

him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

(1) This rule applies where a person is arrested pursuant to –

(a) a power of arrest attached to a provision of an injunction; or

(b) a warrant of arrest.

(2) The judge before whom a person is brought following his arrest may –

(a) deal with the matter; or

(b) adjourn the proceedings.

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

10. The Claimant is therefore bringing an application for the Defendant's committal.

11. An additional breach of the injunction occurred within and outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and Mr Mathiyalagan. These threats were made in front of Employment Tribunal Tribunal, two security guards and other members of staff.

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