



Neutral Citation Number: [2024] EWHC 2982 (Fam)

Case No: MK23P50030/MK21P00349

IN THE HIGH COURT OF JUSTICE
FAMILY DIVISION
BY TRANSFER FROM THE FAMILY COURT SITTING IN MILTON KEYNES
IN THE MATTER OF THE CONTEMPT OF COURT ACT 1981
AND IN THE MATTER OF PART 37 FAMILY PROCEDURE RULES 2010

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 21/11/2024

Before :

THE HONOURABLE MR JUSTICE COBB

IN THE MATTER OF:

GREG HAZELTINE

Jessica Lee and Timothy Hutchinson (pupil) (instructed by **RWK Goodman**) for the
Defendant

Hearing date: 21 November 2024

Approved Judgment

This judgment and sentencing was delivered on 21 November 2024 and has been released to
the National Archives.

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THE HONOURABLE MR JUSTICE COBB

This judgment was delivered in public.

The Honourable Mr Justice COBB :

Introduction

1. Judges and magistrates of the Family Court are called upon every day to make difficult, sometimes life-changing, decisions involving children and their families; they work in increasingly challenging circumstances. In fulfilment of their public duties, they preside over and decide cases in accordance with their judicial oath, without fear or favour, affection or ill-will. These judges are entitled to expect that they can undertake their demanding work peaceably and without fear of intimidation or threats of violence; there are simply no circumstances whatsoever in which they should be expected to tolerate abuse arising from their work, either in or out of the court room.
2. Everyday, many hundreds of people visit the Family Courts up and down the country, either to work or to participate in court proceedings. Whether they are members of HMCTS court staff, or lay parties (many of whom are vulnerable, and anxious and upset as they attend court), witnesses, or lawyers or other professionals, each of them is entitled to expect that that they will be treated with respect while at court. They are also all entitled to expect that the court will be a safe place to be, and that they will be free from any form of abuse, intimidation, or aggression.
3. I make these important points to set a context for the notice of application which I am required to determine today; by that application, it is alleged that Mr Greg Hazeltine, a party to family law litigation, behaved repeatedly in a manner which warrants findings of contempt in the face of the court. The formal notice (dated 3 September 2024) alleges altogether nine separate contempts within proceedings under the Children Act 1989 and Family Law Act 1996 over the course of three court hearings in the Family Court in Milton Keynes in 2023.
4. The application has been issued by the court of its own motion under rule 37.6 of the Family Procedure Rules 2010. The application was drafted by, and issued on the instruction of, the Family Presiding Judge for the relevant part of the South Eastern Circuit at the material time, Mr Justice Williams.
5. At an earlier directions hearing, on 4 October 2024, I ordered that Mr Hazeltine must attend the final hearing in person. I subsequently received, via his solicitor, medical evidence concerning Mr Hazeltine which caused me to vary the order, and I required him to attend this hearing by video-link. He has done so from prison; he is currently serving a sentence of three years' imprisonment for offences which are described more fully below. It was necessary to vacate an earlier listed final hearing of this application (1 November 2024) when Mr Hazeltine was moved from one prison to another on the day before the hearing, and no video-facility was available for Mr Hazeltine to participate in the hearing from his new location.
6. For the purposes of determining this application, I have:
 - i) Read the transcripts of the three relevant court hearings;
 - ii) Listened where possible (the quality was poor) to the audio recordings;

- iii) Read the witness statements of Recorder Patel and HHJ Perusko, together with the statement of the HMCTS Delivery Manager for the Family Court at Milton Keynes;
 - iv) Read the sentencing remarks of Mr Justice Goss sitting at the Southwark Crown Court on 5 June 2024;
 - v) Read the personally drafted statement of Mr Hazeltine, which with my permission he filed earlier today.
7. Mr Hazeltine has confirmed that he does not require any evidence to be called, nor does he require the audio recordings of the relevant hearings to be played in court at this hearing.
8. Mr Hazeltine is represented on this application by Ms Jessica Lee, instructed by Ms Keely Lengthorne of RWK Goodman solicitors and assisted by Mr Timothy Hutchinson (pupil); counsel and solicitors were instructed only relatively recently, specifically to deal with this application. They have marshalled the documents, and obtained instructions, in short order; Ms Lee has represented Mr Hazeltine at the hearing before me with great skill and ability. I am most grateful to Ms Lee, Mr Hutchinson, and their instructing solicitors.

