

RESTRICTED (when complete)


CHARGE(S)

Surname	CORDELL	Custody No.	01MS	2188	13
Forename(s)	Simon Paul	First Arrest Date	25/06/2013		
		URN	01MS/2188/13		
		Arrest Summons Number	1301MS0100000002188K		
Address	109 Burncroft Avenue, Enfield, Middlesex	YO <input type="checkbox"/>	PYO <input type="checkbox"/>	PPO <input type="checkbox"/>	
		Station	Walworth Police Station		
		M <input checked="" type="checkbox"/> F <input type="checkbox"/>	Date of Birth	26/01/1981	
		Ethnicity (16 - point)	Black - Any Other Black Background		
		Ethnic Appearance (PNC)	Black		
Post code	EN3 7JQ	Interpreter language			
		Name of Interpreter			

You are charged with the offence(s) shown below. You do not have to say anything. But it may harm your defence if you do not mention now something which you later rely on in court. Anything you do say may be given in evidence.

Sequential No. Charge(s)

- 1 Burglary other than dwelling - theft**
Between 01/05/2013 and 08/05/2013 at Peckham, London, SE15 having entered as a trespasser a building, namely Unit 3 Horrisons industrial estate, SE15, stole therein trampolines, gazebos, bar stools and beds to the value of £8220.00p
CONTRARY TO SECTION 9(1)(B) OF THE THEFT ACT 1968.
H.O. 30/2 Local None CJS TH68037

Reply (if any)	i WOULD NOT COMMIT BURGLARY AND i WAS NOT TRESPASSING ON THE LAND. mY FRIENDS WERE SQUATTING AND i HAVE RECEIPTS FOR ALL THE PROPERTY		
Signed (person charged)		Signed (appropriate adult)	
Officer charging Surname	KEAN	Rank	DC
Station	Southwark Borough	No.	P186600
Officer In Case Surname	MAYHEW	Rank/Job title	DC
Station	Southwark Borough	No.	P204182
Charge accepted Surname	CURTIS	Rank/Job title	PS
		No.	P199765
Time	20:51	Date	25/06/2013

RESTRICTED (when complete)

MG 11 (7)

1912

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2011, Rule 27.2

Statement of Rakesh PATEL URN:

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Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Director of company

This statement (consisting of: 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: Date: 8/5/13

I am providing this statement in relation to a burglary at (location) Unit 3 HORIZONS INDUSTRIAL ESTATE of which I am the owner/occupier. The circumstances are that on (day) Wednesday (date) 19 May 2013 at (time) 14:00 hrs I left the premises secure/insecure. I returned on (day) 8th May (date) 2013 at (time) 10:30 hrs and discovered that the premises had been entered by unknown suspects.

At this stage I cannot provide a full list of property stolen or give full details of any damage, nor am I in a position to state its value or the costs of any repairs. However, my initial assessment would indicate that, amongst others, the following was stolen / damaged:

A number of products have gone including Trampolines, gazebos, bar stools and beds which amounts to around £220.
No property was damaged/stolen

Additional Information:
Also other property has been damaged including the wall which they entered through which I estimate between £8000 and £10,000 worth of damage.

I did not give permission to anyone to enter the above mentioned premises, take property or cause any damage. I am prepared to go to court and give evidence if required. I request that the court makes a compensation order in respect of the above described incident.

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

Statement of PC ALMY 874MD URN: 01 MM 11

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

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: 25/6/2013

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

On Tuesday 25th of June 2013 I was on duty in plain clothes in the company of PC HORSEFIELD 610MD and PC GOLDEN 326MD. We were assigned to attend 109 BURNCROFT AVENUE EN3 to arrest a Simon CORDELL 26/01/1981 who was wanted for a Non residential burglary. He was wanted for a burglary that occurred at Unit 3 Horrisons Industrial Estate, Haymerle Road, SE15 on the 1/5/2013 where by Garden Gazebo's and Furniture had been stolen. Cordell had been forensically linked to the crime. We arrived at the venue at 0700 hours, the premises was a ground floor flat. Due to this I immediately went to the rear of the premises to check whether CORDELL could escape from the rear of the premises. As I went to the rear of 109 I could see that the gardens were enclosed and in the rear of 109 BURNCROFT AVENUE I could see there was a large GAZEBO. I then went to the front of the premises whereby we knocked on the door. Here a male I now know to be Simon CORDELL 26/01/1981 answered from within the premises. We identified ourselves as police officers and explained that we needed to talk to him regards a matter.

