WITNESS STATEMENT

Criminal Procedure Rules, r27. 2; Criminal Justice Act 1967, s. 9;

Magistrates' Courts Act 1930, s.5B

Statement of: Mr. Simon Paul Cordell
Age if under 18: Over *(if over 18 inserts 'over 18') 'over 18'*

This statement (consisting of [2] page(s) all signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Dated: 18/10/2026



(Signed) Mr. Simon Paul CORDELL) (Date Signed) 18/10/2026

- **Statement**: ABSENCE OF INTENT AND RECKLESSNESS AS WELL AS PROCEDURAL BREACH

1. **Legal Standard: Is that Criminal Intent Must Be Proven.**
   Under the "Criminal Damage Act 1971," a conviction for threats to cause criminal damage requires the prosecution to prove:
   1) That the alleged threat was made.
   2) That the accused intended the recipient to believe the - threat would be conducted.
   3) That the accused intended or was reckless as to whether damage would occur.
   Despite never being lawfully arrested or interviewed under caution for the offence of "Threats to Cause Criminal Damage (Criminal Damage Act 1971, S.2)," I am still being prosecuted for it. This alone forms a procedural irregularity. But more critically, the "Prosecution Must Prove Intent," and that element is entirely unsupported by the evidence. This is not a matter of assumption or hearsay. "Intent Must Be Proven Through Facts, Not Inference."

2. **The Defendant is Adamant that Intent Was Not Present:**
   When I was detained, "No Physical, Digital, Or Circumstantial Evidence" was found that could support intent to conduct any criminal damage. Specifically:
   - **No Explosives:** of any kind—wired or wireless—were found.
   - **No Detonation Mechanism:** accelerant or triggering device was recovered.
   - I was still in "Blue Chequered Pajamas," as described by Rebecca O'Hare, "No Coat, No Shoes, No Change of Clothes," which would suggest intent to leave the property.
   - **No Petrol Container:** nor any sign I was heading to a petrol station.
   - **No Lighter:** or ignition source was found in my possession.
   - **My Mobile Phone Was Seized and Examined:** yet:
     1) No text messages suggesting coordination or planning.
     2) No call logs showing communication with any third party.
     3) No internet searches or notes that could imply preparation or motive.

3. **Contextual Reality vs Allegation:**
   The allegation, "I'll Blow Up Your Car, No One Will Know It Was Me"—originates solely from "Rebecca O'Hare's Statement," not from any police officer or corroborating witness. Crucially, she describes me as "Wearing Blue Checkered Pajamas with My Back Turned," meaning I was "Retreating into My Own Flat," not advancing toward her or making any physical threat.

   A. The Alleged Threat Was:
   1) Not seen by anyone else
   2) Not captured on BWV or CCTV
   3) Not supported by any physical or digital evidence

4. **Breakdown of Legal Requirements and Evidentiary Failure:**
To secure a conviction under "Threats to Cause Criminal Damage," the prosecution must prove:

Legal Element	Required Proof	Evidentiary Reality
1. A threat was made	Verbal or written threat	Solely alleged by O'Hare, no witness, no recording
2. Intended recipient to believe it would be conducted	Fear or reaction from victim	Exhibits show no follow-up, no immediate action, no corroboration
3. Intended or was reckless as to whether damage would occur	Preparatory actions or materials	**None found**—no tools, no plan, no movement toward execution

5. **Precedent: "O'Hara v Chief Constable of the RUC 1997:**
This case proved that: **"***Suspicion by itself will not justify an arrest. There must be a factual basis for it… and the arresting officer must be able to articulate what offence they believed was being committed.***"**

6. **In my case**:
   - I was arrested for "Harassment," not criminal damage.
   - No officer articulated "Criminal Damage" as the arresting offence.
   - The charge was "Retrospectively Substituted," violating the principle of lawful arrest.

7. **Conclusion: No Intent, No Grounds**
   A. The prosecution cannot prove intent because:
      1) There was **"No Physical Evidence."**
      2) There was **"No Behavioral Evidence."**
      3) There was **"No Digital Evidence."**
      4) There was **"No Lawful Arrest for The Charge Being Tried."**
   B. This trial proceeds on a **"Retrospective Substitution of Charges,"** unsupported by facts and in breach of legal standards. The absence of intent is not just a gap, it is a **"Fatal Flaw"** in the prosecution's case.

8. **Recklessness: Legally Invalid**
   A. To claim recklessness, the prosecution must show that **"Damage Occurred or Was Likely to Occur."** In this case:
      1) No damage occurred.
      2) No attempt was made.
      3) No materials or actions were present that could have caused damage!
   B. Therefore, the **"Recklessness Element Collapses,"** and the charge becomes **"Factually and Legally Unsustainable."**

(Signed) Mr. Simon Paul CORDELL) (Date Signed) 18/10/2025