Undisputed background

9. Mr Hazeltine is 41 years old. He met his former partner (Ms T) in 2009. They had two children who are now aged 12 and 9. The parties separated in 2017. There have been proceedings before the Family Court in Milton Keynes in relation to both non-molestation (under the Family Law Act 1986) and the children (Children Act 1989: 'CA 1989').
10. The final hearing of the cross-applications under the CA 1989 took two days of court time in June 2022, but regrettably was not concluded, and was adjourned part-heard to dates in January 2023; the judge hearing the case was Recorder Patel. The final hearing date was 3 February 2023, on which day the judge gave judgment. The judge concluded that the children should have unsupervised visiting and staying time with Mr Hazeltine, although the handovers were to take place under a degree of supervision so as to avoid conflict between the parties. It was during this hearing that the first set of the alleged contempts occurred. These are set out as allegations 1 & 2 below.
11. In June 2023, Ms T applied for further orders under the CA 1989. Her application was listed once again before Recorder Patel on 13 July 2023 for a First Hearing Dispute Resolution Appointment. It was during this hearing that the second set of the alleged contempts occurred. These are set out as allegations 3 & 4 below.
12. A hearing of the applications was later convened for 29 November 2023 before the Designated Family Judge for Milton Keynes and Buckinghamshire, HHJ Perusko; this was the second occasion on which HHJ Perusko had presided over hearings involving these parties. It was during this hearing that the third set of the alleged contempts occurred. These are set out as allegations 5-9 below.

13. I have used the word ‘alleged’, though in fact Mr Hazeltine was charged with criminal offences in respect of three of the matters which are set out in the contempt notice, and at the first opportunity, at the Magistrates Court on 30 November 2023, he pleaded guilty to these. These are identified as allegations 3, 8 and 9. In respect of these matters, on 5 June 2024 Mr Hazeltine was sentenced at Southwark Crown Court (Goss J) to an aggregate three year term of imprisonment.

The alleged contempts

14. By the terms of the notice of application, it is alleged that Mr Hazeltine has been in contempt in the face of the court by insulting and abusing Recorder Patel and HHJ Perusko, disrupting the court proceedings, and being unwilling to recognise the authority of the court. I set out the specific alleged contempts (nine in all), as they appear in the notice of application, in the sub-paragraphs which follow:

Allegation 1 & 2: Hearing: Recorder Patel: 3 February 2023

- i) Mr Hazeltine interrupted Recorder Patel during the hearing when giving judgment, and was rude, abusive and aggressive and said “I don't know why you are wasting the Court's time, I'll not be sticking to that. So you can deal with the contempt of court now.” When the Recorder continued giving judgment he further interrupted saying: “I told you what the thing was... I can't make it no clearer. I Greg Hazeltine will not be sticking to what you have agreed...” He further interrupted and was abusive about [Ms T] saying: “well, you are wasting your time. You have wasted the court's time. You wasted the whole day in Luton, because we questioned [XXX], you then found fault with him, but now you want to ignore that fault. I proved him and [XXX] to be a liar, my son was punished and my daughter, that [XXX] will never forgive his mother for just so she is aware of that and for what? He got punished for nothing for a lying piece of rubbish.” Shortly after this he again interrupted the Judge and was rude and abusive saying: “let her fuck him up. He is going to fuck him up. So let her put him in whatever school she wants. Whatever suits her.” Shortly after this, he repeatedly interrupted the Judge asking “when am I next picking my children up?” In behaving in this way he impeded the delivery of a judgment causing upset and inconvenience to the Court and the other participants, and was disrespectful and rude to a member of the judiciary who was undertaking his public duties.
- ii) Further, Mr Hazeltine made threats by saying: “I don't want to listen to the rest of your rubbish... I will not be abiding by that order and I want to thank you and I thank that piece of shit there for reminding me of who I was 15 years ago... you'll get the 15 year ago Greg, Enjoy”. In referring to the “15 year ago Greg” he was referring to, and intended to refer those present to, his conviction for GBH in 2008, and to cause them to be fearful of what he might do to them at or after the hearing.

