

**Outline of Allegation and issues for Judge and Defence only.**

The Crown Court, Sitting at Winchester

URN: 44BB0890612

R -v - SIMON PAUL CORDELL

**BRIEF OUTLINE OF ALLEGATION & ISSUES**

**CHARGE(S) :**

**SIMON PAUL CORDELL**

THEFT, contrary to section 1(1) of the Theft Act 1968. 13/08/2012

**PROSECUTION ALLEGATIONS AND ISSUES :**

Trailer taken from back of Martins in Winchester. CCTV shows defendants van nearby in early hours. The van responsible requires AA recovery and the vehicle and trailer are taken to defendants home address in Edmunton. Arrested two months later at his new address . The trailer is located in garden of his previous address. Admits being the person whose van was recovered with the trailer but claims purchased trailer for £200.

**LIKELY ISSUES :**

Dishonesty

**AGGRAVATING FEATURES :**

None

**N.B. This outline (which has been copied to the defence) has been prepared by the Crown Prosecution Service prior to the prosecuting advocate being instructed in order to facilitate the efficient allocation of work at the Crown Court. It is NOT intended to serve any other purpose.**

No.

**INDICTMENT**

**IN THE CROWN COURT AT WINCHESTER**

**THE QUEEN - v - SIMON PAUL CORDELL**

**SIMON PAUL CORDELL is charged as follows:**

**STATEMENT OF OFFENCE**

THEFT, contrary to section 1(1) of the Theft Act 1968.

**PARTICULARS OF OFFENCE**

SIMON PAUL CORDELL on the 13th day of August 2012 stole Single Axle trailer belonging to Michael Brimson.

**Officer of the Court**

**URN: 44BB0890612**

**Crown Prosecution Service**

**R**

**V**

**Simon Paul CORDELL**

**Statement(s)/Evidence**

STATEMENT/EVIDENCE LIST

Crown Court at: Winchester  
URN: 44BB0890612

Regina  
v  
Simon Paul CORDELL

No.	Statement(s), deposition(s) and document(s) (other than exhibits)	Date/ Statement(s)	Page No.(s)
1	Michael BRIMSON	06/09/2012	1
2	James Robert CARPENTER	03/01/2013	2-3
3	Andrew MURPHY	24/09/2012	4-5
4	Stephen SYMONDS	23/08/2012	6-8
5	Stephen LEE	11/09/2012	9-10
6	Andrew DIGBY	15/10/2012	11-13
7	RUMNEY	15/10/2012	14-15
8	SIMS	15/10/2012	16-17
9	PC . ROBERTS	25/01/2013	18
10	Jennifer SIMPSON	05/02/2013	19

**At the committal proceedings in this matter, the prosecution will not adduce evidence of those portions of those witness statements that are bracketed [ ] and/or deleted, nor will the prosecution seek to adduce that evidence at the trial unless a Notice of Additional Evidence is served.**

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: MR MICHAEL BRIMSON  
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Manager

This statement (consisting of 1 page(s) each 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.

Signature:  Date: 06/09/2012  
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MR MICHAEL BRIMSON

Tick if witness evidence is visually recorded  (supply witness details on rear)

My Name is Michael Brimson.

I am employed at Martins Nissan in Easton Lane, Winchester.

A number of years ago I had a trailer made for me. This trailer is usually stored in the rear yard at Martins premises on Easton Lane in Winchester. It is my personal property but I allow the staff to use it if they need to.

On Monday 13 August 2012 I went to work as normal and when I arrived I found that my trailer was missing from the rear yard and assumed that it had been stolen. I went to speak to one of my staff members James Carpenter and told him about the missing trailer and he informed me that he has seen it being loaded onto the back of an AA recovery truck along with a white Ford Transit van, when he arrived for work that morning.

The entrance to the yard has bollards to prevent vehicles entering or leaving when the premises are closed. There is blue paint on one of these bollards and I believe that the trailer was tipped on its side in order to get it through the bollards.

The trailer has wooden tongue and groove panels attached to a blue painted metal frame. I had blue painted mud guards over the wheels (two) and the wheel hubs are also painted blue. It is about six foot by four foot.

It is difficult to put a value on the trailer as I have had it for years. It would cost a few hundred to replace.

Nobody has any right or authority to take my trailer without permission and no such permission was given to any person.

Signed:  Signature witnessed by: \_\_\_\_\_  
-----  
MR MICHAEL BRIMSON

## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 44BB0890612

Statement of: James Robert CARPENTER

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Warranty Manager

This statement (consisting of 6 page(s) each 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.

Signature: ..... (witness) Date: 17/08/2012

I am Jamie CARPENTER from the address overleaf and this is a statement about a trailer that has been stolen from my place of work which is MARTINS OF WINCHESTER on EASTON LANE.

This incident took place between 0150 hours and 0750 hours on Monday 13<sup>th</sup> August 2012.

In this statement I will refer to the following people: My boss who owns the trailer that has been stolen, he is Mike BRIMSON. I will refer to him as MIKE. I will also refer to a colleague James NUTBEAM, I will refer to him as JAMES. I will also refer to a male who steals the trailer, I will refer to him as THE MALE. I will also refer to some men that work for the AA.

On Friday 10<sup>th</sup> August 2012, I was aware that the trailer in question was parked in the rear car park at work next to our recovery truck. The trailer would have been there when I left work at 1730 hours on Friday.

On Monday 13<sup>th</sup> August 2012 I arrived for work at 0700 0750 hours. I had parked in the car park at HOMEBASE in their car park which is opposite MARTINS. I walked over to work and as I approached I could see a white transit van being loaded onto an AA recovery truck along with the trailer I have mentioned. This trailer belongs to my boss MIKE but he keeps it at work and it is available for our use. I recognised this trailer easily as someone made it for MIKE – it has blue paint on it and it is very distinctive.

As I saw it being loaded onto the recovery truck, I presumed that MIKE was lending the trailer to someone. I had a brief conversation with JAMES about this.

At 1000 hours, MIKE came into my office and said that his trailer had been stolen. At this point I realised that it must have been stolen when I saw it being put on the recovery truck. At around 1015 hours, I saw an AA truck filling up at the SHELL GARAGE next to MARTINS in the hope that it might be the same driver, or that this driver might know the driver that had taken the trailer, MIKE and I went over to speak to him.

This driver rang another AA driver who was called "STEVE". I do not know his surname. STEVE spoke MIKE on the phone and gave him details of how he'd been called to recover the transit and trailer to London and that on arriving in London the police appeared to be waiting for the driver of the transit van.

At 1030 hours on the same day, MIKE and I viewed our CCTV system to see if there was anything of use on it. I saw the footage which I can confirm shows the following; At 0150 hours on Monday 13<sup>th</sup> August 2012 you can see the transit van broken down on the service road to HOMEBASE which also runs down the side of MARTINS. About 50 minutes later, you can see an AA van arrive. The AA man from this van walks round the transit with a flash light. Prior to this AA man arriving, the footage shows THE MALE from the transit enter and walk round our site. By the first AA man arrives, the trailer which has been stolen, has been moved off our site to the back of the transit van although you can't actually see the trailer being taken on the CCTV. This first AA driver appears unable to tow the transit and trailer and he leaves. On the CCTV at 0650 hours, you see a large flatbed AA truck arrive. This takes about an hour. On our CCTV it shows that the truck drives off and around 0750 which must have been just after I arrived for work.

The trailer that has been stolen belongs to MIKE but I can confirm on his behalf that no one had permission to take it.

The trailer in question is unique – it was made for MIKE and I've never seen another one like it. At the time it was stolen, the number plate had been removed – MIKE found the number plate discarded in a hedge.

