Neutral Citation Number: [2021] EWHC 335 (QB)

Case No: QB-2019-004208

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
DIVISIONAL COURT

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 22/02/2021

Before :

LORD JUSTICE LEWIS

AND MR JUSTICE MARTIN SPENCER

- -

Between :

HER MAJESTY'S SOLICITOR-GENERAL	**Applicant**
- and -	
NEELU BERRY	**Respondent**

- -
- -

Adrian Eardly (instructed by **the Government Legal Department**) for the **Solicitor-General**
Ms Berry appeared in person

Hearing date: 10 February 2021

- -

APPROVED JUDGMENT

Lord Justice Lewis and Mr Justice Martin Spencer handed down the following judgment of the Court:

Introduction

1. This is the judgment of the Court on an application by Her Majesty's Solicitor-General for an order committing the respondent, Neelu Berry, to prison for contempt of court.

2. The application arises out of matters occurring during a trial of Sabine McNeil on charges of stalking and breach of a restraining order which was held before HHJ Cahill and a jury in Southwark Crown Court in November and December 2018. The background to that trial was a family dispute. The mother and father of two children (whom we will refer to as A and B) separated. The mother, and her new partner, sought to ensure that the father would not be given access to the two children. They made allegations that the father was the head of a satanic cult involving other parents of children at the school attended by A and B. They alleged that the cult members killed and ate babies and sexually abused A and B and other children. They used physical and psychological abuse to pressure A and B into repeating the allegations and filmed them doing so.

3. In a judgment given by Pauffley J. in the Family Court in March 2015, the judge found that the allegations were untrue and were fabricated. The judge found that neither child had been sexually abused by their father, nor any teacher nor any parent of children at the school, nor by any member of the clergy, the police or social services as alleged by the mother and her partner. There was no satanic or other cult at which babies were murdered or where children were sexually abused. The children's stories came about as the result of relentless emotional and psychological pressure and significant physical abuse by the mother and her boyfriend.

4. Notwithstanding those findings, persons continued to repeat the allegations on line. The respondent was prosecuted in connection with a disturbance at a church where the priest was alleged to have been involved with the satanic cult. The respondent was acquitted as the prosecution offered no evidence. In July 2016, the respondent and a woman named Sabine McNeill were prosecuted for conspiracy to intimidate witnesses in relation to the earlier trial. The trial judge ruled that there was no case to answer but made restraining orders against both the respondent and Ms McNeill. The order in the respondent's case recorded that it was made to protect the priest and staff and pupils at the school. It prohibited her from contacting named individuals (not including the father of A and B). It prohibited the making public, including publication or re-publication of material on the internet, of allegations of cannibalism, sexual child abuse or satanism, in relation to the relevant church or primary school.

5. Ms NcNeill took part over three years in a campaign of harassment of parents of children alleged to have been involved in the alleged cult which killed and ate babies and carried out sexual abuse on children. She was charged with offences of stalking and breach of the restraining order. The offences included publication online of the personal details of the parents of other children at the school attended by A and B. Those parents were falsely and maliciously accused of having taken part in sexual and satanic abuse, including allegations that they had abused their own children. Their names, addresses, telephone numbers, email addresses, pictures of their children were put on line. The trial took place between 18 November 2018 and 14 December 2018 before HHJ Cahill

and a jury. Ms NcNeill was ultimately convicted of a number of offences and sentenced to a total of nine years' imprisonment. The details of the offences and the sentence are described in the judgment of the Court of Appeal (Criminal Division) in *R v McNeill* [2019] EWCA Crim. 1566. Prior to the trial, HHJ Judge Beddoe made an order under section 46 of the Youth Justice and Criminal Evidence Act ("the Act") that no matter should be included in any publication if it was likely to lead members of the public to identify one of five named individuals, including the father of the children, as being witnesses at the trial.

6. The application for the committal of Ms Berry alleged that Ms Berry had breached that order. In summary, it was alleged that Ms Berry had published a post on a Facebook page in the name of Ved Chaudhari which was likely to identify the father of A and B as a witness at the trial in breach of the order of HHJ Beddoe. Secondly, it was alleged that Ms Berry permitted a post placed by a third party on the Facebook account of Ved Chaudhari which identified the father as a witness to remain on that account.