Allegation 3 & 4: Hearing: Recorder Patel: 13 July 2023

- iii) While the Judge (Recorder Patel) was giving judgment, Mr Hazeltine used threatening, abusive or insulting words or behaviour towards the Judge with intent to cause him to believe that immediate unlawful violence would be used

against him or to provoke unlawful violence, in that, during his delivery of his judgment he reacted, saying “Well, this leaves me an awkward decision to make.” Dialogue ensued between Mr Hazeltine and the Judge, who was attempting to understand what he needed to ‘think about’. Mr Hazeltine then became visibly agitated, challenging the order and shouting, interrupting the Judge and becoming more animated and aggressive in his tone and language. He told him to “be a man” and “stand there and make some proper decisions”, that he hoped the Judge never had children because he was a piece of shit and didn't care about children. Mr Hazeltine was angry and shouting numerous expletives including “that is why you lot are pieces of shit scum.” Recorder Patel pressed the panic alarm and informed him that the hearing was coming back, to which he responded that it wasn't, and said “why don't you come here? Let's go outside. Call security like you did last time, you fucking weasel” to the Judge when he stood to leave the courtroom. As a result of his behaviour, the Judge has been apprehensive, much more aware of his surroundings at Court and generally more alert to his personal security and fearful of being approached and being the subject of reprisals from him.

- iv) Mr Hazeltine repeatedly interrupted Recorder Patel as he was giving judgment. He accused Recorder Patel of not having written an order and of being untruthful which is offensive in itself. After Recorder Patel had left the courtroom he said “I hope you don't ever have kids, you piece of shit” directed towards counsel. Due to his aggressive attitude, counsel feared that he was going to punch him and was anxious and found it difficult to continue to represent the mother after Mr Hazeltine had left the courtroom.

Allegation 5, 6, 7, 8, 9: 29 November 2023

- v) While His Honour Judge Perusko was giving judgment, Mr Hazeltine continually interrupted the Judge and became rude and abusive, saying to HHJ Perusko and/or other participants (the full set of comments are not included in this judgment):

- “Well, tell the mother and the piece of shit grandmother to stop abusing my children, then I wouldn't have to...”
- “Recorder Patel didn't rule, and that piece of shit... manipulated the order”;
- “I'll tell you what, why don't you get [XXX] and [XXX] and that little wanker [XXX] and everyone else that wants to be the big man and run their mouth, and you stop me from going to see my children... and see how it plays out for you.”
- “You're the same as Patel. You're just fucking little lying weasels”
- “You've took the children. I don't care. Are you thick?”
- “Are you happy now, you pieces of shit?”
- “Go fuck yourself you little prick”