The trailer is wooden with two wheels. It has slats round the outside and the top has been painted blue. This bit that has been painted blue, I think is made of metal. It is about 6 foot long and 4 foot wide. The front draw bar has also been painted blue. There are blue mud guards over the wheels. The back upright has two clips so that the back flaps down, right down to the floor when it is unclipped. All round the edge of the trailer are circular blue clips on it that you can clip a cover to. The trailer is quite small. It appears that where the male has dragged the trailer off our site to his van it has coasted into a wooden post at the edge of our site as there is blue paint on the post. Also on the trailer, there was a lot of black tape where the socket of the lights are – unless this has been mended recently.

I cannot remember a lot about the MALES transit van other than that it was white and had some kind of sign writing on it. I did not really see THE MALE with the transit and I cannot describe him.

) Signature:..... Signature witnessed by: .....

**RESTRICTED (when complete)**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

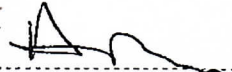
URN: | | |

Statement of: MR ANDREW MURPHY

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: AA Mobile Patrol

This statement (consisting of 2 page(s) each 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.

Signature:



Date: 24/09/2012

MR ANDREW MURPHY

Tick if witness evidence is visually recorded  (supply witness details on rear)

My name is Andrew Murphy

This statement details my involvement in the recovery of a Ford Transit van and accompanying trailer from Winchester on 13 August 2012.

In this statement I will mention the male who was with the vehicle and will refer to him as the male.

I am employed by the AA as a mobile patrol. My initial attendance at a call out to a broken down vehicle is to see if it can be repaired at the roadside. If it cannot be repaired and the customer has recovery included in their membership then the vehicle will be taken to where ever the customer requests.

On Monday 13 August 2012 I was on duty and about 2am I received a call to attend to a broken down Ford Transit that appeared to have gearbox trouble. I questioned why I was being sent to this job as repairs to a gearbox cannot be fixed at the roadside.

I attended the location given, which was the service road leading to Homebase at Easton Lane, Winchester. On arrival I saw a white Ford Transit, CX52JRZ, with a trailer attached to the rear.

There were four people in the front of the van, all were asleep.

I knocked on the driver's window a number of times before the male in the driver's seat woke up. He got out of the vehicle as did a female who had been in the passenger seat. The problem was explained by the male and I got into the driver's seat and started the engine. I then engaged first gear and there was a horrible grinding of metal and the vehicle did not move.

Signed :

  
MR ANDREW MURPHY

Signature witnessed by :

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# HAMPSHIRE CONSTABULARY

**RESTRICTED (when complete)**

## WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Continuation of Statement of: **MR ANDREW MURPHY** .....

This was confirmation that it was in fact a gearbox problem. I told the male that the vehicle would have to be recovered and contacted my control to organise this.

The male told me that he needed the vehicle to go to Edmonton in North London. My control told me that recovery would take two to three hours. I also informed control that the vehicle they send must be capable of towing a trailer as there was one attached to the rear of the Transit.

I then left and went off duty.

I would describe the male as a white male, aged mid 20's, 5'10 to 6' tall, slim build. I cannot describe him further. I cannot recall what he was wearing. I didn't really take much notice of him.

All I can say about the female was that she had tattoos on her face.

I was on the scene for less than 10 minutes but the male was in my view for only a short time during this time.

Signed :

MR ANDREW MURPHY

Signature witnessed by :

5

## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 44BB0890612

Statement of: Stephen Matthew Symonds

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Recovery Patrolman

This statement (consisting of 7 page(s) each 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.

Signature: ..... (witness) Date: 23/08/2012

This statement is in relation to a trailer that I recovered and then was reported as being stolen.

I am Stephen Symonds and I work as a Recovery Patrolman for the AA and have done for the last three years. On Monday 13<sup>th</sup> August 2012 I started work at 0630hrs at the Depot in Southampton. When we start we check the truck that we are using for that tour of duty, switch and sign on the computer and wait to be deployed.

On that day I got a job almost immediately in Winchester. I was instructed to recover a van and trailer at Homebase and the map on the computer gives you the route to get the location. The van was being recovered as an AA employee had already been out and stated it was a problem with the gearbox, which could not be rectified on the road side.

I arrived at Homebase in Winchester about 0700hrs and found the van and trailer on the road adjacent to Homebase, facing me as I drove down to them. I am pretty sure the trailer was attached at that time. I think I went into the car park of Homebase, came back out onto that road then reversed back to the van.

When I got out there first, I saw four people in the front of the van as I reversed up to them, they started to get out. There were two males and two females. I asked the male, who I cannot remember if he was the driver or not, if he could unattach the trailer which was done. I got the straps from my truck and proceeded to put the van on the back of my truck.

The four of them looked tired and odd and I found out later in the journey that they had been to the music festival called Boon something.

Initially, I was going to pull tow the trailer so asked the same male if the lights worked on it. He hesitated and then said that they did. I attached the electric plug to it but the lights did not work. I then decided that I was going to have to put it behind the van on my truck, so I dragged it up as far as I could, putting the metal connection as far under the van as it could go. I then secured it on to my truck. I was concerned that someone might report an unsafe load so I took three photographs to show how secure it was. I produce these photographs as

SS/01 – Photos of blue trailer and transit CX52 JRZ

SS/02 – Close up of the trailer

SS/03 0 further close up of blue trailer

The four of them all got into the back of my truck as I was instructed to take them to Edmonton. The address would probably have been on my computer but it is definitely on my paperwork which was signed by the male who I am sure was in the drivers seat, who I dealt with mainly on the roadside and I assumed was the AA member. As far as I recall there was nothing on my computer screen indicating that he was a new member and I would have out his details on my paperwork too. I produce the paper work I completed at the time of the recovery as SS/04.

I then drove to Edmonton the address I cannot recall at this time but it will be on my paperwork. I arrived at the address at about 1000hrs after the member (I assume) and I were discussing the best route to take. The AA mapping system and my Tom Tom Sat Nav were giving different routes and the chap told me to go via M25.

As we got near the address the chap was telling me which roads to go down as well as me keeping an eye on the mapping system.

The road was quite a big main road and he indicated where he lived so I pulled over and parked outside the house, which was on the right, behind some other parked vehicles.

Four of them got out and some went into the address. I did not really pay much attention as started to unload the trailer and van. The male I had been dealing with stayed outside, I assume to move the trailer and van if necessary and to sign my paperwork.

After he had signed I pulled away and pulled up about 100-150 metres ahead so I could have a cigarette and clear the job from my computer, ready for the next one. This was done at about 1020hrs.

Whilst I stood outside my truck having a cigarette and possibly a drink from my flask, so I was stood on the pavement by the ramp. I had a good view of the house and road as I stood there and I was aware that a marked MET police van drove past from my left to my right. It stopped opposite the house that I had been given. Two other cars then turned up and I saw some officers walk up to one of the house doors.

The address I have been given had some old cars and an ice cream trailer in the front garden, so it was quite distinctive. From where I stood when the officers went to the door, I cannot be certain if it was that address or the neighbours. The two officers from the van were not in uniform that I do remember.

I then packed up and left, as I had another job to go to. After about a mile I got a phone call from a colleague, Colin Jones, enquiring about the trailer saying he thought it may be stolen as he was in Winchester talking to someone who was missing one.

All four of them were black, in their 20's wearing either a hoody or anorak with the hoods up. I did not pay much attention to them as I was busy loading up the van and trailer. I cannot remember much else about them. I think I only saw one of them smoking and I think it was one of the girls. There was no real conversation between me and them or between themselves on the journey to London so I cannot give any personal information about them.

I think I stopped at Fleet Services so I could go to the toilet but I do not think that they got out. I was parked in the lorry car park.

I have rung the AA and the address I was given to take the can and trailer to was 23 Byron Terrace, Hertford Road, Edmonton. N9 7DG and the chap has been a member for about a year.

