

**IN THE COVENTRY COUNTY COURT**

Coventry Combined Court Centre  
140 Much Park Street  
Coventry  
CV1 2SN

Date: Friday, 14 May 2021

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**Before:**

**DISTRICT JUDGE MOAN**

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**Between:**

**STONEWATER LIMITED**

**Claimant**

**- and -**

**KAREN MEDFORTH**

**Defendant**

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**MR BRADBURY** appeared for the **Claimant**

**MISS NASH** appeared for the **Defendant**

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**DRAFT JUDGMENT**

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**THE DISTRICT JUDGE:**

1. Ms Medforth, normally, I would ask people to stand when I am telling them what I am going to do. You, however, have some difficulties and so I am content for you to sit if you wish.
2. Ms Medforth, I cannot overlook the reasons why we are here today. The court a year ago made you subject to an injunction and clearly the court, at that point, must have felt it was necessary to take such action to stop things happening and certainly when I see some of the statements in the file, it seems to me that a number of people who live around and about you have been affected by what is going on. So, it is not just a court order. It is an order made because people have been upset by what is going on. It has perhaps kept them awake, disturbed them, and stopped them peacefully enjoying their own properties. When we all go home, we all want to be able to peacefully enjoy our properties.
3. The allegation in itself, on face value, does not seem terribly serious, but when I judge that against the chronology of matters, that is when things get really serious.

THE DEFENDANT: Yes, I understand.

**THE DISTRICT JUDGE:**

4. It is serious that the court had to impose an order in the first place. It is serious that the court has had to deal with a number of occasions when you have been before the court for similar sorts of activity taking place, and I have no doubt that some or all of those actions will have caused annoyance to your neighbours.

It is certainly cited in some of the previous matters that this is exactly what happened. Of course, if I look at the statement today, I know that one of your neighbours was aware of what was going on at your premises. So, again, there has been an impact in terms of the local community.

5. I cannot ignore the fact that back in July 2020, the District Judge gave you a warning shot by imposing a suspended sentence order and I have no doubt that that was explained fully to you, what the consequences of that was and what would happen if you breached that order. Here we are today, albeit on the last day of that operational period of that suspended sentence dealing with an incident on 30 April.
6. Bearing in mind the number of breaches, the fact that this is a matter that has had impact on the local community, and, of course, the timing of this matter is when there were proceedings outstanding in terms of multiple breaches of the order which, to my mind, is very similar to committing an offence whilst on bail. So when I add all those aggravating features together, I come to the conclusion that the only way I can deal with this matter is by way of the imposition of an immediate custodial sentence.
7. I can tell you it gives me no pleasure to do that to a lady like yourself. Clearly, you have a lot going on in terms of your personal health. You should be at home dealing with those issues. I should not be sending a lady like you to prison but, unfortunately, the background to this matter leaves me no choice.
8. Looking at the severity of matters, I would in the ordinary course of events, taking into account the fact that this has been an incident that has involved annoyance to your neighbours, the number of previous breaches, and the fact

that you were days away from a trial when it was committed, I would have come to the conclusion that the appropriate sentence was a period of twenty-one days. However, you have today come to court and you have been open and candid that you accept the breach. You have told Miss Nash and she has advised me that you are admitting this charge. On that basis, I am going to reduce the sentence to fourteen days.

9. I am going to take action on the suspended sentence of ten days that was imposed on 17 July. I am going to reduce that period bearing in mind the very late stage at which the suspended sentence was breached and I am going to impose a five-day sentence to run concurrently with the fourteen days that I impose today. Therefore, the total period of imprisonment that I impose today will be that of fourteen days.
10. I do want to remind you, however, that the injunction remains in place until 2022, April as I understand it. I also need to remind you that the suspended sentence that was imposed on 4 May by Judge Murch is also in place. So if there are any further reoccurrences of the type of incidents that have brought you to court on a number of occasions, then not only are you likely to find yourself with another period of imprisonment for that offence, you are likely to find yourself subject to activation to some or all of that fourteen days as well.
11. I have taken into account that you are lady that is not well and I have to say, I have mitigated the sentence quite considerably as a consequence of that but, in my view, the number and the history of this matter is such that the only way that I can mark it is by a custodial sentence.

(For proceedings after judgment see separate transcript)

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