- “Go on rise. Go on, run off. No, I’m not going out.”
 - “You’re going to make this man a violent man because you are a coward”
 - “Go fuck yourself”.
- vi) Made indirect threats to HHJ Perusko and to other participants by saying: “I understand that there will be consequences for my actions and I’m prepared to take them. I just want to make sure everybody is prepared to take the consequence for theirs.”
- vii) Refused to leave court when HHJ Perusko told him that he had to leave: “Make me. No, I don’t want to. Make me. No, I don’t want to. Now, what are you going to do? Nothing. You’re a bully and a coward, the same as Recorder Patel. A bully and a coward. He run off and left this courtroom and then said: “I was scared... I feared for their safety”. That is a coward. I don’t want to leave. I’m not going to sit down.”
- viii) He picked up a laptop on a desk and a small free standing electric radiator, then threw the radiator across the courtroom towards the judge’s bench, and jumped on top of the table and vaulted the judicial barrier.
- ix) He pursued HHJ Perusko and caught up with him and pushed him to the corner of the room. The Judge’s head hit the metal base of a coat stand. He pinned the Judge down with his body weight, his hand on top of his chest and throat, and punched him to the head a number of times. It was described by an observer as “relentless”. He was saying that he only wanted to see his kids, and that he knew he was going to prison for a long time, but he didn’t care and the Judge deserved it. Every blow delivered to the Judge was with a clenched fist. His face was bright red. He would occasionally stop punching the Judge to say something abusive or threatening, and then would start punching again. This incident came to an end only when Mr Hazeltine’s partner, accompanied by a security officer, pulled him off, and eventually he let go enabling the Judge to leave the room.
15. Allegation 3 was the subject of a charge and conviction under section 4(1)(a) of the Public Order Act 1986 (“[using] towards another person threatening, abusive or insulting words or behaviour”), for which sentence was passed at Southwark Crown Court on 5 June 2024 (imprisonment: two months). Allegation 8 was the subject matter of a charge and conviction under section 1 (1) and 4 of the Criminal Damage Act 1971 for which sentence was passed at Southwark Crown Court on 5th June 2024 (imprisonment: six weeks, concurrent). Allegation 9 was the subject matter of a charge and conviction under section 47 of the Offences Against the Person Act 1861 for which sentence was passed at Southwark Crown Court on 5th June 2024 (imprisonment: 2 years 10 months, consecutive to the term for allegation 3). The overall term of imprisonment was therefore three years. Goss J also made a restraining order.
16. I wish to emphasise that while findings of contempt are sought in relation to allegations 3, 8 and 9 (see above), no separate penalty is sought in relation to those matters at this hearing.

Findings

17. Contempt in the face of the court is an act or omission which creates a real risk of interference with, or prejudice to, the due administration of justice: *Attorney General v Davey* [2013] EWHC 2317 (Admin). In a case such as this, where contempt is alleged to have occurred in the face of the court, and where the court has power to commit a person for contempt, the court may deal with the matter of its own initiative (as it has here): see rule 37.6 FPR 2010.
18. I can only find the Defendant to be in contempt if I am sure he has committed the act(s) alleged to be a contempt. The criminal standard of proof applies.
19. Ms Lee has advised me today that Mr Hazeltine does not take issue with the allegations set out in the notice, and that I can proceed to treat them as proven. In light of these admissions, but in any event on the evidence taken as a whole, I find to the criminal standard of proof that Greg Hazeltine was indeed in contempt of court on all of the occasions, and in all respects, set out in allegations 1 to 9 (inclusive) of the notice of application.
20. It is clear to me that he was unrestrained in his contempt for the legal process presided over by Recorder Patel and HHJ Perusko, insulting each judge with vile and abusive language. I find that he intended to disrupt, and did disrupt, the administration of justice on each of the three court hearings in respect of which allegations of contempt are raised, and/or that this was a foreseeable consequence of his verbal abuse directed at the Judges and others in court (see *Att-Gen v Sport Newspapers Ltd* [1991] 1 W.L.R. 1194 at 1200; [1992] 1 All E.R. 503 per Bingham LJ).

Sanction

21. In respect of penalty for these proven contempts, I have a range of powers under section 14 of the Contempt of Court Act 1981 and the Family Court (Contempt of Court) (Powers) Regulations 2014, supported by rule 37.9 FPR 2010. I can of course impose no penalty at all.
22. Any penalty for these contempts is entirely in my discretion. In exercising that discretion, I have had in mind the Court of Appeal's comments about sentence in contempt cases in *Liverpool Victoria Insurance Co Ltd v Khan* [2019] EWCA (Civ) 392 at paragraphs 57 to 71. I have also had regard to the more recent Supreme Court decision in *HM Attorney General v Crosland* [2021] UKSC 15 where Lord Lloyd Jones, Lord Hamblen and Lord Stephens in a joint judgment directed judges in these circumstances to adopt the following approach (see [44]):

"1. The court should adopt an approach analogous to that in criminal cases where the Sentencing Council's Guidelines require the court to assess the seriousness of the conduct by reference to the offender's culpability and the harm caused, intended or likely to be caused.

2. In light of its determination of seriousness, the court must first consider whether a fine would be a sufficient penalty.