After I spoke to Colin I rang the AA to advise them that the trailer I recovered may be stolen and the police may contact them.

Signature:..... Signature witnessed by: .....

**RESTRICTED (when complete)**

\* EMAILED COPY \*

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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Statement of Stephen Lee

Age if under 18 (if over 18 insert "over 18") Occupation Police sergeant 1711

This statement (consisting of 2 pages each 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.

Signature Date 11/9/12

Tick if witness evidence is visually recorded  (supply witness details)

States,  
At 1030 hours on Friday the 13<sup>th</sup> of August 2012 I was on duty in full uniform in Edmonton, north London.

At this time I attended, with other officers, 23 Byron Terrace, Edmonton.  
As we arrived at the address I saw a male I now know to be Simon Cordell (b26/1/81).

Cordell was getting out of the driver's door of a van parked outside the address. The Van had a trailer attached to the rear. The vehicle was stationery.

Cordell went into the address. I knocked on the front door of the premises and spoke to Cordell. As a result of Cordells behaviour I spent the next few hours talking to him.

He told me the following:

He had been to a pop concert down in the Hampshire area with his girlfriend. He said that he had taken LSD tablets and had become ill and had left the concert. He had then attempted to return from the concert but his van had broken down. He had then been returned to the Edmonton address by means of the AA.

Signature

Signature witnessed by

Continuation of Statement/Interview of Stephen Lee

Cordell confirmed to me several times that the van outside the address was his and he was the driver of it when it was working. We did not specifically discuss the trailer which I believe was a single axle standard trailer.

Cordell's behaviour at this time was suicidal and I was not able to discuss any of these issues in depth with him.

Cordell left the house some 3 hours; the vehicles were still parked outside at this time.

Signature

Signature witnessed by

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Andrew DIGBY..... URN: [ ] [ ] [ ] [ ]

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 182283 .....

This statement (consisting of: .... 3..... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 15 October 2012.....

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

Suspect arrested at 8.24am. Notes started at 9.20am at Case Progression Unit at Edmonton Police Station. This is my original note and the events are fresh in my memory. I have been a police officer for 28 years, the last 9 of which has been as a police dog handler. My police dog (PD), Linpol Tango, is 3 years of age and is licensed in safety, efficiency and control has completed a 3 month intensive initial course and undergoes 9 days a year continuation training in which, he is trained to locate suspects via human scent. Further to this, he has been trained to identify property that has been left at the scene or discarded. Also due to his environmental training, he indicates objects that may have been touched, moved or disturbed. He is also trained to detain a suspect who is attempting to evade detention or presents a threat to himself or his handler. On Monday 15 October 2012 at about 8am I was on duty in full uniform employed in a fully marked police dog vehicle equipped and adapted for use for the conveyance of police dogs. I was assigned via the main force radio channel to attend BURNCROFT AVENUE, Enfield. Cad 1352 refers to officers who had attended 109 Burncroft Avenue in an attempt to arrest a male for theft of a trailer in Winchester, Hampshire (Cad 3311 of 11/10./2012 refers). The male suspect had been seen to decamp out the rear of the premises and was believed to be in back gardens. As I was on my way using the emergency lights and sound, I heard over the Enfield Borough radio channel a message from a Pc 815YE CAWLEY that the suspect was known to him and that for officer safety purposes, the suspect was violent. On arrival, I spoke to Pc 138YE SIMS. He and other officers had spread a cordon around a square of terraced houses and maisonettes at the rear of 109 Burncroft Ave. He told me that the Service helicopter was on its way to assist in the search for the male. From what he told me I believed I had reasonable cause to believe the male had committed an offence and that the use of my dog to find the male was lawful as he was wanted for theft of a trailer and had made strenuous efforts to evade arrest. I considered that the use of force used in deploying the dog to search and then detain the suspect by barking at him or biting him if an attempt to escape

Signature: [Signature] Signature witnessed by: [Signature]

Continuation of Statement of Andrew DIGBY .....

was made, was justified and proportionate under both Section 117 PACE 1984 and Section 3 of the Criminal Law Act 1967. The information given to me was that he had attempted to escape police previously on another matter and he had threatened to throw bricks at police and that he had armed himself with a kitchen knife. I therefore considered that the male posed a potential threat to myself, other officers and members of the public.. These laws state:

*"Where any provision of this Act -*

*(a) confers a power on a constable; AND*

*(b) does not provide that the power may only be exercised with the consent of some person, other than a police officer,*

*the officer may use reasonable force, if necessary, in the exercise of the power." (Section 117 of the Police and Criminal Evidence Act 1984);*

&

*"A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large." (Section 3 of the CLA 1967)*

Deployment of the dog to search for any suspects was appropriate in the circumstances and was fully in accordance with the Association of Chief Police Officer (ACPO) guidelines on the deployment of police dogs which states:

*"A dog handler will justify direct deployment utilising the Officer Safety Model and should seek to indicate that their perception is that:*

- 1. The direct deployment of a Police Dog is necessary to prevent escalation at an incident and such deployment is likely to assist in maintaining the safety of officers and innocent persons, or evidence will be lost; or*

*The offender is unlawfully at large." (ACPO Manual of Guidance ).*

I took PD Linpol Tango from the van and went to the nearest access point into the back gardens via a laundry drying area. I gave a loud and clear challenge for the male to make himself known to police. Receiving no reply I gave final warning and put my dog over the fence into a back garden. Immediately I saw the dog go to the bottom left of the garden and put his paws up on the left hand fence panel, his head up. I then noticed the helicopter arrive overhead and commence searching. I put the dog over the left hand fence panel and I saw the dog go to

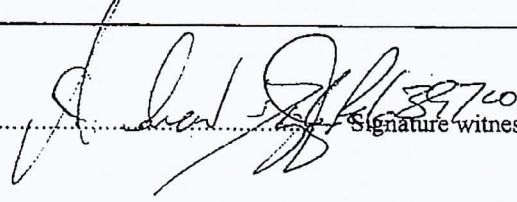
Signature: .....

Signature witnessed by: .....

Continuation of Statement of Andrew DIGBY .....

the bottom of that garden and put his paws up against the back fence panel. I then heard over the radio, from the helicopter, that a suspect was coming out of a shed to my left in a garden in the opposite row of houses backing onto the one I was in. I joined my dog. As I put him over the fence, I saw the male I now know to be Simon CORDELL jump up onto the fence to my diagonal left. I scaled the fence and took hold of my dogs collar with my right hand. I was now in the rear garden of 69 Burncroft Avenue and about 10 feet from the male who now jumped down in front of me. I could see he was an athletically built 30 year old male wearing a Black baseball jacket, light Blue T shirt and Grey jogging bottoms. I shouted at him " Police with a dog. Keep your hands in view and get down on the ground " He shouted back " I'm giving myself up. I aint getting on the ground. " Mr Cordell then began to walk towards me, his eyes moving to the left and right. I noticed his left hand go to his jacket. I did not know what he was doing with his hand and I believed that he may be armed or had taken something from the shed he had been seen leaving. I also believed that he may be looking for a way to decamp. These two thoughts crossed my mind as I shouted " Stand still, get on the ground, or the dog will be sent. " Still holding the dog I grabbed his T shirt in the chest area and tried to pull him down to the ground. He then began to struggle violently with me with me and I had to let go of the dog to have two hands free. I felt that I was not strong enough to control the male and I commanded the dog to 'Hold him' ( to bite the male ). The dog began to bark aggressively and circle Cordell and myself as we struggled. I was beginning to tire and the male was twisting and turning in my grip. I struck him in the abdomen ( stomach area ) as hard as I could with a closed hand to double him over. This he did and we both fell against the fence and the ground. It was then that I saw my dog come in and bite the male on the right side of the face and immediately release. I was then joined by Pc's SIMS and 127YE Finnegan. The male continued to struggle violently and scream abuse as I placed handcuffs on him in rear back to back position double locking them and checking for tightness. I noticed he was bleeding from a wound on the right side of his face, on the jawline. I said " I believe you have been bitten by the police dog. Calm down and we will clean you up and deal with your injuries and take you to hospital if necessary." He shouted " Fuck off you cunts. You aint going anywhere near my face. Fuck off. " He was taken from the garden through number 69 Burncroft Avenue. At 8.24am he was arrested by Pc Sims for theft of a Trailer and cautioned to which he made no reply. He was placed in a police van. Concerned with his welfare, I said " I think you need to have the wound cleaned for you." He said "Fuck off. I'll see the doctor." I furnished him with a police dog bite card which gives advice regarding police dog bites.

