DEFENCE STATEMENT

(Criminal Procedure and Investigations Act 1996, section 5 & 6; Criminal Procedure and Investigations Act 1996 (Defence Disclosure Time Limits) Regulations 2011; Criminal Procedure Rules, rule 15.4)

This Is My Tenth Statement

OFFICIAL – SENSITIVE [when complete] MG11

WITNESS STATEMENT

Criminal Procedure Rules, r27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1930, s.5B

URN | | | | |

Statement of: Mr. Simon Paul Cordell

Age if under 18: Over *(if over 18 insert 'over 18')* **Occupation**: News Reporter!

This statement **(Consisting 8 Of 8 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: 07/08/2025

(Signed) 

(On behalf of Mr. Simon Paul CORDELL) **(Dated) 19/12/2025**

I, Mr Simon Paul Cordell, of 109 Burncroft Avenue PO BOX EN3 7JQ.

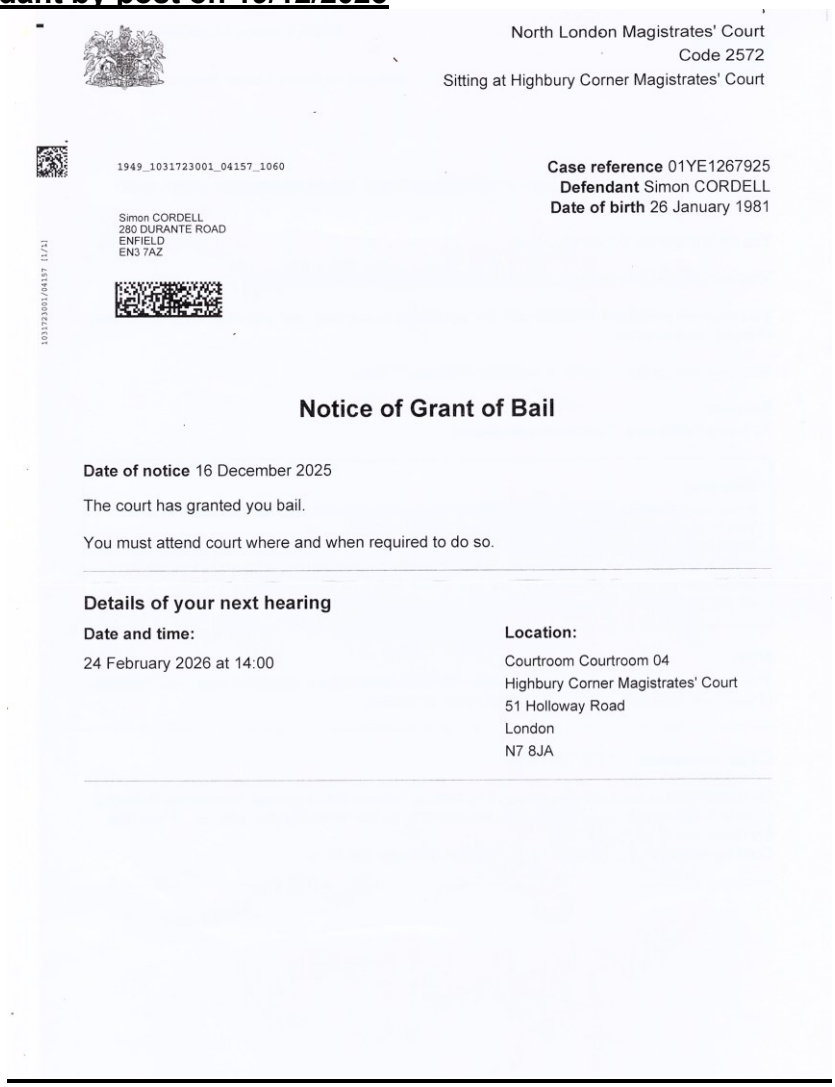
- **WILL SAY AS FOLLOWS**

1+ **Date of Incident: 02/08/2025**
2+ **Location:** Allegedly the Communal area of my flat and about a car that was not present with us!