7. Permission to bring the application was granted on 20 February 2020 and we heard the application on 10 February 2021. At the conclusion of the hearing on 10 February 2021, we announced our decision in the following terms:

> "The purposes of the law of contempt is to protect the integrity of legal proceedings, in the administration of justice and ultimately the rule of law, which is vital to the protection of the rights of every citizen.
>
> Our conclusions are as follows. The respondent committed a contempt of court on 22 November 2018 in one respect, namely in publishing a message on Facebook which was likely to lead members of the public to identify a named witness in the trial of R v McNeill, contrary to the reporting direction made by HHJ Beddoe on 15 December 2017 knowing at all material times of the existence and terms of the said reporting direction.
>
> In our judgment, the respondent's conduct gave rise to a real risk that the administration of justice would be impeded and was sufficiently serious to amount to contempt.
>
> We do not find that the respondent committed a contempt by permitting a post made by a third party identified as Barbara Bradbury to remain posted on the Respondent's Facebook account.
>
> We will hand down our reasons in writing as soon as reasonably possible."

8. These are our reasons. The reasons will be formally handed down at the hearing to deal with the sanction for contempt listed for 12 noon on 22 February 2021. A copy will be provided to the parties in advance to assist them, and Ms Berry in particular, to prepare for that hearing.

The Procedure

9. Solicitors for the applicant wrote to Ms Berry on 13 March 2019 indicating that the Solicitor-General was considering instituting proceedings for contempt which was a serious matter which could result in her being imprisoned. The letter set out part of the message posted on Facebook referred to above. The letter said that Ms Berry may wish to take legal advice and may be entitled to legal aid. A similar letter was sent on 28 June 2019 to a different address where Ms Berry was then believed to be staying. A claim form was sealed on 26 November 2019 listing a hearing on 20 February 2019.

During the hearing before us, Ms Berry was concerned about the discrepancy in the dates of the issue of claim form and the notice of hearing. It was clear that the notice of hearing date was an error as it listed a hearing date before the form was issued. No injustice was caused to Ms Berry as she knew of, and attended the hearing which was in fact scheduled for 20 February 2020.

10. Permission to apply to commit Ms Berry to prison for contempt was granted by the Divisional Court on 20 February 2020. The Court also granted permission to amend the detailed grounds so that the alleged as follows:

> "Interfering with the administration of justice or creating a real risk of such interference by
>
> (1) Publishing a message as set out p. 86 of the Application Bundles, on the Facebook page for "Ved Chaudhari" from and including 22 November 2018 which was likely to lead members of the public to identify [x] as a witness in the trial of R v McNeill, contrary to the reporting direction made by HHJ Beddoe on 15 December 2017;
>
> (2) Publishing on the said Facebook page, from and including 22 November 2018, by permitting it to remain there while having the power to remove it, a link posted by a third party identified as "Barbara Bradbury" which, in combingation with the said message, was which was likely to lead members of the public to identify [x] as a witness in the trial of R v McNeill, contrary to the reporting direction made by HHJ Beddoe on 15 December 2017;
>
> While in each case, and at all material times, being aware of the existence and terms of the said reporting direction".

11. The Divisional Court made further case management directions including permitting the application to rely on the evidence served for the permission hearing and the second affidavit of Naomi Ryan. Ms Berry was ordered to file and serve an acknowledgement of service "and any evidence on which she wishes to reply by 4 p.m. on 3 March 2020". The order also recorded that Ms Berry would be entitled to give oral evidence at the hearing of the committal application whether or not she had filed any evidence. Ms Berry represented herself at that hearing. The transcript of the proceedings notes that the Court expressed the hope that she would obtain legal representation. Ms Berry applied for permission to appeal that order.

12. The application for committal was listed on 21 July 2021 before Singh LJ and William Davis J. Again, Ms Berry represented herself. Her application for permission to appeal against the Order of 20 February 2020 had not been dealt with by that date (the application for permission was, in fact, dismissed a few months later on 14 October 2020). The Divisional Court therefore adjourned the hearing. It made what was essentially a Case Management Order providing (1) for the means of service of documents on the respondent (2) that unless the respondent issued an application notice by 4 p.m. on 4 August 2020 that the deponents of the affidavits relied upon by the applicant should attend for cross-examination, no such attendance was required, (3) dismissed the remainder of the respondent's application and (4) ordered that costs be reserved. Ms Berry did not make an application for any of the deponents to attend for cross-examination. She did apply for permission to appeal the order of 21 July 2020.