18:45 MO 15 OCT '12 VE  
 18:45 MO 15 OCT '12 VE

Signature:  Signature witnessed by: .....

2003(1) 13

### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: PC RUMNEY 268YE		URN	44BB0890612
Age if under 18: Over 18 (if over 18 insert 'over 18')		Occupation: Police Officer	
This statement (consisting of 12 page(s) each 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.			
Signature:.....		(witness)	Date: MONDAY 15 <sup>th</sup> OCTOBER 2012
PC RUMNEY 268YE			

On MONDAY 15<sup>th</sup> OCTOBER 2012 I was on duty in full uniform in a marked police car call sign YE21 Earlies with PC WILLIAMS 165YE. We were a taser equipped car. We were asked by PS RIGBY 37YE to carry out an arrest enquiry for HAMPSHIRE POLICE. CAD 3311 refers. The CAD stated to arrest a Simon CORDELL 26/01/1981 of 23 BYRON TERRACE, N9. We asked for another unit to assist us. Y3 PC FINNEGAN 127YE and PC SIMS 138YE assisted us. We arrived at 23 BYRON TERRACE at about 0710 hours. As the details of the arrest from HAMPSHIRE was that between 12<sup>th</sup> and 13<sup>th</sup> AUGUST 2012 a trailer had been stolen from Martins NISSAN, EASTERN LANE, WINCHESTER. The description of the trailer was Blue and Brown. As we walked upto the address I noticed a trailer matching the description on the driveway. It was behind an ice cream van on the driveway. We knocked at the door and a female I now know to be Mrs CORDELL answered the door. She stated Simon was not in and she did not know where he was. The address was searched and he was not there. I have had dealings with the suspect CORDELL in the past. He has been verbally aggressive to me whilst working in the station office. There was also information on the CAD that CORDELL had previously ran from officers and threatened to throw objects at any officer that came near him. He then armed himself with a knife and held it to his throat. Other colleagues also mentioned he can be extremely violent. PC CAWLEY 815YE said over the radio that he had struggled to detain him in the past and he was known to arm himself. Due to the fact we believed the stolen item, the trailer at the location, recovery was arranged for it to be siezed. Mrs CORDELL also said it had been there for about two (2) months. Further checks PC SIMS 138YE stated to us that he was aware CORDELL drives a van with a trailer on the back that often carries fairground rides. Further checks were carried out by the intellegence channel which showed another address for CORDELL this was 109 BURNCROFT AVENUE, EN3. We now made our way to this address. Outside the block of flats was a van with a trailer attached and a fairground ride. We went to the communal door however there was a combination code to get in. No one knew knew the code so we were unable to get in this way. Flat 109 is on the ground floor on the right had side. There is only one (1) other flat on the ground floor located to the left. PC SIMS 138YE went to the rear gardens of the flat. We intially knocked on the window to the left to see if they would let us in however they did not answer. We then knocked on the window of 109 BURNCROFT AVENUE. A male I now know to be MR SIMON CORDELL, 26/01/1981 of 109 BURNCROFT AVENUE, EN3 pull up the bli netting. He was a light skinned IC3 male with short black hair. He immediately had an aggressive tone asking

Signed: \_\_\_\_\_

Signature witnessed by: \_\_\_\_\_

PC RUMNEY 268YE

44120315446/2199030

## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: PC RUMNEY 268YE

police what we wanted. He opened the window and started to shout at officers. I informed him that we needed to talk to him and could not do this through the window. CORDELL refused and said he would only talk through the window. CORDELL then asked if he was being arrested. PC 127YE told CORDELL that police needed to arrest him for a Theft matter regarding HAMPSHIRE POLICE and that everything would be explained when he came outside. CORDELL then said "OK I'll come outside give me a minute". Shortly after PC SIMS said he could hear movement coming from the back of the flat. I ran round to the back to join him. There is a fenced area surrounding the gardens. The fence was about 6'0" high. I could see into the garden however. I then saw CORDELL come out the flat into the garden he had a dark jumper on and I could see he was wearing blue jeans. CORDELL then started to escape by climbing over the fences of the garden. I ran round to try and prevent his escape. The gardens lead on to some allotments. The allotments were secured by a large locked gate. I could see into the allotments and there was no sign of CORDELL and I could not see hear any further movement. I was certain that CORDELL was still in one off of the back gardens. Where I was standing was by the side of the flats 145-155 which was also at the gate to the allotments. There was a side gate that was secure & that lead into some gardens here. I stood at the location here to put a containment in place. PC SIMS 138YE was still by the fenced area looking into the gardens where we last saw CORDELL. PC 127YE then ran to the other side to where I was standing to put a containment in there. PC 165YE also placed himself on the corner of where 109 BURNCROFT AVENUE was. We requested a dog unit and the air support unit (199) to assist. Further units also put a containment in on the other side of the allotments and DURANTS park. The dog unit and 199 arrived on scene shortly after. The dog unit went into rear gardens where CORDELL was last seen. I stood at the same location to put a containment keep the containment in place. I eventually heard the dog barking and some shouting. 199 transmitted that the dog unit had located him and that he appeared to be getting aggressive with officers. I tried to find a way round to the gardens however they were all secured by fences. I assisted PC WILLIAMS to help him get over the fence. I eventually heard that there were now two (2) officers with the dog unit and CORDELL was in handcuffs. PC 127YE said they were in the rear garden of number 69 BURNCROFT AVENUE. A van unit arrived and I directed them in. I then saw PC 127YE and PC 138YE walk CORDELL over to the van. CORDELL still appeared aggressive. He was shouting saying he got bitten by the dog. He also kept swearing saying "Fuck this". I could see there was some blood and a graze on his chin. He was handcuffed back to back and as he was walking to the van shouting he kept tensing tensing his body up. PC 127YE advised CORDELL that his injury would be looked at back at custody. CORDELL was then taken to EDMONTON police station where all the facts were relayed to PS ELDRIDGE who authorised his detention. I have taken photographs of the trailer in the front garden of 23 BYRON TERRACE, these have been siezed as EBR (1) EBR/1 - One (1) photo of trailer looking inside. EBR/2 phot one (1) photo closer up of trailer looking inside. EBR/3 - one (1) photo of trailer laying on side.

PC RUMNEY 268YE

Signed: \_\_\_\_\_

Signature witnessed by: \_\_\_\_\_

PC RUMNEY 268YE

44120315446/2199030

### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Robert SIMS	URN	44BB0890612
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation:	Police Officer
This statement (consisting of 10 page(s) each 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.		
Signature:..... (witness)		Date: 15/10/12
Robert SIMS		

On MONDAY the 15<sup>th</sup> OCTOBER 2012, I was on duty in uniform, patrolling in a marked Police vehicle, deployed with Taser in the company of PC 127YE FINNEGAN. Vehicle call-sign Y36.