CORDELL was extremely aggressive telling us that police were not going to enter his house and if they did he was going to arm himself with a knife and set his dog on us. He also stated he was going to put a knife to his throat and if we forced entry he was going to stick the knife inside himself. As he was shouting this I could hear the dog was becoming more and more agitated and was beginning to growl and bark. I explained that he was wanted for a burglary and that police had the power to enter the premise by force. I continued to speak with CORDELL through the door explaining that is he continued to make threats towards officers and towards his own life then police were going to force entry to save life and limb. As more uniformed units started to arrive at the address CORDELL became less aggressive and after about 2 minutes he opened the door. Immediately I placed him into handcuffs whilst colleagues secured the dog and CORDELLS Partner. I placed CORDELL into handcuffs in the front stack position ensuring to check for tightness and double lock. CORDELL by now was a lot less aggressive hover still appeared on edge. At 0720 hours I said to CORDELL " I'm arresting you on suspicion of a non residential burglary that occurred at Unit 3 Horrisons Industrial Estate, Haymerle Road, SE15 on the

Signature: [Signature] Signature witnessed by:

Continuation of Statement of PC ALMY 874MD.....

01/05/2013 where by entry was forced and property including Garden furniture and Office chairs have been stolen. You have been forensically linked to this offence. I require you to come to the police station so you can be interviewed regards the matter." Fully cautioned to which he made no reply.

.After arrest a section 32 search was completed and the following items were seized:

JRA/1 One (1) "WHAT" Venice chair boxed up in the Porch area of 109 BURNCROFT AVENUE. I seized this chair at 0735 hours and placed seal Z11405389 on it. I then asked CORDELL

Q: Is this yours?

A: Yeah its mine I brought a job lot

Q: How many did you buy?

A: Five for £20 each.

JRA/2 a large Garden GAZEEBO which was constructed in the garden this we dismantled and took to Enfield Police station after a photo was taken whilst erected. This I seized at 0735 hours and I asked CORDELL

Q: Who's is the GAZEEBO ?

A: Its Mine I brought a job lot, 5 of them I paid £100 for each GAZZEBO.

Both the above Comments CORDELL signed in the book 101.

After about 30 seconds CORDELL then started talking again stating "In fact the gazebo in the garden I brought a job lot from FOCUS. My mum has the receipts I aint done nothing wrong I help someone who went through a whole in a wall. I aint forced any entry and I aint done any burglary. I will tell you all this when I'm with my solicitor in interview. CORDELL refused to sign these comments recorded in the 101.

JRA/3: One Nokia mobile phone seized at 0740 hours placed in bag C352463675. I asked CORDELL Q" who's is this

A: Its mine, mum brought it a week ago.

Police then took the GAZEEBO down and the search was completed at 0840 hours. CORDELL was then placed into the back of the unmarked police vehicle whereby he was then conveyed to Walworth Police station. At 0920 hours CORDELL made the following unsolicited comments which he refused to sign in the Book 101.

"This aint a burglary there was a hole in the wall. You will have to arrest the whole of London. It can't be a burglary if you don't break in. Police came in 4 or 5 times and said we could stay, check the records from a year ago the place got done then and they left in a state. It's the owners fault.

Signature: [Signature] Signature witnessed by:

Continuation of Statement of PC ALMY 874MD.....

CORDELL was eventually booked in at Walworth police station. Here the facts were relayed to the custody Sgt who authorised his detention. On being booked in CORDELL made more significant comment that PS LYNCH recorded on the custody record. *[Handwritten signature]*

Signature: *[Handwritten signature]* Signature witnessed by:

Witness contact details

Home address: Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:
Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police --- what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): PC 874MD Station: Camberwell

Time and place statement taken:

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 Police Constable Golden URN: 01 mm 2188 13

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 221709

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 anything in it which I know to be false, or do not believe to be true.