13. The hearing for the committal application was listed for 10 February 2021. The hearing was held in public in court 16 at the Royal Courts of Justice. A number of members of the public who were friends, or supporters, of Ms Berry attended the hearing. Due to the Covid-19 pandemic, there were restrictions on the number of members of the public who could be in court so there were fewer places available for members of the public than would usually be the case. Whilst Ms Berry would have liked more of her friends, or supporters, to have been able to be physically present in court, that would not have been feasible given the guidance on dealing with the risks of transmission presented by Covid-19. We are satisfied, nonetheless, that the hearing was in public.

14. Ms Berry again represented herself. She applied at the outset for an adjournment because her application for permission to appeal against the order of 21 July 2020 had not been determined and she said that she had health conditions and had sustained a fall on the previous Sunday. We refused that application for the reasons given orally at the time. In brief summary, we were satisfied that the application for permission to appeal the case management order made on 21 July 2020 was not a sufficient reason to delay the hearing and there was no medical evidence supporting the suggestion that Ms Berry was unable to present her case. In fact, Ms Berry did remain in court, she did make numerous applications during the course of the hearing, and made her submissions on the committal application. The rulings made are set out in the order made on 10 February 2021 and reasons for each ruling were given orally at the hearing.

15. The hearing began. In summary, we outlined the procedure that would be followed. We explained that the allegation would be read out and Ms Berry would be asked if she admitted, or did not admit the charge. We reminded Ms Berry that she would be entitled to give evidence if she wished but she was entitled not to give evidence and, if she did, she would be entitled to refuse to answer any question that would incriminate her. We made it clear that we would not draw any adverse inference if she chose not to give evidence. We indicated that we would allow Ms Berry to apply for permission to call other witnesses and if the evidence they proposed to give appeared to be relevant, we would give permission. We explained that if Ms Berry admitted the allegation that was likely to reduce the seriousness of any punishment that might be imposed. The allegations were then read out by the Associate and Ms Berry was asked whether she admitted or whether she did not admit the allegations. She said that she did not admit them. The hearing then proceeded.

16. Mr Eardley, counsel for the applicant, then presented the case for the Solicitor-General. It is appropriate to record that, initially, Ms Berry sought to interrupt Mr Eardley every time he said something with which she disagreed. Eventually she understood that Mr Eardley needed to be allowed to speak without interruption, but only after she had been (metaphorically) told to sit down (she was in fact allowed to sit or stand as she wished), necessarily firmly and loudly at one stage. Ms Berry's initial behaviour before she settled down, and afterwards whilst making applications and submissions, did not demonstrate any inability to represent herself or otherwise indicate to the court that an adjournment on medical grounds was in fact necessary.

17. Mr Eardley relied on the affidavits and exhibits of Ms Naomi Ryan, Detective Sergeant Martin, and Ms Pearl McLuskey, the clerk at Southwark Crown Court at the material time. He made submissions on the relevant law, relying on relevant authorities, and on the evidence.

18. Ms Berry chose not to give evidence. She had not served any evidence on which she proposed to rely in accordance with the order made on 20 February 2020. She had sent an electronic bundle, entitled 'draft bundle', which appeared to encompass this application and, it appears, two other matters and largely comprised pleadings, orders, and transcripts of hearings. Ms Berry did not in fact seek to rely on any of the material in that bundle during the hearing. She applied to call a Mr Edward Ellis to give evidence about what she described as the criminal justice system, whistleblowers being put in jail, false prosecutions and the attempts to stop a cycle of frauds. Mr Ellis is, we understand, a person who has been struck off the roll of solicitors. We did not consider that the proposed evidence would be relevant and refused permission for him to be called. Ms Berry also applied to call counsel for the applicant and the solicitor who had conduct of the case for the applicant, so that she could cross-examine them on matters which we did not consider relevant to the application before us and permission was refused. Ms Berry also applied to call as witnesses the current Attorney-General and Solicitor-General, and a former Attorney General so that she could question them but again about matters that did not appear to us be relevant to the application before us so permission was refused. Towards the end of the afternoon, when Ms Berry was making submissions, she applied for an adjournment to obtain legal representation. A number of matters were referred to by her including that the hearing should be adjourned pending an appeal in matters involving her and Mr Ellis, and, principally, for the reasons in a statement written for her in court by Mr Ellis which she read out. That statement indicated that the hearing should be adjourned for reasons connected with what Ms Berry described as an application for a "legal representation monopoly enforcement prohibition against the law authorities". We refused that application and gave our reasons for doing so orally at the hearing. This is only a summary of the hearing. Ms Berry made other applications which were dealt with and reasons given at the hearing on 10 February 2021. These included an application that we recuse ourselves on the grounds of bias or predetermination: no substantive reason was put forward and it appeared to be no more than a reaction by Ms Berry to the fact that other applications had been refused and, possibly, that she had been made to allow Mr Eardley to make his submissions without interruption. The application that we recuse ourselves was one of three applications made at the hearing that we considered to have been totally without merit.