At around 0700 hrs we recieved a call to attend 23 BYRON TERRACE Enfield EN3 ~~een~~ to conduct an arrest enquiry on behalf of Hampshire Police. They requested an arrest enquiry for Simon CORDELL, DOB 26/01/1981 who was wanted for Theft of a trailer at MARTIN'S NISSAN, EASTON LANE, WINCHESTER, HAMPSHIRE between the 12-13<sup>th</sup> August 2012. The trailer was described as being blue and brown. Checks were conducted on CORDELL which revealed that on a previous occasion CORDELL climbed onto a roof and threatened to throw a brick on the head of an officer who tried to arrest him, he had also held a knife to his ~~throat~~ throat and threatened to kill himself if he was approached. We were also advised by PC 815YE CAWLEY that CORDELL could be extremely violent and often had weapons in his waistband. CAD 3311/11OCT12 refers. We accepted the call and made our way with PC 165YE WILLIAMS and PC 268YE RUMNEY.

On arrival the trailer was found in the front garden. We were informed by CORDELL'S mother that he no longer lived at the address. The trailer was seized and checks were conducted to find another address. The checks revealed an address of 109 BURNCROFT AVENUE, EN3. I have dealt with Mr CORDELL on a number of occasions and know him to be aggressive and drives a white van with the logo "TOO SMOOTH" written on the side. On arrival at BURNCROFT AVENUE I saw the van parked outside. We have attempted to gain entry to the block but it was secured with a key code. I have gone to the back of the flats to watch the rear of the property. After a few minutes PC FINNEGAN stated that they were speaking to CORDELL through the ground floor window. He stated that CORDELL was refusing to answer the door. I kept observation on the back of the premises by looking over a 6 ft fence. I was located about 2-3 gardens away. After a few minutes I saw movement of the rear door and I was joined by PC RUMNEY. I have then seen Simon walk out of rear door and walk towards the end of the garden. I have shouted "Stay there Simon we need to speak to you". Simon has replied "Fuck off" and started to climb over fences. PC RUMNEY put this out over the radio whilst I watched where he went. I have seen him climb over 3 fences and then did not see him leave this garden. I later discovered that this was number 71. A containment was then put in place and we called for a dog unit and the air support unit (I99) to attend. I remained where I was and kept observation on the garden

Signed: \_\_\_\_\_ Signature witnessed by: \_\_\_\_\_

Robert SIMS

44120315446/2199032

## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: Robert SIMS

and saw PC FINNEGAN had positioned himself a few gardens up. After several minutes the dog van, PC 6397CO, call-sign GO arrived on scene. I have pointed out where the male was last seen and helped the handler over the fence. The handler has started searching whilst I obtained a ladder from a resident to assist with the search. I have then climbed the fence and at this point the handler was one garden away. PC FINNEGAN has then put over the radio that CORDELL had come out of a shed and was pacing around in the garden. The dog and handler have then gone off after the male by climbing another fence. PC FINNEGAN then put out that the male was attempting to make off again over fences. The dog and handler have <sup>then</sup> cut CORDELL off. I was one garden away at this point. I have heard the Police dog start to bark bark and the dog handler shout "get on the floor." Simon was also shouting. I have climbed into the garden to assist PC DIGBY. I could see PC DIGBY struggling with CORDELL. CORDELL was refusing to get on the floor and was trying to break free. As I approached them PC DIGBY and CORDELL have fallen into the fence. I have shouted at CORDELL to get on the floor however he refused. When I was a couple of meters away I saw the dog bite CORDELL on the right side of the chin and then release him. I have then grabbed hold of CORDELL and struggled to get him on the floor which we managed a few seconds later.

CORDELL continued to shout and swear and had his arms tensed trying to resist having handcuffs put on. We have managed to get Simons hands behind his back and PC DIGBY placed him into handcuffs using the rear stack position. We have got Simon to his feet however he continued to struggle and try to resist. He was calling PC DIGBY a "cunt" amongst ~~ever~~ other things and was shouting "you watch I will get your dog put down. At this point PC FINNEGAN joined us in the rear garden having managed to get the occupants of number 69 to answer the door. We have lead CORDELL through the house into the front garden the whole time he was shouting and swearing. I had ~~attempting~~ attempted to arrest CORDELL in the rear garden however he continued to shout over me. Once CORDELL was in the front garden I switched on my body cam and arrested CORDELL for Theft.

At 0824 hrs I cautioned

Cont page 27

Signed: \_\_\_\_\_

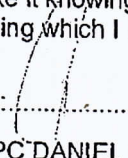
Robert SIMS

Signature witnessed by: \_\_\_\_\_

44120315446/2199032

### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: PC DANIEL CHARLES ROBERTS		URN <input type="text" value="44BB0890612"/>
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation: Constable 3055	
This statement (consisting of 1 page(s) each 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.		
Signature: 		(witness) Date: 25/01/2013
PC DANIEL CHARLES ROBERTS		

I am Daniel Charles Roberts and I am a police officer employed by Hampshire Constabulary. I am presently stationed at Winchester Police Station and I hold the collar number 3055. On Monday 15<sup>th</sup> October 2012 at 1446 hours myself and PC 149 Robinson commenced an interview with a male I know to be called Simon Cordell. This interview was conducted at Edmonton Police Station and was concluded at 1510 hours. I produce the tape recording of the interview with the identification reference number DCR/SC/01.

Signed: \_\_\_\_\_

PC DANIEL CHARLES ROBERTS

Signature witnessed by: \_\_\_\_\_

44120315446/

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Miss JENNIFER SIMPSON	URN	44BB0890612
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation:	10782
This statement (consisting of _____ page(s) each 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.		
Signature: ..... (witness) Date: 05/02/2013		
Miss JENNIFER SIMPSON		

**I am employed by Hampshire Constabulary as a ROTI Clerk. I work in the Criminal Justice Unit at Portsmouth Police Station.**

**On 05/02/2013 I was handed a tape recorded interview of Simon CORDELL conducted on 15/10/2012 between 14:46 hours and 15:10 hours.**

**I have listened to the tape and prepared an accurate summary of the interview on form MG15, this is produced under the reference JS/SC/01.**