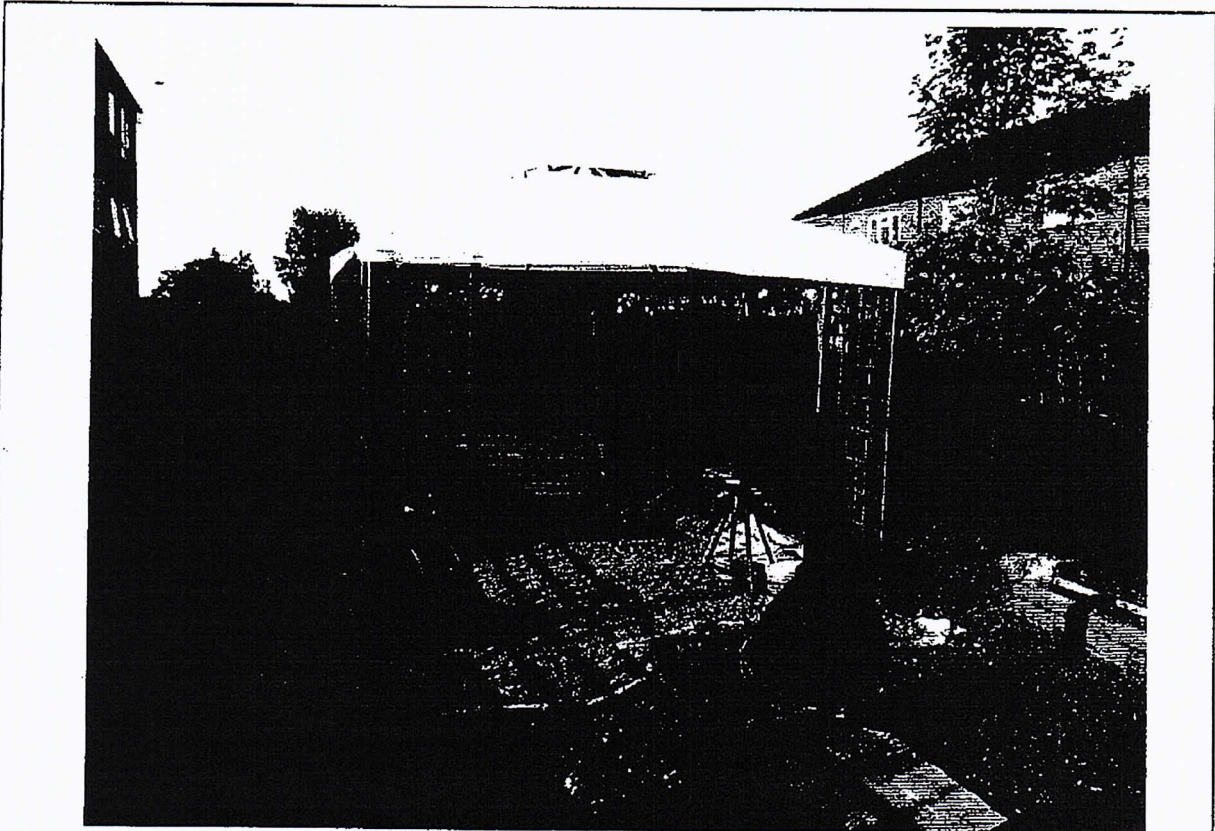
Signature: [Signature] Date: 25/06/2013

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

On Tuesday 25th June 2013 I was on duty in plain clothes as part of Southwark Crime Squad. My posting for the day was as driver of an unmarked vehicle, call sign MD13. I was accompanied by PC Horsefield and PC Almy who were also in plain clothes. At approximately 0700 hours we attended 109 Burncroft Avenue, Enfield, Middlesex, EN3 7QJ to conduct an arrest enquiry on a male that lives at the address. The male that we were looking for was Simon CORDELL, date of birth 26/01/1981 who lives at the above address. Upon arrival at the address and knocking Simon CORDELL requested through the front door that we show our warrant cards which we did through the door spy hole. Simon CORDELL then stated that he would not answer the door without us having a court warning. I explained to Simon CORDELL that he was going to be arrested for a non residential burglary from May 2013 to which Simon CORDELL then started shouting, 'your not coming in here, your endangering my safety as I'm going to get a knife and put it to my throat'. At this point a request for local Enfield Officers to attend and assist was made. We remained outside the address. I continued to explain that all we needed to do was talk to Simon CORDELL. Simon CORDELL continued to state that he would not answer his front door with out a warrant and if we forced entry then he would stab himself. A short while later uniformed local officers attended and also spoke to Simon CORDELL. After another five minutes Simon CORDELL then opened the door. Simon CORDELL did not have a knife on him and there were no signs of him being injured. Simon CORDELL was more calm and was arrested by PC Almy for a non residential burglary that had occurred at a warehouse on 1st may 2013 where gazebo's and a bar stools were stolen. Once inside the address I was aware that a brand new bar stool was found outside the front door to the address and also that there was a gazebo which had been erected in the garden. He gazebo and bar stool matched the descriptions of the ones stolen in the burglary. I then using my mobile phone at approximately 0725 hours took a photo of the gazebo in the rear garden of 109 Burncroft Avenue, Enfield, Middlesex, EN3 7QJ. I exhibit this photo as WZG/01 and a copy of that picture is attached in this statement.

Signature: [Signature] Signature witnessed by:

Continuation of Statement of **Police Constable Golden**



The gazebo in the photo above was then dismantled and taken to Edmonton Police Station Property Store. I then transported Simon CORDELL to Walworth Police Station arriving at 1000 hours where detention was authorised by PS Lynch at 1020 hours. Custody 01MS/2188/13 refers.

Signature:

Signature witnessed by:

RESTRICTED (when complete)**Case File Summary – Police Report**

	URN	01	MS		13
Mr Simon Paul CORDELL		Anticipated Plea		Not Guilty	
Name (hit return for additional defendants)		Anticipated Plea			

1. KEY EVIDENCE. 'key evidence' is that evidence which either alone (i.e. the evidence of one witness) or taken together (e.g. a number of witnesses each of whom provide some key evidence and any key exhibits) establishes every element of the offence to be proved and that the person charged committed the offence with the necessary criminal intent. The summary should be set out in chronological order so that it tells the story of the offence (not the investigation) and covers each of the 'points to prove'. It should be made clear which witness (provide name, age, occupation & status e.g. key eye witness, victim) can provide the evidence summarised. The Summary should be balanced & fair, setting out the facts in a narrative style. Witnesses who give the same evidence or deal with procedure (charge, interview etc) should be listed in Section 3 below. **State value of property stolen or damaged and what recovered.** Address and contact details of all witnesses to be entered on form MG9 (their leave dates on MG10) and provided to the prosecutor.

This is a case of Burglary Non Dwelling

Date of Offence: 01/05/2013 - 08/05/2013

List of Key Witnesses and their roles

Mr Rakesh PATEL, VIW (company director), DOB 20/6/1964

Facts of offence

VIW last went to the property at approximately 1400 on 01/05/2013 and returned to it at approximately 1030 on 08/05/2013 and saw that it had been burgled.

Property is two units that have been made into one and is a warehouse used to store a large amount of property for the VIW's business. Previously the property next door (adjoining warehouse) has been used as a rave venue and the party goers have broken through the adjoining wall and burgled VIW. This appears to have happened again. As well as damage to the wall (which had been fixed since the last burglary) a large amount of property has been taken and a large amount has been damaged. It looked like it had been ransacked. There was also a large amount of graffiti on the walls around the whole warehouse and on some of the property/furniture.

As VIW was waiting for police to attend, an IC1 male on a bicycle spoke to VIW and told him that there is a website where they advertise when they are going to have the raves at adjoining warehouse, but would not say what the website was.

Property stolen includes trampolines, gazebos, beds and bar stools. The boxes have the company stamp of the word WHAT! in blue ink.

MG11 completed by VIW

No CCTV

SOCO attended and swabs taken from drink cans discarded in the warehouse where property was stolen. These swabs have come back to Cordell.

Cordell has 14 previous convictions for theft and kindred offences 5 of which are for burglary.