THE ISSUES

19. The following matters had to be established in relation to each of the allegations of contempt before a finding of contempt could be made.

20. First, in relation to the first allegation that Ms Berry had posted a post on the Facebook page of Ved Chaudhari, the following had to be established:

    (1) Ms Berry had posted the post on that Facebook page;

    (2) Ms Berry knew of the existence, and the content, of the reporting direction made by HHJ Beddoe on 15 December 2017; and

    (3) the publication of the post gave rise to a real risk of an interference with justice because it was likely to lead to members of the public identifying a particular person (the father of A and B) as a witness at the trial of Sabine McNeill.

21. Secondly, in relation to the second allegation that Ms Berry had published a post on the Ved Chaudhari Facebook page by permitting the post made by a person identified as Barbara Bradbury, which included a link to an interview with the father, to remain on that page, the following had to be established;

    (1) Ms Berry deliberately permitted the Barbara Bradbury post to remain on the Ved Chaudhari Facebook page in circumstances where she could have removed the post and which amounted to her impliedly authorising the publication of the post;

    (2) Ms Berry she knew of the existence, and the content, of the reporting direction made by HHJ Beddoe on 15 December 2017; and

    (3) The publication of the post gave rise to a real risk of interference with justice as it was likely to lead to members of the public identifying a particular person (the father of A and B) as a witness at the trial of Sabine McNeill.

22. In each case, the burden of proving all those elements to the criminal standard was upon the applicant. It was for the applicant to prove, so that the Divisional Court was sure, that the allegation was made out.

23. Further, the breach of a reporting restriction imposed under section 46 of the Act was a criminal offence: see section 49 of the Act. Such conduct could amount to contempt if it was sufficiently serious in that it interfered so significantly with the administration of justice as to go beyond the mere disobedience to the statutory ban on breaching reporting restrictions and justified the more severe sanctions attaching to contempt of court. See *Attorney-General v Yaxley-Lennon* [2019] EWHC 1791 (QB) especially at paragraphs 85 to 86; and *Solicitor-General v Cox* [2016] 2 Cr. App. R. 15. Both of those cases involved breaches of the prohibition on filming. In our judgment, the same principles apply to breaches of reporting restrictions imposed under section 46 of the Act.

The Factual Findings.

24. We make the following findings of fact. Sabine McNeill was tried at the Southwark Crown Court in November 2018 for offences of stalking and breach of a restraining order. In the previous year, on 15 December 2017, HHJ Beddoe made an order pursuant to section 46 of the Act providing that no matter relating to five named witnesses at the trial, including the father of A and B, be included in any publication if it was likely to lead members of the public "to identify them as being witnesses in the proceedings". The order records that it was made "for the purposes of improving the quality of the evidence given by the witnesses".

25. The trial of Ms McNeil trial began in Southwark Crown Court on 19 November 2018 and concluded on 14 December 2018. We are sure that Ms Berry knew that that trial was taking place for the following reasons.

26. We are sure that Ms Berry was operating a Facebook page in the name of Ved Chaudhari. We accept the evidence of DS Martin that that Facebook page is operated by Ms Berry. When DS Martin checked the Facebook page on 27 November 2018 it contained a number of live stream videos of Ms Berry. It carried a profile picture of Ms

Berry. Further, in the July 2016 trial of Ms McNeill and Ms Berry for conspiracy to intimate witnesses, there were agreed facts signed by counsel on behalf of the prosecution and Ms Berry which recorded, amongst other things, that:

> "Neelu Berry is also known as Ved Chaudhari and it is not in dispute that the Facebook page of Ved Chaudhari is that of Neelu Berry".