**This is the only involvement I have in this case.**

Signed: \_\_\_\_\_

Miss JENNIFER SIMPSON

Signature witnessed by: \_\_\_\_\_

44120315446/583378

# **Crown Prosecution Service**

**R**

**V**

**Simon Paul CORDELL**

**Exhibits**

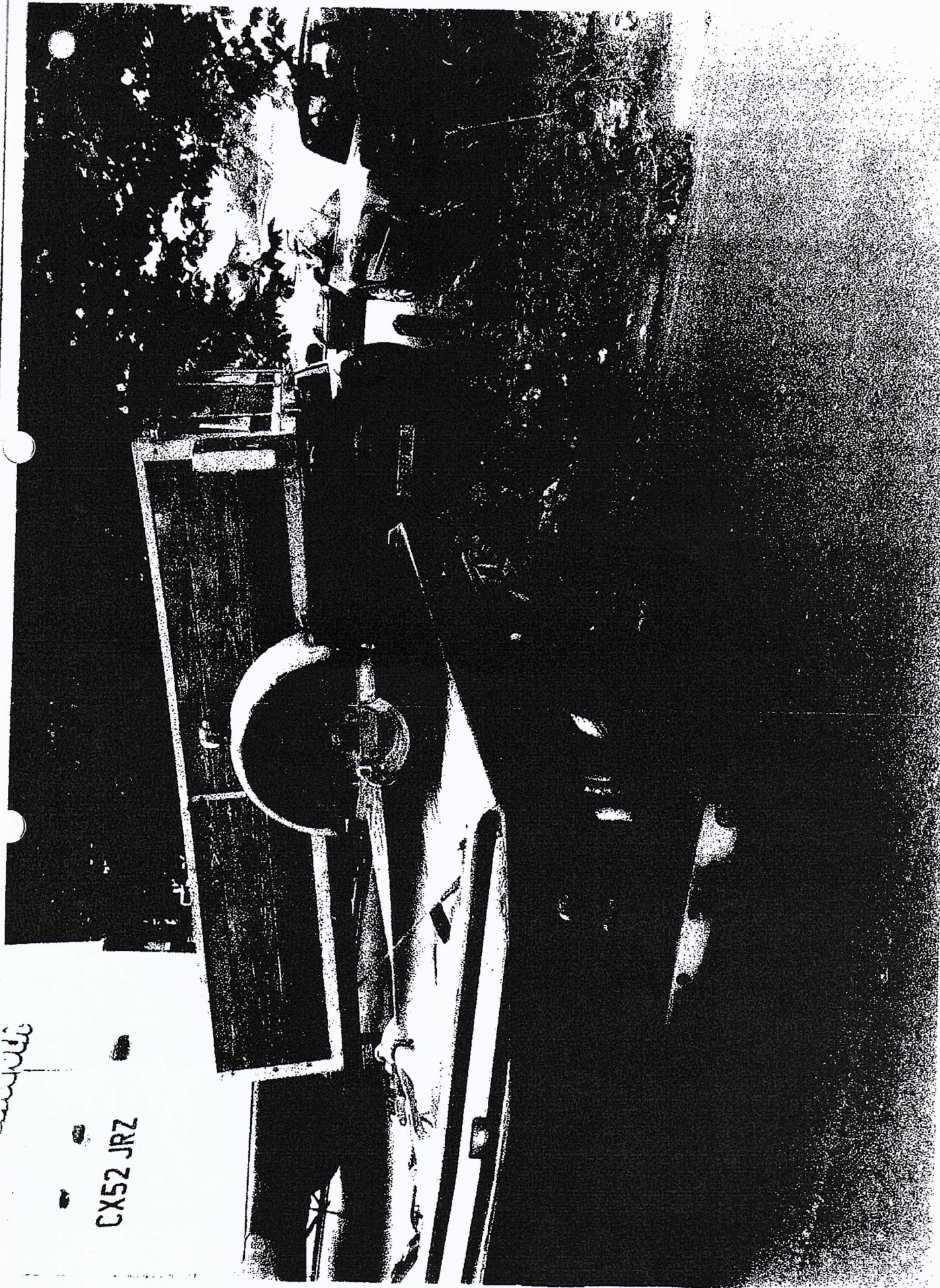
**LIST OF EXHIBITS**

**Crown Court at: Winchester**  
**URN: 44BB0890612**

**Regina**  
**v**  
**Simon Paul CORDELL**

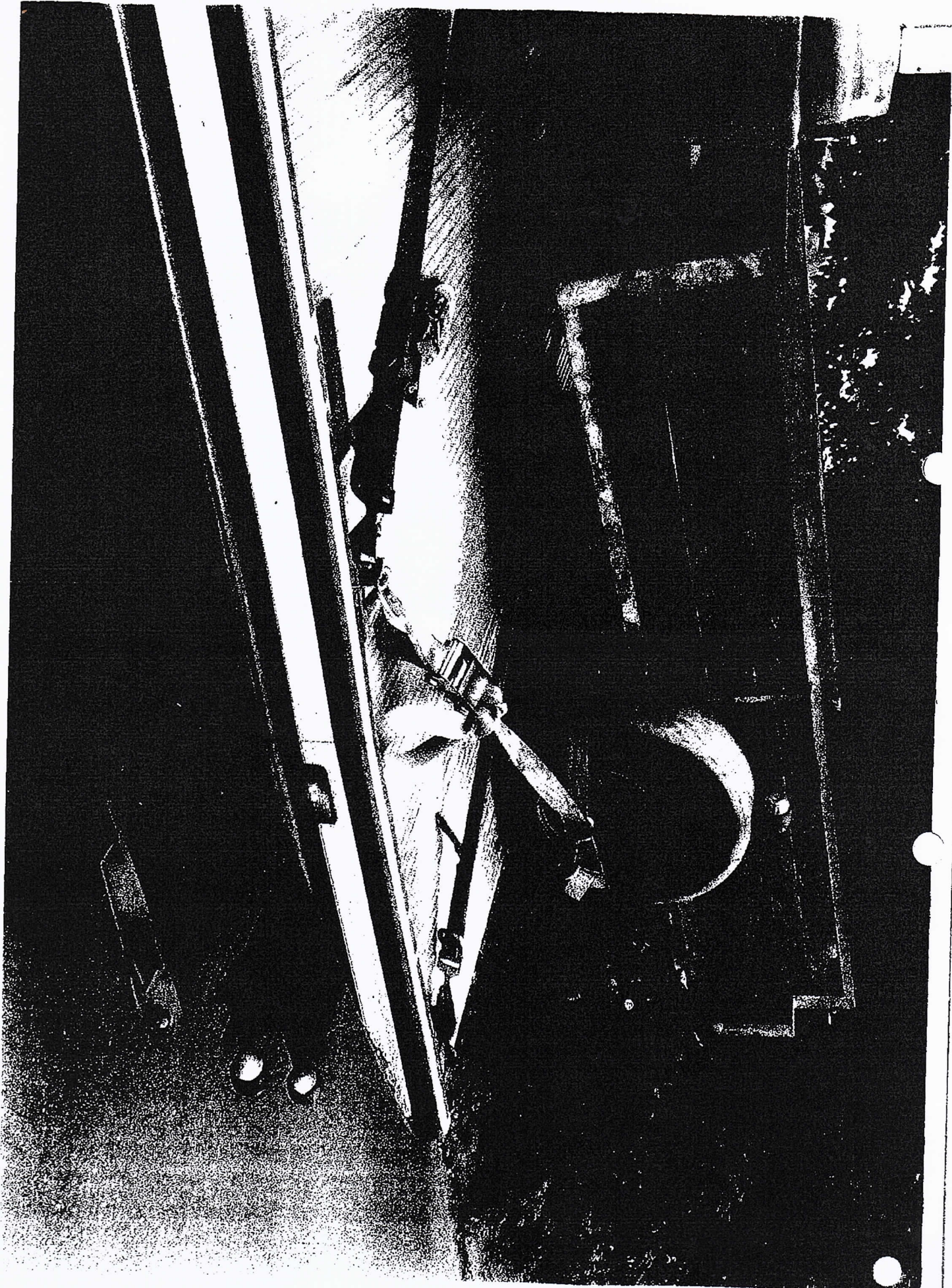
No.	Exhibit Ref No.s	Description	Page No.(s)
1	SS/01	PHOTO OF BLUE TRAILER AND TRANSIT CX52 JRZ	1
2	SS/02	PHOTO OF CLOSE UP OF BLUE TRAILER	2
3	SS/03	PHOTO OF CLOSE UP OF BLUE TRAILER	3
4	SS/04	PAPER WORK	4
5		CCTV MARTINS	
6	EBR/1	PHOTO OF TRAILER	5
7	EBR/2	PHOTO OF TRAILER	6
8	EBR/3	PHOTO OF TRAILER	7
9	DSR/SC/01	MASTER TAPE OF INTERVIEW	
10	JS/SC/01	RECORD OF INTERVIEW	8-11