- **Defence Statement – GPS Tag and Exclusion From Home (Short, Strong Introduction)**
  a) This section explains why the GPS tag and exclusion zone imposed on me were unlawful and disproportionate. The allegation in this case concerns a movable object — a car — not a person. GPS tags and exclusion zones exist to protect individuals where there is a proven risk of harm, not to protect property or objects. Because of this, excluding me from my own home on the basis of an allegation involving a car, falls outside the lawful purpose of electronic monitoring and breaches the principles of necessity, proportionality, and least-restrictive measures.
  b) Bail conditions that remove a person from their home can only be imposed where there is a real and evidenced risk to another person, and only where no lesser measure would suffice. None of those conditions were met here. A car is not a protected person under bail law, it can be moved, and it does not justify a residence ban. The decision to impose a GPS tag and exclude me from my home therefore raises serious procedural concerns and undermines the lawfulness of the bail process.
  c) This section sets out the legal principles governing GPS tags, explains why the exclusion zone was not

justified, and demonstrates how the restriction breached proportionality and fairness.

Exhibit: Tenth Statement 01
Received by the defendant by post on 19/12/2025



North London Magistrates' Court
Code 2572
Sitting at Highbury Corner Magistrates' Court

1949_1031723001_04157_1060

Case reference 01YE1267925
Defendant Simon CORDELL
Date of birth 26 January 1981

Simon CORDELL
280 DURANTE ROAD
ENFIELD
EN3 7AZ

1031723001/04157 [1/1]

Notice of Grant of Bail

Date of notice 16 December 2025

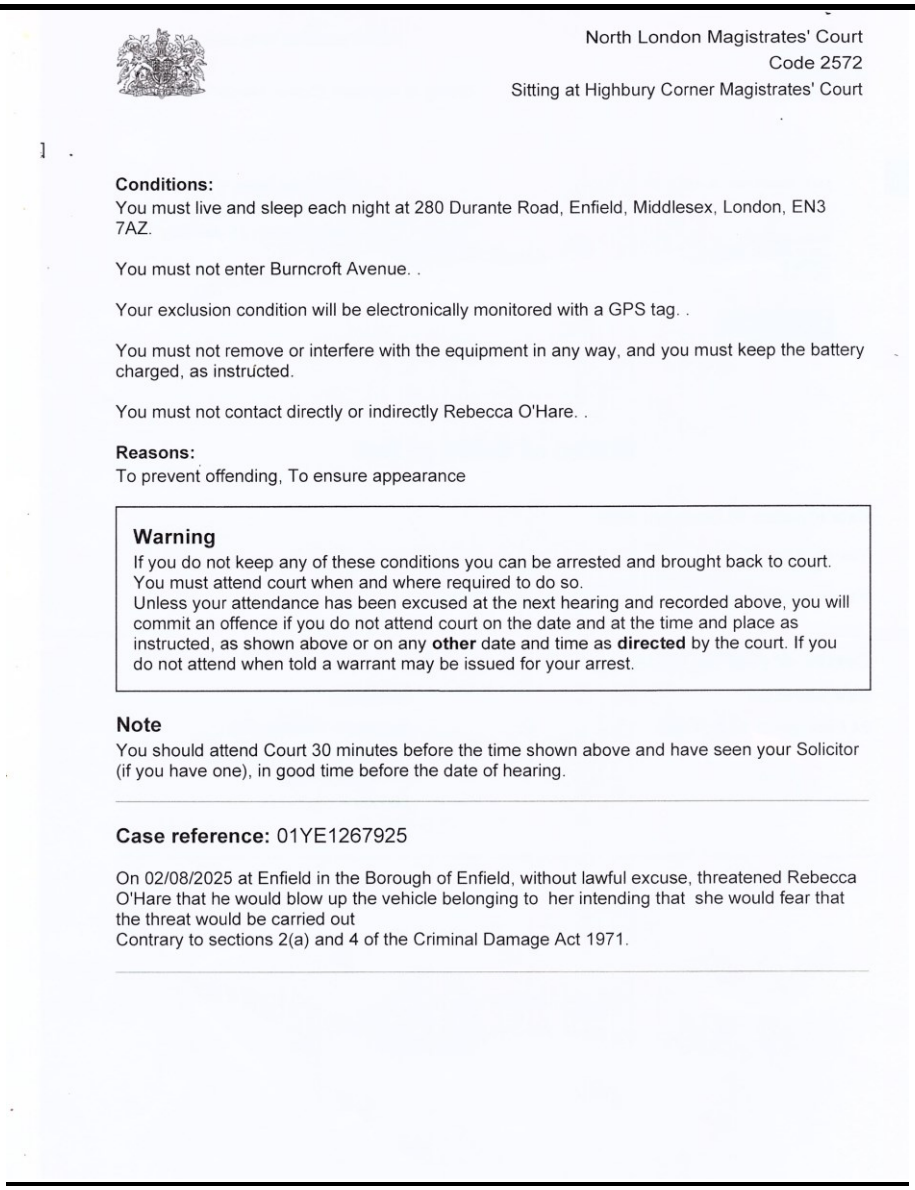
The court has granted you bail.

