

TRANSCRIPT OF PROCEEDINGS

Ref. B00DE811

IN THE COUNTY COURT AT NOTTINGHAM

60 Canal Street
Nottingham

Before HIS HONOUR JUDGE GODSMARK QC

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

- v -

KATHLEEN NEAL

MR SOOD appeared on behalf of the Respondent

The Applicant did not attend

JUDGMENT

**1th FEBRUARY 2019, 10.14 & 14.02
(FOR APPROVAL)**

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JUDGE GODSMARK:

1 Kathleen Neal, three times you have been brought back before the court for breaching the court order. On the first occasion you were fined. On the second occasion you were made the subject of a suspended committal order. I have no doubt that Judge Owen would have told you that if there were further breaches, you would have served – you would serve a prison sentence. Nonetheless, you're back. You have breached it again and I have sentenced you to a prison sentence. I required you to come to here – to court on your way to prison in case there was anything that I ought to know about which might change my mind. What I have heard from you is really an exercise in denial.

2. You're saying it is not your fault - that you're portraying yourself as a victim and much of today's exercise has been one of self-pity so far as you're concerned. The remorse which you expressed, I am not convinced is genuine. I am concerned about your husband. I'm not convinced that your son cannot assist in the way that you suggest. I am troubled by the mental health issues that you have identified, but I have come to the conclusion that nothing will be lost in terms of your access to mental health services if you serve a short custodial sentence. I have sentenced you to 28 days. Out of mercy I am going to reduce that to a period of 14 days. I'm going to reduce the sentence on the first breach with currently stands as 28 to 14 days. The other sentences will remain the same. 14 days imprisonment. You'll go down. I'll wait until a dock officer will come and collect you.

(The Court rose)

(The Court resumed at 14:02)

JUDGE GODSMARK:

3 Mrs Neal, I think that you are an intelligent and manipulative woman. I think that you have continued with this conduct believing that nothing would happen to you and that you take orders of the court with a pinch of salt, thinking that you can come along here, spin some story, and get away with it. As I have said, this is the third time you have been up. I hope you are slowly beginning to realize that if the court makes an order, we expect to have it obeyed. I hope that what has happened today has impressed upon you that I'm serious about this when I say you will obey court orders. So I am prepared to take the stance now that it is possible that a lesson has been learned over the last two or three hours, and send you home.

MRS NEAL: Thank you, your Honour.

JUDGE GODSMARK:

4 No, just listen a moment please. You will need to go back downstairs and be processed because you are at the moment in custody of the prison service and so there are certain things that they need to do before they can release you. What I'm going to do with the – with the order that I originally made for 28 days, that is going to stay in position, but I'm going to make an order that no action will be taken on that unless the court orders it. That means that it is just there hanging in the background, Mrs Neal, and if I get any sniff that anything such as this behaviour is continuing, I will simply lift the stay and that order will be activated. Do you understand that?

MRS NEAL: I do your Honour, thank you.

JUDGE GODSMARK:

5. The object of this Mrs Neal, is not to send people like you to prison, the object is to get you to obey court orders. I vary the order that I made this morning to the extent that the original order that I made earlier this week will not, so far as the custody element is concerned, be executed without further order of the court. I am also going to say that if there are any further breaches Mrs Neal, the matter is to be referred to me, and it will be me next time and I will remember.

MRS NEAL: OK your Honour.

JUDGE GODSMARK: Good, take her down, before release.

MRS NEAL: Thank – thank you, your Honour. Thank you, your Honour.

JUDGE GODSMARK: Off you go, Mrs Neal, before I change my mind,

MRS NEAL: (Inaudible) (HHJ Godsmark's recollection is that she said "I will not let you down")

We hereby certify that the above is an accurate and complete record of the proceedings or part thereof.