SS/01

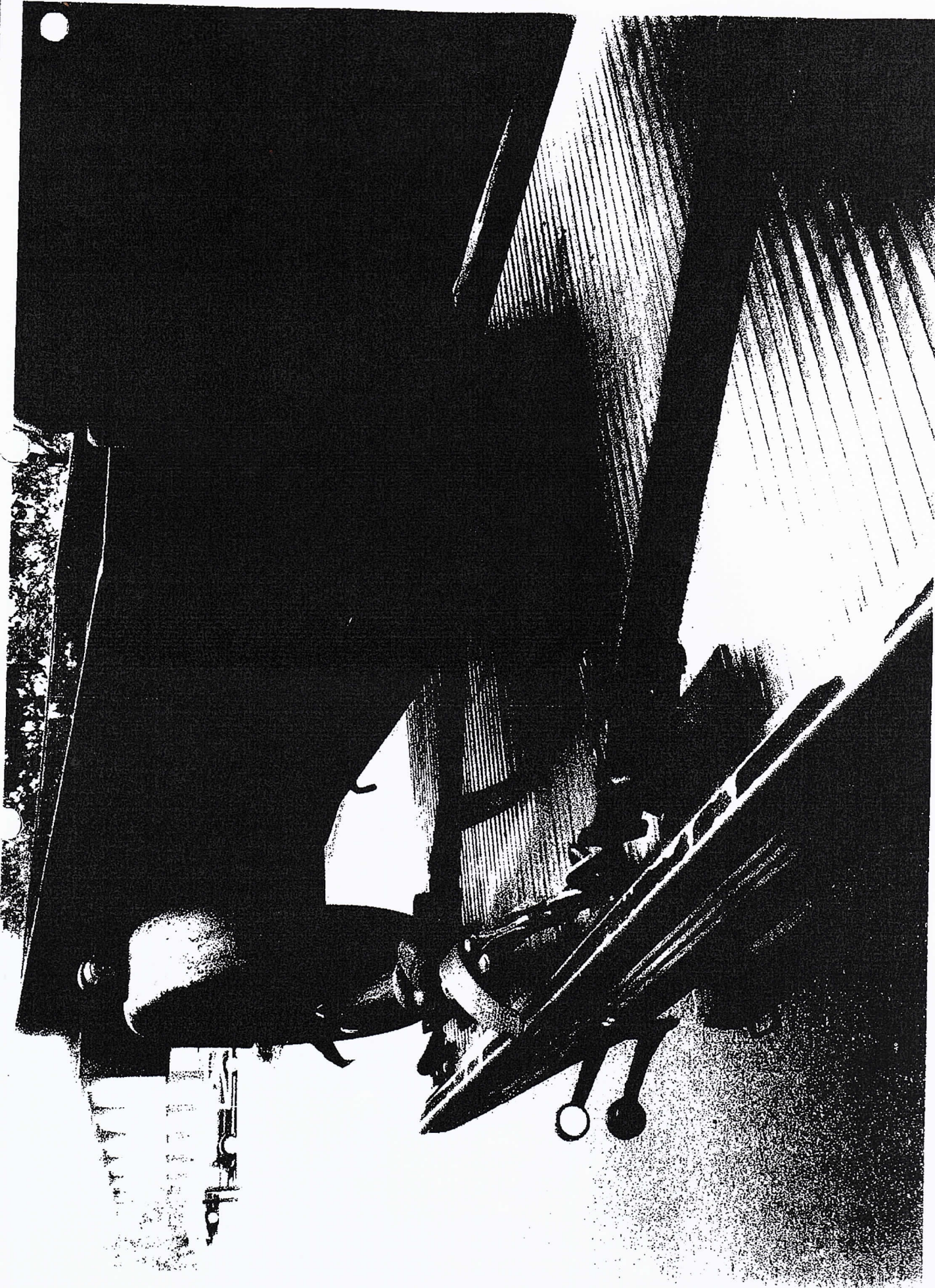


CX52 JRZ

*[Handwritten scribble]*



SS/03



# AA Recovery/Relay Report

SS104

PS124 also Issued

AA Staff No: 83830 Job No: 0225 Date: 13-8-12 Time: \_\_\_\_\_

### Business Account

It is the AA's policy to check entitlement - proof may be required

Memb No/Scheme 0111 1122 3225

Surname MR S CORNELL  DOB

Signature \_\_\_\_\_  PC

\_\_\_\_\_  DLB

### Vehicle details

Reg. CX52J RZ

Make Ford

Model TRANSIT + TPL

Mileage 136648

### Delivery Details

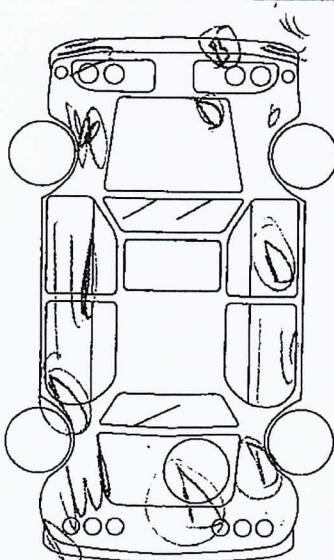
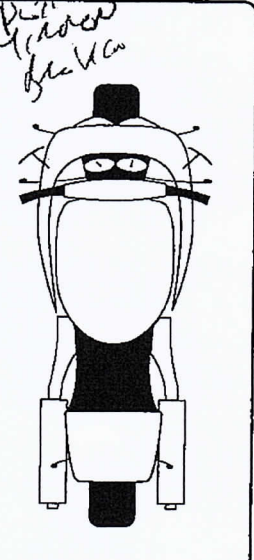
Customer Name \_\_\_\_\_

Contact No \_\_\_\_\_

Delivery Address 23 Heath Farm Rd  
London  
N9 7AG

### Vehicle Condition Assessment (Box A)

To be completed before vehicle is recovered or towed

e 1/4 1/2 3/4 FUEL

S - Scratch M - Missing D - Dent B - Broken

### Journey details

Comments / Special delivery instructions  
HOME-BASE WINNALL

2nd leg Job no \_\_\_\_\_ Name & AA staff no. \_\_\_\_\_

Comments  
07944 060056

3rd leg Job no \_\_\_\_\_ Name & AA staff no. \_\_\_\_\_

Comments

4th leg Job no \_\_\_\_\_ Name & AA staff no. \_\_\_\_\_

Comments

### Before Recovery / Towing

Towing instructions received and understood

Is the tow hitch on the trailer serviceable? Y/N

I agree that the Vehicle Condition Assessment (Box A) accurately reflects the condition of my vehicle immediately prior to recovery / towing and, where indicated, I have received and understood the AA's towing instructions. I confirm I am entitled to **ONE** recovery journey per breakdown.