You must attend court where and when required to do so.

Details of your next hearing

Date and time:
24 February 2026 at 14:00

Location:
Courtroom Courtroom 04
Highbury Corner Magistrates' Court
51 Holloway Road
London
N7 8JA



North London Magistrates' Court
Code 2572
Sitting at Highbury Corner Magistrates' Court

1 .

Conditions:
You must live and sleep each night at 280 Durante Road, Enfield, Middlesex, London, EN3 7AZ.

You must not enter Burncroft Avenue. .

Your exclusion condition will be electronically monitored with a GPS tag. .

You must not remove or interfere with the equipment in any way, and you must keep the battery charged, as instructed.

You must not contact directly or indirectly Rebecca O'Hare. .

Reasons:
To prevent offending, To ensure appearance

Warning
If you do not keep any of these conditions you can be arrested and brought back to court.
You must attend court when and where required to do so.
Unless your attendance has been excused at the next hearing and recorded above, you will commit an offence if you do not attend court on the date and at the time and place as instructed, as shown above or on any **other** date and time as **directed** by the court. If you do not attend when told a warrant may be issued for your arrest.

Note
You should attend Court 30 minutes before the time shown above and have seen your Solicitor (if you have one), in good time before the date of hearing.

Case reference: 01YE1267925

On 02/08/2025 at Enfield in the Borough of Enfield, without lawful excuse, threatened Rebecca O'Hare that he would blow up the vehicle belonging to her intending that she would fear that the threat would be carried out
Contrary to sections 2(a) and 4 of the Criminal Damage Act 1971.

a) **<u>This exhibit requires clear explanation because Exhibit</u>**: *<u>Tenth Statement 01</u>* demonstrates a misuse of legal restrictions, specifically the bail conditions and the application of GPS tagging placed upon me. The exhibit shows that I am being excluded from my own home on the basis of an allegation involving a movable object "**<u>A Car, And Not A Person.</u>**" This section sets out how GPS tags are lawfully intended to be used, as is not the case for the GPS Tag forced to be on my Leg and also explains why the conditions imposed on me are disproportionate and procedurally flawed, and how these issues support my defence of a miscarriage of Justice. I'll keep it factual and grounded so all the readers can use this understanding as I do in my defence as follows bellow: --

- **<u>Is This Legal For It To Be Done To Me The Short Answer:</u>**

a) No — a person cannot normally be banned from their own home by a GPS tag simply because of an allegation involving a movable object like a car.
b) GPS tags are used to enforce **location-based restrictions**, but those restrictions must be:
   1+ **Necessary**
   2+ **Proportionate**
   3+ **Linked to a real risk involving a *person***
   4+ **Justified by evidence**

c) A car is not a “protected person” under bail law.