27. On 19 November 2018, Ms Berry placed a post on the Ved Chauhari Facebook page which said in part:

> "If anyone is at Southwark Crown Court this morning 19th Nov 2018, please let others know which court the case is being heard in. It is possibly in Court 121 before HHJ Cahill QC, with an order made under the Youth Justice and Criminal Evidence Act." [Emphasis added]

28. On 20 November 2018, Ms Berry placed another post on the Ved Chauhari Facebook page the first sentence of which was written by Ms Berry and the second part of which included an extract from the court list for that day. The material parts are:

> "Day 2 of 3 week Fraud Restraint Breach Trial of Child Right Protector Sabine McNeil in Court 11 and trial of Holistic Therapist David Noakes in Court 13.
>
> The Crown Court at Southwark
>
> Daily List for Tuesday 20 November 2018 at English Grounds, off Battlebridge Lane
>
> Court 11 – sitting at 10.30 AM
>
> HER HONOUR JUDGE CAHILL QC (11A)
>
> Trial (Part Heard) T2170321
>
> Order made under the Youth Justice and Criminal Evidence Act 1999"

29. Dealing with the elements of the first allegation, first we are sure that Ms Berry placed a message on 22 November 2018 on the Ved Chaudauri Facebook page the first two paragraphs of which say this:

> "I briefly attended the trial of Sabine McNeill yesterday the 21st of November 2018. Apparently there were representatives in the public gallery on behalf of Hoaxtead Research who refused to name the witness before and after lunch.
>
> "There will be no prizes for guessing who that was or why he is not being named. Let me give you a clue. He was interviewed by BBC Victoria Derbyshire. There were only 3 supporters, but all graduates, and all of whom were present at the Blackfriars Crown Court witness intimidation trial which collapsed and who are Witnesses to the fraud restraint enforcement against Sabine".

30. We accept the evidence of DS Martin that his attention was drawn to the post which included the passage set out above on 22 November 2018 and was provided with screen shots of the post. We accept his evidence that he went on to the Facebook site on 28 November 2018 and the post was still there and he did so again in June 2019 when the post was still there. We are sure that the post was on the Ved Chaudhari Facebook page

and we are sure that Ms Berry placed it there. That was a publication. It was accessed by a number of people who 'liked' the post and had shared it with others.

31. Secondly, we are sure that Ms Berry knew of the order made by HHJ Beddoe and its content and, in particular, that it prevented the publication of material that might lead members of the public to identify named people, including the father of A and B, as witnesses in the proceedings.

32. We are sure that Ms Berry knew of the existence of the order. She placed two posts on the Ved Chaudhari Facebook page on 19 and 20 November 2018 respectively, the first referring to an order under the Youth Justice and Criminal Evidence Act, and the second giving the section of the Act under which it was made. For those reasons alone we are sure that Ms Berry knew of the existence of the order. Furthermore, we accept the evidence of the clerk at the Crown Court at the material time, that the daily listing of court cases placed in the reception area of Southwark Crown Court outside the courtroom included the fact that the McNeill case was subject to reporting restrictions. Ms Berry attended the trial on 21 November 2018 and, we are sure, would have seen the reference to the existence of reporting restrictions in the case of McNeill in the daily court list in the reception area.

33. We are also sure that Ms Berry knew that the order prohibited the publication of material that was likely to lead to the public identifying the father as a witness in the proceedings against Ms McNeill. That is the inference to be drawn from the second paragraph of the post she made on 22 November 2018. She said there are no prizes for guessing who the witness giving evidence on 21 November 2018 was or why he was not being named. She then said she would give a clue as to his identity. The obvious inference is that Ms Berry knew that the witness could not be named – that is why she did not name him directly, and said there were no prizes for guessing why he could not be named – and, in particular, why she said she would "give you a clue" as to who he was. Set in the context of her knowledge of the trial, and the existence of the orders, and given the nature of her comments on the post, we are sure that Ms Berry knew that she was prohibited by that order from naming the father as a witness.

34. Thirdly, we are sure that the matters in the post were likely to (and indeed we are sure were intended to) lead members of the public to identify the father as a witness at the trial. The post gave the name of the defendant, Sabine McNeill, and the date and location of the trial. She then gave the information that the witness had been interviewed by BBC's Victoria Derbyshire. We accept the evidence of Ms Ryan that that information would be likely lead a member of the public to the fact that the witness being referred to was the father of A and B. The trial was the subject of media publicity. A simple internet search with the words "Sabine McNeill" and trial would have led to articles giving the details of the alleged abuse of children and would have given the father's name. A simple internet search of the father's name with Victoria Derbyshire would immediately return a Youtube link to the interview of the father by Victoria Derbyshire. By that simple means, the name of the person who was interviewed by Victoria Derbyshire, and who was the witness referred to by Ms Berry in the post, could be found.

