournment is quite a sensible one. There we are.
- 7 I will make the order, you will wait here please with the officers until the warrant is served on you. There will be a separate order issued against the original order, the local authority that sought the initial order has led to your committal, and you will get various other papers whilst you are in custody.

CERTIFICATE

Opus 2 International Limited hereby certifies that the above is an accurate and complete record of the Judgment or part thereof.

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This transcript has been approved by the Judge