

Court jails litigants for contempt of court

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Custodial sentences of 12 months and 20 months have been passed down in respect of two parties who were found to be in contempt of court.

One party to the case deliberately disposed of assets, and failed to disclose other assets, despite having been notified

of a freezing order. The High Court took this to be a serious breach, which justified imprisonment of 12 months – although this was suspended to provide the individual a chance to repay the sum owed, which was in excess of USD 3 million.

Another party had signed a statement of truth for a defence, as well as a disclosure statement. The court found that she could not have believed the defence to be truthful, and that the disclosure statement had been misleading. The court concluded that 20 months imprisonment was justified in this case.

This case illustrates the seriousness of deliberate breaches of Court orders, and makes clear that a court will not shy away from a sentence of imprisonment in either of those occurrences. Parties should ensure they comply with any court orders.

Otrikitie International Investment Management Ltd and others v Gersamia and another [2015] EWHC 821 (Comm) (25 March 2015)

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