35. For those reasons, we are sure that each of the three elements of the first allegation of contempt are made out. Furthermore, we are satisfied that the conduct in this case was sufficiently serious to amount to more than a simple breach of a reporting restriction

that could be dealt with by a summary prosecution of an offence under section 49 of the Act. It was so serious as to amount to a real risk to the administration of justice and represented a real threat to the trial process. The background to the trial of Ms McNeill was the campaign of persecution mounted against individuals which involved identifying them and their addresses on the internet and which led to abusive threats being made to them. The order was made precisely to ensure that five named individuals, including the father, would not be identified *as witnesses* in the proceedings. That was done, as the order of HHJ Beddoe recorded, for the purpose "of improving the quality of the evidence given by the witnesses". The publication of material likely to lead members of the public to identify one of the named individuals as a person who was a witness would undermine the protection given to the witnesses and might well have undermined their willingness and ability to give evidence to the best of their ability. Consequently, we find that the conduct of Ms Berry did give rise to a real risk that the administration of justice would be impeded and was sufficiently serious to amount to contempt.

36. For completeness, there are two matters that were relied upon by the applicant but to which we do not give any weight. First, it was submitted that the fact that a third party, identified as Barbara Bradbury, was able to post a link to the interview between the father and Victoria Derbyshire approximately 8 minutes after Ms Berry's post enabled the inference to be drawn that members of the public could readily use the information in the post to identify the father. However, we do not consider that we can draw that inference. We do not know whether the third party identified as Barbara Bradbury found the link to the interview because of the material posted by Ms Berry or whether she was already familiar with the facts of the case and knew that the person being referred to was the father. Secondly, the court clerk at Southwark, said in her affidavit that, following discussion in court on 19 November 2019, she printed out a copy of the order and placed it outside the door of the courtroom. The applicant invited us to rely on that evidence as supporting the conclusion that Ms Berry would have known the contents of the order. We think it unlikely that the actual terms of the order, giving the names of the five individuals, would be publicly displayed. We do not consider that we can rely on the evidence in that affidavit on that particular matter without further evidence of what the order posted outside the entrance to the courtroom actually said.

37. Dealing with the second allegation, we are sure that a third party identified as Barbara Bradbury posted a link to the interview between the father and Victoria Derbyshire on the Ved Chaudhari facebook page. We recognise that Ms Berry could have removed that post. We recognise that Ms Berry continued to post material about the trial after the 22 November 2018 and, in particular, on 29 November 2018 posted a reference to another person who was found guilty of contempt in relation to the McNeill trial. We think it very likely that Ms Berry would have seen the "Barbara Bradbury" link to the Youtube interview between the father and Victoria Derbyshire and very likely that she decided to leave that post on her website page as that link assisted in identifying the father as a witness. That reference provided the answer to the question of who the witness was, to which Ms Berry had given "a clue" on 22 November 2018, by providing a link to that interview between the person and BBC's Victoria Derbyshire. Likelihood, even strong likelihood, is, however, not enough to satisfy the criminal standard of proof. We cannot be sure that Ms Berry did see the post and did deliberately adopt the post by not removing it. We have no evidence as to how prominent that link was or how much other material was on the Facebook page at the material times. Nor is there any evidence

that Ms Berry "liked" Ms Bradbury's comment. We cannot, therefore, be sure that one of the elements of the contempt is established. Consequently, we find that Ms Berry did not commit a contempt of court by deliberately permitting the post made by the third party identified as Barbara Bradbury to remain on her Facebook page.

38. We announced our findings at the conclusion of the hearing on 10 February 2021. All other matters, including the appropriate sanction, were adjourned to a hearing to be take place at a later date.

Conclusion

39. For those reasons, we find that Ms Berry did commit a contempt of court in respect of one matter, namely deliberately posting of a message on the Ved Chaudhari Facebook page on 22 November 2018 which contained material likely to lead members of the public to identify the father of A and B as a witness in the trial of Ms McNeill in breach of the order made by HHJ Beddoe in circumstances where Ms Berry knew of the existence and content of that order.