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2. DEFENDANT INTERVIEW: Identify the interviewing officer, defence solicitor, appropriate adult and other person present. Set out any explanation the defendant gave as to how/why offence happened. Include any mitigation and remorse put forward. If CCTV is key, record the defendant's response/reaction if it was shown in interview, and attach a copy. Summarise the explanation of the defendant aloud at the conclusion of the interview and note that here. State if no comment made in interview or prepared statement handed over. Note and detail any special warnings given.

Date: 25/06/13 Location: Walworth Police Station Interviewing officer: DC Mayhew

Persons present: Mr Anthony CLARKE (Michael CARROLL Sol)

Start: 1447 hours Finish: 1547 hours Counter reference for relevant admissions/statements

Summary

CORDELL was given the allegation and asked to comment. He asked for further clarification of the allegation and was read details from the victim statement. To this he said "At no point did I commit any burglary and I'm going to take my solicitors advice and answer no comment"

CORDELL however chose to answer some questions. At the start of the interview he was asked questions in relation to the venue, if he knew if, if he'd been there, if he'd been to Southwark, if he was present during the time of the offence, who else was present. He declined to answer these questions.

DC Mayhew then referred to the book 101 (record of the search at CORDELL'S house), reading each comment that had been recorded as CORDELL'S and asking CORDELL if he had said those comments and initialled them.

Regarding the gazebo he stated he had purchased it from Focus

Regarding the Venice chair he said it was his, bought in a job lot and agreed he had initialled the comment. He did state that he had said that they were £20 each, not 5 for £20 as written

When asked about the gazebos at £100 each he said no comment.

In regards to the comments about him helping someone and going through a wall he said no comment and requested that he could write a written statement. His solicitor at this point suggested a break in interview.

When the interview re-commenced, without a written statement, DC Mayhew continued to ask about the comments in the 101 including that he said that it was the owner's fault as he had left the hole in the wall. CORDELL answered no comment to all these questions

He was shown photographs of the venue from the crime scene report. He said he did not recognise the external

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shots. When asked questions about the internal photographs, including if he had been there, seen what was pictured, stolen anything, caused the damage, had permission to be there, knew the owner or knew who else was there he replied no comment.

He was then provided with the forensic evidence regarding the can with his DNA found in the venue and that stock stolen in the burglary was found at his house.

CORDELL then went on to talk extensively in the interview, despite his solicitor telling him to be quiet.

He agreed that he had been in the warehouse and said he was there legitimately to provide the sound system at a private party there. His friends were squatting with permission of the owners at the warehouse. He said the police even came and spoke to him about the party and went in for a look around, seeing the hole into the other warehouse, and were happy with the circumstances.

He said he was paid around £200 for his work that night and offered something else saying "I've got a receipt, that came from another building" It was later clarified this meant the chairs. He went home without any property which he said can be confirmed by the fact he was stopped and his vehicle searched by police that night.

He said he got the gazebo from Focus when it went into liquidation about 4-5 years ago and he and his friends squatted at the Chingford branch. He said all his kitchen appliances were also purchased there at the same time. He still had the receipts for everything. The gazebo was sitting in a box in his garden in full view of his neighbours for a couple of years and it had been erected in his garden for 3-4 months.

He said he was offered a job lot on the chairs and he bought them in good faith. He later went on to say he bought them from Mohammed who was squatting at the empty warehouse a couple of days after the rave. It was put to him that he would have seen the stock then at the rave and knew where it came from. He said as Mohammed had permission to live there. He was shown a photograph of the chair found at his house but would not confirm if it was his. It was put to him that the chair bore the mark of the company who owned the warehouse and that's how it could be identified by the victim as being property stolen from there.

CORDELL brought up about a similar burglary at the same venue in February. It was not clear how he knew about this burglary but he said the owner had left the warehouse in the same state it had been in since February, with the hole in the wall, damage and stock everywhere. He blamed the victim for this recent burglary, saying he should have secured his premises and that he was "in the other place legally" He said there was no burglary because people could walk from one warehouse into another through the hole. It was put to him that the victim had stated the warehouse was left secured and without damage in May and it had not been that way since February. He continued to say that it was the victim's fault and that it was left that way.

