

IN THE COUNTY COURT AT BROMLEY

Case No. G03CL048

Courtroom No. 2

Court House
College Road
Bromley
BR1 3PX

Wednesday, 8th December 2021

Before:
DISTRICT JUDGE BROOKS

B E T W E E N:

LQHT

and

TYRONE OLUWOLE

MR S STRELITZ appeared on behalf of the Claimant
NO APPEARANCE by or on behalf of the Defendant

JUDGMENT
(For Approval)

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DJ BROOKS:

1. I have to sentence Mr Oluwole for the breaches which I found have taken place as set out in the list of allegations.
2. Unfortunately, he is not here today because he may well have wished me to take into account any matters which he thought might reduce any convictions which I have found proved, but he is not here.
3. I am also aware that when he attended before me in November that there are some issues around mental health. I cannot take those into account because I have no evidence as to what the position is in relation to that and he has also chosen not to be here today.
4. What I am attracted by, is what I heard from Miss Fare today. It is clear to me that both herself and her mother have been quite badly affected by what this gentleman has done and she has taken the very brave step to come today. I am sure it is not something which she wanted to do and would have avoided doing at all costs and the solicitors for the Housing Association made sure that she was protected as best they can by writing in and asking for screens to be provided, which we have done, so she could give her evidence freely without worry about intimidation. I am sure, from her point of view, she is still concerned about what would happen after having come to Court to give evidence. The order that was made, which I have already referred to, was made to protect a number of tenants but in particular her; that is what we are here to deal with today.
5. I do take account of the fact of what she told me, that following me putting him on remand that it was fantastic, and I can completely understand that bearing in mind the allegations I have read and the evidence that I have seen. She should be able to live comfortably and safely in her home, without fear, without the risk of being threatened with violence or in fear of her life.
6. I have been addressed by Mr Strelitz today, he has drawn the breach guidelines to my attention and he says, without saying what sentence should be imposed for each of the matters which I have found proofed, that the appropriate guidance is culpability and harm and he regards this as a Category A. He drew to my attention a range of sentences which I could impose for the breaches which I found.
7. He says that the starting point is two years, albeit that the range is one year, but leaves it as a matter for me. He underlined the significant effect that it has had on Miss Fare and I have

noted that; I noted that from the document which I saw last time and also when I reread the allegations this morning.

8. I have to deal with each of the allegations separately and then come back and look at them and decide whether or not the sentences I impose are proportionate, taking into account what I have said.
9. The first thing that I will say is that there will be a custodial sentence, it will not be suspended, and the reasons for that is because of the threats of violence which have been made against Miss Fare, which are very clear from the notes which she made and also very clear from her statement.
10. The sentences will run concurrently which means that they will run at the same time rather than separately, which would be cumulative in nature which would be very unusual.
11. I am going to deal with them in no particular order but the order that I have here. In terms of paragraph eight, the list of the allegations, that might be easiest for you to follow Mr Strelitz by doing it that way.
12. In relation to 8(1) and 8(2) I am going to impose a custodial sentence of two months for each of those.
13. For allegation subparagraph three, which took place an hour later, I am going to impose a sentence of four months and the difference being there that, although we had with the first allegation, "I will do you", that may just be a passing comment, I do not know, but he certainly repeats that by saying he is going to fuck her up, which he clearly says which is why I have doubled the sentence.
14. For allegation number four I am going to give a sentence of one month.
15. I depart from that sentencing structure when it comes to allegation five, and also the admitted breach, because allegation five you have a continuation of threats: "you're going to die", "watch your back", "watch your fucking back from now on", "I'm going to fuck you right now", "I will throttle you". Those are direct threats of violence to Miss Fare, I am going to impose a sentence of eight months for that and also for the admitted breach which is said when the police came and recorded what was said. I do not know if the defendant was aware that the police were on the property. It has not been said that he was, but certainly this is at the end of a number of threats.
16. I note that the guidelines give a starting point of two years and I depart from those guidelines because one, there is no actual violence here, these are threats of violence, not that I mean to undermine in any way how Miss Fare felt about that and I think she was right to feel the way

that she felt about it and I am really pleased that she has reported it; I have seen the email to the Housing Association.

17. I also take into account that there have been no further incidents since I let him on bail back on 19 November. Also, he does not have a history, from what I have been told, of violence but nevertheless, I considered these allegations serious enough for him to serve a custodial sentence.
18. I have to take into account the totality principle, which is when you are dealing with a number of offences you have to look at the decisions that are being made, and I am content that the sentences which I have imposed are proportionate and reasonable.

End of Judgment.

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