3. If the contempt is so serious that only a custodial penalty will suffice, the court must impose the shortest period of imprisonment which properly reflects the seriousness of the contempt.
 4. Due weight should be given to matters of mitigation, such as genuine remorse, previous positive character and similar matters.
 5. Due weight should also be given to the impact of committal on persons other than the contemnor, such as children of vulnerable adults in their care.
 6. There should be a reduction for an early admission of the contempt to be calculated consistently with the approach set out in the Sentencing Council's Guidelines on Reduction in Sentence for a Guilty Plea.
 7. Once the appropriate term has been arrived at, consideration should be given to suspending the term of imprisonment. Usually, the court will already have taken into account mitigating factors when setting the appropriate term such that there is no powerful factor making suspension appropriate, but a serious effect on others, such as children or vulnerable adults in the contemnor's care, may justify suspension".
23. I bear in mind that the sanction which I impose, if any, has a primary function of marking the disapproval of the court and deterring others from engaging in conduct comprising contempt (see *Patel v Patel & O'rs* [2017] EWHC 3229 (Ch) at [22] and [23]). I have also had regard to the comments of Hale LJ (as she then was) in *Hale v Tanner* [2000] EWCA Civ 5570; she listed ten points relevant to committals in family cases, including (and those which follow are those which are potentially relevant to the instant case):
- i) "It is a common practice, and usually appropriate in view of the sensitivity of the circumstances of these cases, to take some other course [than imprisonment] on the first occasion" [26];
 - ii) "If imprisonment is appropriate, the length of the committal should be decided without reference to whether or not it is to be suspended. A longer period of committal is not justified because its sting is removed by virtue of its suspension" [28];
 - iii) "There are two objectives always in contempt of court proceedings. One is to mark the court's disapproval of the disobedience to its order. The other is to secure compliance with that order in the future" [29];
 - iv) "The length of the committal has to bear some reasonable relationship to the maximum of two years which is available"

[30];

v) "The court has to bear in mind the context. This may be aggravating or mitigating" [33].

24. Miss Lee has rightly addressed me on the subject of double jeopardy. I have had regard to *Jelson (Estates) Ltd v Harvey* [1983] 1 WLR 1401 and *Re Ramet: Application for Committal for Contempt of Court* [2014] EWHC 56 (Fam) at [20(iii)], [21] and [24, wherein it was held that, for the purposes of civil contempt proceedings, the principle that no one should be tried or punished twice for the same conduct applies. Accordingly, the criminal rules governing the defence of autrefois acquit or autrefois convict are available to a contemnor.
25. In this particular case, I find that there are a number of aggravating features which inevitably have an influence on my consideration of sanction:
- i) At each of the three court hearings under review, Mr Hazeltine verbally abused and threatened the judiciary, the lay parties and professionals in an apparently unrestrained way; self-evidently these were not isolated incidents; his behaviour was repeated on each of the three separate court hearings, over a period of several months;
 - ii) The participants in the hearings at the Family Court, the lay parties, the court staff and the lawyers were all caused distress, fear and intimidation as a result of Mr Hazeltine's behaviour;
 - iii) That same distress, fear and intimidation was caused also to the judges who were conducting these hearings in fulfilment of their public duties;
 - iv) Mr Hazeltine was not in any sense deterred in his displays of aggression and intimidation on 29 November 2023 by the presence of security guards sitting in the court room;
 - v) Mr Hazeltine's behaviour played out, as the transcripts show, during hearings at which both the Judges were, I am satisfied, patiently and sympathetically attempting to engage Mr Hazeltine in identifying solutions to the difficult issues (including notably Mr Hazeltine's contact with his children) which had arisen following the family breakdown. I am satisfied that both Judges were conscientiously trying to engage Mr Hazeltine in discussions about proposals for contact; only when that engagement ended fruitlessly, did they deliver (or attempt to deliver, but for the interruptions) carefully reasoned decisions for their orders;
 - vi) Finally, I regret that I was troubled to read in the statement which he has submitted today in this application (in his own words) that he considered this application to be a "personal attack" on him; this suggested a lack of insight into the seriousness of his conduct over a period of time.
26. Ms Lee has invited me to take into consideration the following matters in mitigation, and I make clear that I do so:

- i) I take into account Mr Hazeltine's unconditional admissions of these nine incidents of contempt of court;
- ii) I accept that Mr Hazeltine found the family law process painful, and emotionally intense and challenging. I further accept that he was frustrated at the delays in the process, particularly as those delays impacted on the arrangements for him to maintain and develop his relationship with his two children. Although I have focused on three court hearings, I accept that he had attended altogether ten or more court hearings over a period of more than two and a half years; I acknowledge that he has felt unfairly disadvantaged at court hearings on occasions when he has been (almost entirely throughout) unrepresented, when the mother of his children has been represented by both experienced counsel and solicitors; I bear in mind that he now finds himself without any contact at all with his two children;
- iii) Mr Hazeltine is said to suffer from Attention Deficit Hyperactivity Disorder, and there is an indication in the filed evidence that he has been diagnosed to be on the autistic spectrum; I note that at an earlier hearing HHJ Perusko had directed a psychological assessment of Mr Hazeltine, reflecting judicial concern about his functioning and his characteristics. This in fact had not proceeded at the time of these events by reason of Mr Hazeltine's lack of co-operation but has since been undertaken. Mr Hazeltine's neurodiversity had been acknowledged by Recorder Patel who had himself expressed concern about Mr Hazeltine's "emotional dysregulation" and "difficulty in thought processes";
- iv) Mr Hazeltine has filed medical evidence within this application, which confirms recent mental ill-health, depression, stress and anxiety; the medical evidence also references the difficulties he has encountered in serving his term of imprisonment; Mr Hazeltine reports experiencing intimidation and violence from others in prison, and his own fear (which I regard as reassuringly insightful) of displaying violence again;
- v) Mr Hazeltine has shown remorse for his actions; he has filed evidence in the substantive Children Act 1989 proceedings (lodged on this application) in which an extract from an interview with the court appointed psychiatrist was included, with his own further commentary; the passage reads:

"I can't justify why I hit the judge, and I wake up every day wishing I hadn't done it, because he doesn't deserve what I done to him. I couldn't control my emotions. I let my emotions and how I was upset I was not seeing the children get the better of me. I cannot express how sorry I am ... it remains something that I constantly think about and I do indeed wake up every day regretting my horrific actions towards him";

While these comments relate to a matter in respect of which I am not passing sentence, they nonetheless reveal Mr Hazeltine's current state of reflection on his behaviours;

- vi) That Mr Hazeltine has deposed in sworn evidence to a willingness to engage in anger management work, a course of psychotherapy and bereavement counselling on his release from custody; meanwhile, he has embarked on a course of counselling at the prison with the mental health team, and has trained as a member of the Wandsworth Prison Listener team (under the supervision of the Samaritans);
 - vii) That Mr Hazeltine has written, albeit late in the day, a letter of apology to HHJ Perusko.
27. I also take into account that Mr Hazeltine is currently serving a three year term of imprisonment as punishment for his criminal conduct, which reflected the most serious aspects of Mr Hazeltine's behaviour on the days in question.

Conclusion

28. I wish to emphasise that I have paid close regard to the 'double jeopardy' rule which I have referred to above. Mr Hazeltine is of course entitled not to be punished twice for the same act (again see *Re Ramet*). Thus the sanction which I will impose below does *not* include any penalty in relation to the proven breaches of allegations 3, 8 and 9.
29. For the avoidance of doubt, let me emphasise that I am *not* imposing any punishment in relation to the serious physical assault on HHJ Perusko, which was undoubtedly the most grave of all Mr Hazeltine's wrongdoings in the period under review; his criminal conduct in that regard was reflected by the lengthy term of imprisonment imposed by Goss J in June 2024.
30. In determining the penalty for these proven allegations, I have particularly borne in mind the length of the sentence of imprisonment which was imposed by Goss J on 5 June 2024 in relation to allegation 3 (the facts of which bear some similarity to the matters under consideration on other allegations which are the focus of my concern); I am mindful that the sanction which I impose at this hearing should not be discrepant with the sentence imposed in the criminal court for Mr Hazeltine's similar conduct (see *Lomas v Parle* [2004] 1 WLR 1672 at [48] and [50]). I take into account, as Goss J did, that Mr Hazeltine has admitted the contempts and is entitled to proper credit for these admissions.
31. The sentence which I impose reflects my condemnation of Mr Hazeltine's repeated and sustained abuse directed to the judiciary, the lay parties and lawyers in court. It also reflects my condemnation of his blatant and unrestrained interference with the due administration of justice. Mr Hazeltine's repeated conduct was insulting, intimidating, threatening and abusive to the judges conscientiously fulfilling their public duties, and of the lawyers instructed; it was intimidating and offensive to Mr Hazeltine's former partner, Ms T; it was undermining of the dignity and authority of the court. As I myself made clear in dealing with another contempt case *Re David Duggan* [2022] EWHC 2529 (Fam) at [18]:

“While Judges have a degree of tolerance towards emotional displays of frustration or anger in court, and are aware of the problem of stress for parties in family (and other) proceedings, there is no excuse for insulting a judge

or repeatedly disrupting a court hearing with outbursts of abuse. This has been recognised from early times to qualify as contempt of court (Arlidge at 10-34 and 10-102)” (emphasis added).

32. I am conscious that the sentence must be proportionate to the contempt; I am equally conscious that the matters in respect of which I am sentencing Mr Hazeltine today were – to some degree – all of a piece and contemporaneous with the matters in respect of which he has been sentenced in June 2024, and I have taken that into account. That said, it is to be noted that the events which are reflected by proven allegations 1 and 2 (3 February 2023) were not before the Crown Court in any shape or form.
33. In respect of the nine proven contempts in the face of the court, my conclusion on sanction is as follows:

#	Date	Allegation proved or not proved	Punishment / Sanction
1	3.2.23	Proved, by admission, and on the evidence	There will be a sentence of two months imprisonment
2	3.2.23	Proved, by admission, and on the evidence	There will be a sentence of two months imprisonment, <u>concurrent</u> with the penalty imposed in relation to proven allegation 1
3	13.7.23	Proved, by conviction on a guilty plea	No separate penalty sought or imposed
4	13.7.23	Proved, by admission, and on the evidence	There will be a sentence of one month imprisonment, <u>consecutive</u> to the penalties already imposed.
5	29.11.23	Proved by admission, and on the evidence	There will be a sentence of two months imprisonment, <u>consecutive</u> to the penalties already imposed.
6	29.11.23	Proved by admission, and on the evidence	There will be a sentence of one month imprisonment, <u>concurrent</u> with the penalty imposed in relation to proven allegation 5
7	29.11.23	Proved by admission, and on the evidence	There will be a sentence of one month imprisonment, <u>concurrent</u> with the penalty imposed in relation to proven allegation 5
8	29.11.23	Proved, by conviction on a guilty plea	No separate penalty sought or imposed
9	29.11.23	Proved, by conviction	No separate penalty sought or imposed

on a guilty plea

34. I should make clear that on the particular facts of this case, I have considered whether I can suspend these sentences, however, I find that the contempts are individually so serious that they must each be met by an immediate custodial term. The appropriateness of this outcome is reinforced by considering Mr Hazeltine's repeated conduct over a period of several months.
35. It follows that the overall term of imprisonment which I impose in respect of the six proven contempts for which a penalty is appropriate is **five months imprisonment**; this is in my judgment the just and proportionate penalty, having regard to all the matters which I have set out above. This term will run consecutively to the three year term which Mr Hazeltine is currently serving.
36. Mr Hazeltine has a right of appeal to the Court of Appeal (Civil Division) pursuant to section 13(2)(c) of the Administration of Justice Act 1960, read with section 53(3) of the Senior Courts Act 1981. He does not require permission, or leave, to appeal against this order for his committal for the proven contempts. Any notice of appeal must be filed with the Court of Appeal, and also the High Court, within 21 days: CPR 52.12 and paragraph 9.1 of CPR PD 52D.
37. That is my judgment.