He suggested he was a "guardian" to young, deprived people, holding these raves as a positive activity for them and as part of his role as a "guardian" he had a duty of care to check every part of a building that a rave was at, just in

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case there was a young person collapsed from drugs there. He said "If I haven't broken in I can freely walk around"

It was put to him that the reason that his DNA was found in the burgled warehouse and property from that warehouse was found in his house was because on that night he entered that warehouse without permission through the hole in the wall, knowing that there was stock there that could be stolen as he had seen it at previous raves at the venue. He denied this, saying he had not broken in and had not stolen anything.

He stated the stock in the warehouse was from Focus which had gone out of business about five years ago and had been abandoned since the burglary in February.

CCTV shown No

Interview Tape/Disc Served on defendant Yes

Prepared Statement given No

Obtained No

3. NON KEY EVIDENCE. List all witnesses not summarised in section 1 and state what they contribute. Address and contact details of all witnesses to be entered on form MG9 (their leave dates on MG10) and provided to the prosecutor.

DC Mayhew (OIC), PC ALMY (Arresting officer)

4. VISUALLY RECORDED EVIDENCE. CCTV, photos, photocopies if any. State if 'Key'. If sole key evidence submit for first hearing (identifying play back format for discs). If no visual evidence or not key, give reasons.

CCTV No

If Yes state what CCTV shows.

If No CCTV or Non Key give reasons why not.

Any photographs to be submitted with first hearing file.

5. INJURIES. A medical statement is not needed unless required to interpret x-rays or otherwise described injuries not visible to the naked eye. A victim/eye witness/police officer should describe visible injuries; photographs should be taken and attached (if no photographs taken state why).

None

6. FINGERPRINT/ FORENSIC/ DRUGS EVIDENCE. Weight of drugs, number of wraps, etc. is essential sentencing information as is the street value and purity if known. State if drugs field tested and by whom. State timescales for a full statement if required.

SFR Yes If Yes SFR MUST be included in file in all cases.

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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 **DC Ashley Kean** URN:

01	MS	2188	13
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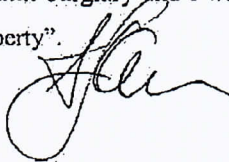
Age if under 18 **Over 18** (if over 18 inset 'over 18') Occupation: **Police Officer 186600**

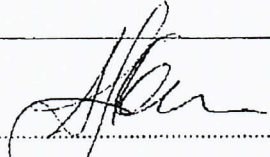
This statement (consisting of 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: **25/6/13**

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

On Tuesday 25th June 2013, whilst on duty at Walworth Police Station, I charged Simon Paul CORDELL with Burglary, contrary to Section 9(1)(B) of the Theft Act 1968, at Unit 3 Horrisons Industrial Estate, SE15, between the dates of 1st May and 8th May 2013. The Charge was read out and caution given by PS Curtis at 20:51hrs to which Mr CORDELL replied "I would not commit burglary and I was not trespassing on the land. My friends were squatting and I have receipts for all the property".



Signature:  Signature witnessed by:

Lorraine Cordell

From: JOSEPHINE WARD [josephinewardsolicitor@gmail.com]
Sent: 15 July 2013 09:28
To: Lorraine Cordell
Subject: Advance information on Simon's case
Attachments: Al.pdf

Lorraine

Please find attached copies of the following:-

Advance information

You will no doubt note that there is no detailed loser statement setting out the stock that was actually stolen, however there are a number of very unhelpful Q and A's recorded in the statement of PC Almy. These were also signed by Simon.

Can you please as a matter of urgency locate the receipt for the gazebo in the garden so that we can deal with this issue at trial. I will need confirmation of this so that I can include this in the defence case statement.

I am on annual leave as of 3pm today but I am hoping to access my email when I am away so please feel free to email me if there are any issues and questions that you have regarding this matter.

Regards

Josephine

Lorraine Cordell

From: JOSEPHINE WARD [josephinewardsolicitor@gmail.com]
Sent: 15 July 2013 09:28
To: Lorraine Cordell
Subject: Advance information on Simon's case
Attachments: Al.pdf

Lorraine

Please find attached copies of the following:-

Advance information

You will no doubt note that there is no detailed loser statement setting out the stock that was actually stolen, however there are a number of very unhelpful Q and A's recorded in the statement of PC Almy. These were also signed by Simon.

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Regards

Josephine