* **Let’s break it down properly**

- **GPS tags are designed to protect people, not objects**
  a) **Courts Use GPS Tags To Enforce**:
     1+ Exclusion zones around a *person*
     2+ Curfews
     3+ Residence requirements
     4+ Risk-based restrictions

  d) **They Are Not Designed To Protect**:
     1+ Cars
     2+ Property
     3+ Moveable objects
     4+ Parking spaces
     5+ Driveways

  e) So, banning any person in the United Kingdom including me from their own home because of a car is legally questionable as it is a breach of the guidelines to be followed.

- **A Person Cannot Be Excluded from Their Home Unless:**
  a) The court must show:
     1+ A *real* risk of harm to a *person*
     2+ That no lesser measure would work
     3+ That the exclusion is proportionate
     4+ That the person has somewhere else safe to live
  b) If the allegation is about a **car**, none of these conditions are met.

- **If The Allegation Is Not About Threatening a Person, A GPS Exclusion Zone Is Usually Unlawful**
  a) If the allegation is:
     1+ “Threatening a car”
     2+ “Damaging a car”
     3+ “Criminal damage to property”

  b) Then A GPS Tag Cannot Legally Be Used To Exclude You From Your Home, Because:
     1+ The object can be moved
     2+ The risk is not tied to a fixed location
     3+ The risk is not tied to a person
     4+ The restriction would be disproportionate

  c) Courts must always choose the **least restrictive** option but that has failed to happen in my case.

- **If They Banned You from Your Home Because Of a Car, That Is a Major Procedural Issue**
  a) **This Must Raise Serious Questions**:
     1+ Why was a GPS tag used at all?
     2+ Why was your home included in the exclusion zone?
     3+ Why was the “victim” defined as a *car*?
     4+ Why was no alternative considered?
     5+ Why was proportionality ignored?

b) This is something I absolutely challenge.

- **How You Can Safely Frame This in Your Defence**
  a) The allegation concerns a movable object, not a person. GPS tags and exclusion zones are designed to protect individuals, not property. Excluding me from my own home on the basis of a car is disproportionate, unnecessary, and inconsistent with the purpose of electronic monitoring. The restriction was neither justified nor lawful.

- **DEFENCE STATEMENT – PROPORTIONALITY OF BAIL CONDITIONS AND GPS TAG**
  a) The bail conditions imposed on 02/08/2025 were disproportionate, unnecessary, and far exceeded what the Sentencing Council guidelines would ever justify for this type of allegation. The restrictions placed on me — including exclusion from my own home and continuous GPS monitoring — amount to a level of punishment that is significantly greater than the sentence that would realistically be imposed even if I were convicted.

- **Duration of GPS Tagging and Exclusion**
  a) From **02 August 2025** to **24 February 2026**, I was subject to:
     1+ GPS electronic monitoring
     2+ A full exclusion from my own home
     3+ Strict lifestyle restrictions

  b) **This, Totals: 207 Days On A GPS Tag (Over 6 Months And 3 Weeks.) During This Period, I Was Prevented From**:
     1+ Spending **Christmas** with family
     2+ Spending **New Year's Eve** with family
     3+ Maintaining a normal **private life**
     4+ Maintaining any **intimate relationship**, because the bail address did not allow for it
     5+ Living in my own home
     6+ Exercising normal autonomy or freedom of movement

  c) This level of restriction is equivalent to — and in many ways harsher than — a **medium-level community order** or a **curfew requirement**, which is the *upper limit* of what the Sentencing Council recommends for this offence.