Signature (Customer) GC

### After Recovery / Towing

Vehicle delivered in condition recorded in Box A

With additional damage

Signature (received customer / garage) SC

PRINT NAME \_\_\_\_\_

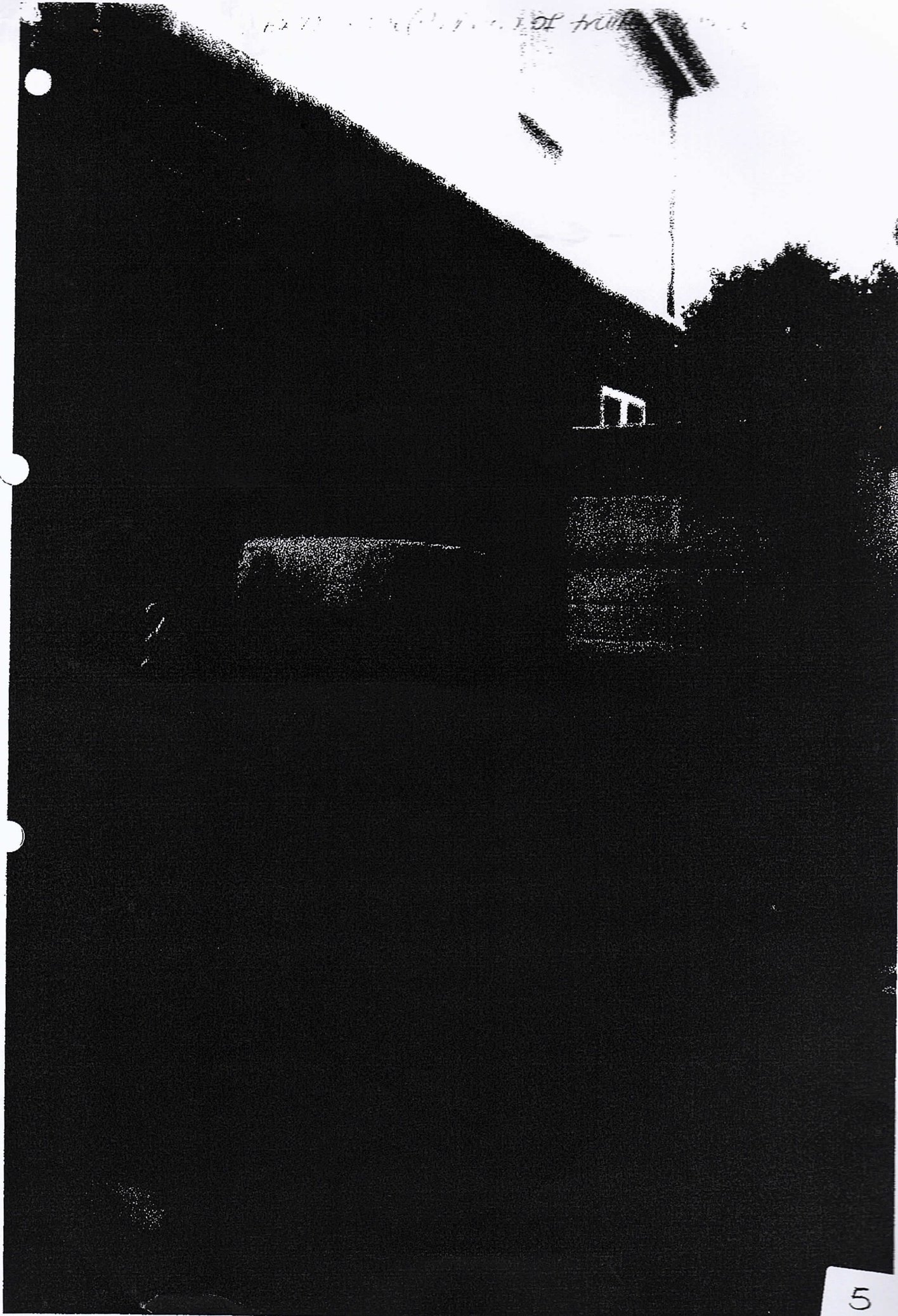
**We welcome your views about our service**

☹️ ☺️ 😊

Phone: 0845 607 6727  
Email: CustomerSupport@theAA.com  
Letter: Member Care, AA Lambert House, Stockport Road, Cheadle, Cheshire, SK8 2DY

**The AA strongly recommends that all valuable items are removed from the vehicle prior to recovery. For this reason the AA can not accept any liability for any lost or damaged items**

1277 - 100 (1.1.1.1) of 1000



10/11/1963 11:00 AM (1963)  
11/15/63



2

EBE/s - one (1) photo of tailor laying  
on side

# RECORD OF INTERVIEW

## RESTRICTED

URN: 44 BB 08906 12

~~Contemporaneous Notes / SDN / ROTI / ROVI~~ (delete as applicable)

Person interviewed: **CORDELL, SIMON PAUL**

Place of interview: **Edmonton Police Station**

Date of interview: **15 October 2012**

Police exhibit no: **JS/SC/01**

Number of pages: **4**

Signature of interviewing officer producing exhibit: \_\_\_\_\_

Time commenced: **14:46** Time concluded: **15:10** Duration of interview: **0:24**

Audio tape reference nos. (♦):

Visual image reference nos. (♦):

Interviewing Officers: **PC 3055 Roberts and PC 149 Robinson**

Other persons present:

Tape Counter Times(♦)	Person Speaking	Text
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*At the commencement of the interview the defendant was cautioned. He stated he did not require the services of a solicitor for the duration of the interview.*

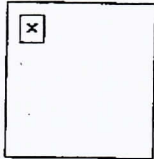
2.50

*Cordell confirms he is fit and well to be interviewed. He can read and write and he has not taken any drugs or had anything to drink.*

Signature(s): \_\_\_\_\_  
(Contemporaneous notes only)

♦ Not relevant for contemporaneous notes

**RESTRICTED**

**HAMPSHIRE CONSTABULARY****RECORD OF INTERVIEW  
RESTRICTED**

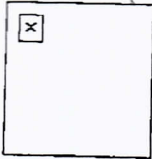
Tape Counter Times(♦)	Person Speaking	Text
3.30	PC 3055 Roberts	Okay so the first question I need to ask you is do you understand what you've been arrested on suspicion of? I emphasise the word suspicion.
	Cordell	I have been told theft.
	PC 3055 Roberts	Of what?
	Cordell	Been told of a trailer.
	PC 3055 Roberts	Of a trailer. So what we are technically looking at is the theft of a trailer you're absolutely right. I am not going to ask you to explain what that means because I think you probably can work out what theft of a trailer is, would you agree?
	Cordell	I understand that but at the same time right at this second I do not see that any theft has taken place, I see that no criminal offence has taken place at any point throughout this. I paid money for that trailer £200.
	PC 3055 Roberts	Right.
	Cordell	I have a receipt for that plus I have bank statements for that £200 coming out of my bank. I bought that off a person that I met at a festival which was in the local vicinity where the trailer was kept that I was trading at, I was doing a show I bought my sound

Signature(s): \_\_\_\_\_

(Contemporaneous notes only)

♦ Not relevant for contemporaneous notes

**RESTRICTED**

**HAMPSHIRE CONSTABULARY****RECORD OF INTERVIEW****RESTRICTED**

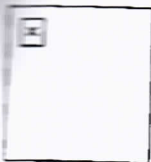
Tape Counter Times(♦)	Person Speaking	Text
		system out and the rest of it because I'm in the entertainment business.
	PC 3055 Roberts	Simon I'm just going to stop you there, I can see where we are going I just need to get some dates though, can you just confirm some dates for me please.
	Cordell	Yeah that's cool.
	PC 3055 Roberts	So you have bought a trailer, that's fine. Who did you buy it from?
	Cordell	I bought it off of, do you know to be honest right now the name I don't really know but it's all writ down on the piece of paper receipt that I can't remember off the top of my head.
	PC 3055 Roberts	Fine and you were at a festival in Hampshire,
	Cordell	Yes I was that's correct,
	PC 3055 Roberts	Near Winchester I'm assuming.
5.35	Cordell	Yeah that's correct.
	PC 3055 Roberts	What was the name of the name of the festival?
	Cordell	The festival was, oh Secret Garden maybe,
	PC 3055 Roberts	Secret Garden?
	Cordell	Or Boom Town, Boom Town,

Signature(s): \_\_\_\_\_

(Contemporaneous notes only)

♦ Not relevant for contemporaneous notes

**RESTRICTED**



# HAMPSHIRE CONSTABULARY

MG15T

Page 4 of 4

## RECORD OF INTERVIEW **RESTRICTED**

Tape Counter Times(♦)	Person Speaking	Text
	PC 149 Robinson	I was going to say that,
	PC 3055 Roberts	Okay Boom Town right, do you remember the date of Boom town?
	Cordell	I can't remember the name, the date of the Boom Town festival.
	PC 3055 Roberts	Okay and you were working?
	Cordell	I have them all in my diary.
	PC 3055 Roberts	But you do a lot of the sound system, musicy type stuff,
	Cordell	Yeah and the festivals,
	PC 3055 Roberts	And that is obviously your trade or your job,
	Cordell	Yeah that is what I've been trying to establish a business in the entertainment company.

Signature(s): \_\_\_\_\_  
(Contemporaneous notes only)

♦ Not relevant for contemporaneous notes

**RESTRICTED**