- **2. What the Actual Punishment Would Be (Sentencing Council Guidelines)**
  a) For the offence charged (Criminal Damage Act 1971, s.2 – threats to damage property), the Sentencing Council sets the following realistic sentencing range:

  b) **Likely sentence if convicted:**
     1+ **Absolute discharge**, or
     2+ **Conditional discharge**, or
     3+ **Low-level community order**

  c) **Custody is NOT appropriate unless:**
     1+ Weapons were used
     2+ There was repeated behaviour
     3+ There was serious harm
     4+ There was high culpability

- **None of these apply in this case.**
  a) **Therefore:** The realistic punishment for this offence — even on conviction — would be:

1+ **→ 0 days in custody**
2+ **→ 0 days on a GPS tag**
3+ **→ 0 days excluded from home**
4+ **→ 0 days of lifestyle restrictions**

b) **Yet I Have Already Spent**:
1+ **207 days on a GPS tag**
2+ **207 days excluded from my home**
3+ **207 days under restrictions harsher than the likely sentence**

c) This means the bail conditions have already exceeded the maximum realistic punishment.

- **Legal Tests for Bail Conditions**

a) Under the **Bail Act 1976**, any condition must be:
1+ **Necessary**
2+ **Proportionate**
3+ **The least restrictive measure**
4+ **Linked to preventing a real risk involving a person**

b) **In this case**:
1+ The allegation concerns a **movable object (a car)**
2+ No person was harmed
3+ No property was damaged
4+ No violence occurred
5+ No risk assessment justified exclusion from my home

c) A car is **not** a protected person under bail law. Therefore, the exclusion zone and GPS tag were **not proportionate** to the alleged risk.

- **4. Article 8 ECHR – Right to Private and Family Life**

a) **Article 8 protects**:
1+ The Right To A Home
2+ The Right To Family Life
3+ The Right To Private Life
4+ The Right To Form Intimate Relationships

b) **The Bail Conditions Prevented:**
1+ Living in my own home
2+ Spending Christmas with family
3+ Maintaining a relationship or sex life
4+ Normal social life
5+ Freedom of movement

c) **Any Interference With Article 8 Must Be:**
1+ Lawful
2+ Necessary
3+ Proportionate

d) The restrictions imposed on me were **far beyond** what was necessary for an allegation involving a car.

- **5. Impact on Daily Life and Liberty**

a) The GPS tag and exclusion zone resulted in:
   1+ **Loss of home**
   2+ **Loss of privacy**
   3+ **Loss of intimate relationships**
   4+ **Loss of normal social life**
   5+ **Constant surveillance**
   6+ **Restricted movement**
   7+ **Psychological distress**
   8+ **Stigma and reputational harm**

b) <u>These Are Consequences Normally Associated With:</u>
   1+ community orders
   2+ curfews
   3+ restraining orders
   4+ or custodial sentences

c) Yet they were imposed **before trial**, without conviction, and without meeting the legal tests for necessity.

- **<u>Defence Position</u>**

a) **The restrictions imposed on me between 02/08/2025 and 24/02/2026 were disproportionate, unnecessary, and exceeded the level of punishment that would be imposed even if I were convicted.**

b) <u>The court is invited to consider:</u>
   1+ The **207 Days** Of GPS Monitoring
   2+ The **Loss Of Home**
   3+ The **Loss Of Private And Family Life**
   4+ The **Absence Of Any Risk To A Person**
   5+ The **Sentencing Council Guidelines**
   6+ The **Article 8 Implications**
   7+ The **Principle Of Proportionality**
   8+ The **Requirement For The Least Restrictive Measure**

c) These factors demonstrate that the bail conditions were excessive and that the impact on my liberty has already outweighed any realistic sentence for the offence charged.

- **<u>P.S.</u>**

a) Tuckers Solicitor Firms Staff till date of this defence statement has refused to reply to any correspondence.

Kind Regards
Mr. Simon Paul Cordell.

(Signed) 

(On behalf of Mr. Simon Paul CORDELL) (Dated Signed) 18/12/2025

Signature witnessed by:

