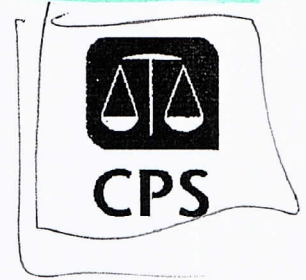


Witness Statement



Michael Carroll & Co
Solicitors
DX 36206
Edmonton

6th August 2013

URN: 01MS0218813

Dear Sir

REGINA -v- Simon Paul CORDELL

SECTION 51, CRIME AND DISORDER ACT 1998

NOTICE OF SERVICE OF CASE AND WITNESS REQUIREMENTS

Notice of Service of the case

The copy statements [and depositions] that accompany this notice constitute the copies of the documents containing the evidence on which the current charge or charges are based.

These documents are served in accordance with Paragraph 1 of Schedule 3 of the Crime and Disorder Act 1998 ("the 1998 Act") and the Crime and Disorder Act 1998 (Service of Prosecution Evidence) Regulations 2000.

You are reminded that by virtue of paragraph 5 of Schedule 8 of the 1998 Act, the bill of indictment in the Crown Court may include - either in substitution for or in addition to any count you are currently charged with - any counts founded on the evidence hereby served on you (being counts which can be lawfully joined in the same indictment).

Request for information concerning defence witness requirements

The written statements [and depositions] referred to above have been made by the witnesses named below. Application may be made to the court by the prosecution for each of these statements [and depositions] to be read out at the trial without oral evidence being given by the witness who has made the statement or deposition, unless I hear from you to the contrary.

If you want a witness to attend and give oral evidence, and to be cross-examined if necessary, you should inform the Crown Court and me in writing as soon as possible, and in any case, at least two

Trial Preparation Team Croydon CC, Kingston CC & Woolwich CC

3rd Floor
One Drummond Gate
Pimlico
London
SW1V 2QZ

DX: 161330 Victoria 19

Email: croydonkingston&woolwichcrown@cps.gsi.gov.uk

weeks before the date of the Plea and Directions Hearing set by the Court. This will enable the police to check on a witness' availability to attend court and avoid the costs and delay associated with any further adjournments for this purpose.

Failure to let me know which witnesses you wish to be called may result in the court allowing a witness' statement [or deposition] to be read, and therefore in your being unable to cross-examine that witness.

You should however be aware that the prosecutor may, at his or her discretion, require the attendance of a witness to give oral evidence, even if you have indicated that you do not wish that witness to attend to give oral evidence at the trial.

Request for additional information: pleas and admissions

Additionally, you are requested to inform me as soon as possible:

- whether you intend to admit all or some of the current charges. If so, which ones?
- whether you are prepared to make any admissions under Section 10 Criminal Justice Act 1967, which may avoid the attendance of witnesses. If so, please give details.

If you have a solicitor acting for you in this case, you should take immediate steps to bring this notice and statements [and depositions] to his or her attention as soon as possible.

Additional evidence

Other evidence, if any and if relevant, may be served in response to any notice served by virtue of the Crime and Disorder Act 1998 (Dismissal of Charges Sent) Rules 1998, or under a notice of further evidence at a later stage.

Name of witnesses whose statements (and depositions) are enclosed:

See attached list

A copy of this Notice is being served on the court for their information.

Please send any reply quoting the case name and URN number to the address given above.

Yours faithfully,

CPS

For Graduated Fee Scheme purposes – the updated page count is now:		
Statements	Exhibits	Photographs etc
25	6	0

STATEMENT/EVIDENCE LIST

**Crown Court at: Woolwich
URN: 01MS0218813**

**Regina
v
Simon Paul CORDELL**

No.	Statement(s), deposition(s) and document(s) (other than exhibits)	Date/ Statement(s)	Page No.(s)
1	Rakesh PATEL	08/05/2013 24/07/2013	1 2-3
2	PC ALMY	25/06/2013	4-6
3	PC GOLDEN	25/06/2013	7-10
4	DC Ashley KEAN	25/06/2013	11
5	DC Gavin MAYHEW	22/07/2013	12
6	Lee CREASEY (SOCO)	10/06/2013	13-25

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.

No.

INDICTMENT

IN THE CROWN COURT AT WOOLWICH

THE QUEEN - v - SIMON PAUL CORDELL

SIMON PAUL CORDELL is charged as follows:

STATEMENT OF OFFENCE

BURGLARY, contrary to section 9(1)(b) of the Theft Act 1968.

PARTICULARS OF OFFENCE

SIMON PAUL CORDELL between the 30th day of April 2013 and the 9th day of May 2013 having entered a building, namely Unit 3, Horrisons Industrial Estate as a trespasser, stole therein a chair and gazebo.

Officer of the Court

URN: 01MS0218813

RESTRICTED (when complete)

MG 11 (T)

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:

--	--	--	--

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: 5/5/13


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: R. Oudlast 9th

2006/07(1): MG 11 (T)

RESTRICTED (when complete)

RESTRICTED (when completed)

MG 11 (7)

WITNESS STATEMENT

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

Statement of Rakesh PATEL..... URN: MS 2188 13
01 DW 08

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

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: 24/7/13

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

TELEPHONE WITNESS STATEMENT

This statement has been taken over the telephone by DC Mayhew. The declaration above has been read over and explained to me. I understand that this statement may be used in court as evidence.

My name is Mr Rakesh PATEL, DOB 20/6/1964 and I live at an address known to police. This is a further statement I make to police following a burglary at my warehouse between the dates of 1-8/5/13. On 25/6/13 I received a call from DC Mayhew who stated that they had arrested a Mr Simon CORDELL for the burglary and that a gazebo, as well as a bar stool had been recovered at his home address. DC Mayhew described the gazebo to me and also the bar stool, and due to my business stamp of 'WHATI' being on the stool I confirmed to DC Mayhew that this stool would have been one belonging to me and matched one of the items stolen during the burglary. I then asked DC Mayhew if he could send me a picture of the gazebo via text message. DC Mayhew then text me a picture of this and I also confirmed that this was also an item that I had stolen during the burglary. I identified this due to the unique design of the gazebo. The gazebo was part of a stock load I brought in and around Feb 2012 from a company called LILO who had purchased a number of containers in transit after FOCUS had gone into administration. These gazebos were a new bunch of stock that had been ordered by FOCUS from the Far East and never actually hit the shop floor. This design would never have been on sale by FOCUS and certainly would have not been in the shops 3-4 years ago. I have a number of invoices to prove the purchase of this stock and I exhibit these as RP/1. No one has the right to steal my property. I am willing to attend court if necessary.

What Burglar Feb 2013 or May 2013?

Signature: [Signature] Signature witnessed by:

2004-05(1); MG 11(F)

Continuation of Statement of

The statement has been read back to me and I have been given the opportunity to make any alterations or additions. I understand the possible consequences of making a statement that is false or one that I do not believe to be true.

you have
never been
able to
give a list
of items
that was
taken in
Feb 2013
or May
2013.
So you don't
know you
self what
was in
building

Signature:



Signature witnessed by:

200(1)

This is also No Notes as to when he and Shala enter the flat just after they had entered when Simon and Dee was sitting in front room. The Police never ask us any details.

RESTRICTED (when complete)

MG 11 (T)

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
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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

where his state

Why did no other officers say Simon would set dog on them they heard every thing else and do not say Simon had threat towards officers.

Signature: *[Signature]* Signature witnessed by:

2006/07(1): MG 11(T)

RESTRICTED (when complete)

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 BURNGROFT 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 GAZEBO 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 GAZEBO ?

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

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 GAZEBO 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.

They don't know date?

Simon did not say this

I was there Simon did not say this

Simon told police so did I as I had got it from TESCOs

Signature:

[Handwritten signature]

Signature witnessed by:

2003(1)

B3

RESTRICTED (when completed)

Page 3 of 3

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. ~~PC~~ PC

Signature: ~~PC~~ PC..... Signature witnessed by:

2003(1)

6

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:  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.

they don't know what date it was

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:

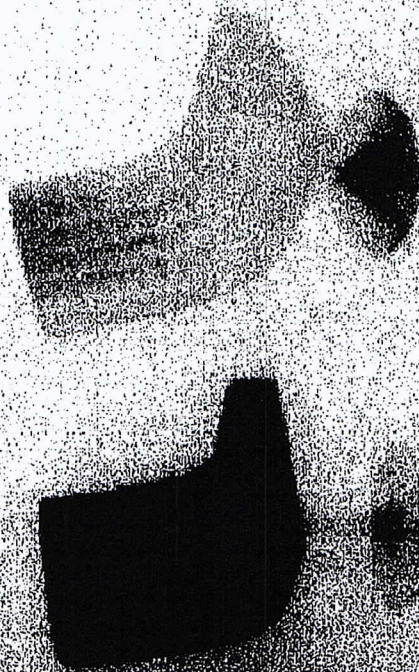
Signature witnessed by:



Venice Chair

What!

THE WATER CHAIR



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

Age if under 18 Over 18..... (if over 18 insert '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: [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: [Signature] Signature witnessed by:

01MS/2188/13

Form MG 11

Witness Statement


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

Statement of DC Gavin MAYHEW

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

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 which I know to be false or do not believe to be true.


Dated: 22/7/13

Signature: 

On TUESDAY 25/6/13 I was on duty at Walworth Police station, together with DC CHRISTMAS when we interviewed the defendant CORDELL.

I commenced the interview by placing two DVDs into the machine and pressing the start button. The interview commenced at 1148 hrs and was concluded at 1457 hrs, also present in the interview was Mr Anthony CLARK a legal representative. DVD seal D02333302V refers. I produce the master tape as the exhibit marked GAM/1. The record of taped interview is the exhibit marked GAM/2.

Signed 

Signature: 

Signature Witnessed by:

12

STREAMLINED FORENSIC REPORTING

CRIME SCENE EXAMINATION - Section 9, Witness Statement

Location / Venue	Marks Wholesale, Unit 3-4 Horizon Industrial Estate, Haymerle Road, London, SE15		
Date of Offence	1-8/5/13	Crime Ref	3013290/13
Date of Report	10/06/13	Additional Ref No	3016759
Scene Examiner	FP Lee Creasey	Examiner report No.	2062393

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

Statement of: Lee Anthony CREASEY BSc Hons

This statement (consisting of 13 pages 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 that I do not believe to be true.
 I am a Crime Scene Examiner employed by the Metropolitan Police, currently based at Peckham Police Station, having completed the required training programmes in scene examination and photography within the Metropolitan Police.

CRIME SCENE DESCRIPTION

The scene is a warehouse within a small industrial estate. No clear point of entry was found, however, it would appear as though there was a concealed passageway which possibly leads into an adjoining warehouse, under a large quantity of boxes that for safety reasons, could not be moved. Within this warehouse all compartments had been heavily searched through with many items damaged as a result. Various drink cans were found amongst the damaged goods.

Where is the dust and Bricks for this new Damaged wall? also if there were so many boxes and was safety

CRIME SCENE EXHIBIT(S)

Exhibit LAC/1 - One (1) wet and one (1) dry swab taken from the rim of an empty can of 'Mixed-Up' energy drink found inside a trolley located within one of the warehouse compartments. Seal bag number **MPSB21706123**.

ISSO's how could someone get in this way and removed large amounts of items with out box falling around it, or putting them selves

On the 10th June 2013 the Metropolitan Police DNA Unit despatched a notification relating to **Exhibit LAC/1**. This notification is referred to as SFR Stage 1: DNA Match, dated 10th June 2013 in the name of **Simon Paul CORDELL**, reference no. **49823/97M**.

He put also give you access So why did he not s Entry to as new which it was?

CRIME SCENE FORENSIC EXAMINATION REPORT

I now produce a copy of my examination report, dated 11th May 2013, reference number 2062393, which shows the full list of my recovered exhibits as **Exhibit LAC/5**.

CRIME SCENE PHOTOGRAPHY

In the course of my examination I took 13 digital scene photographs of which 12 are shown below.

Where is the 13 picture

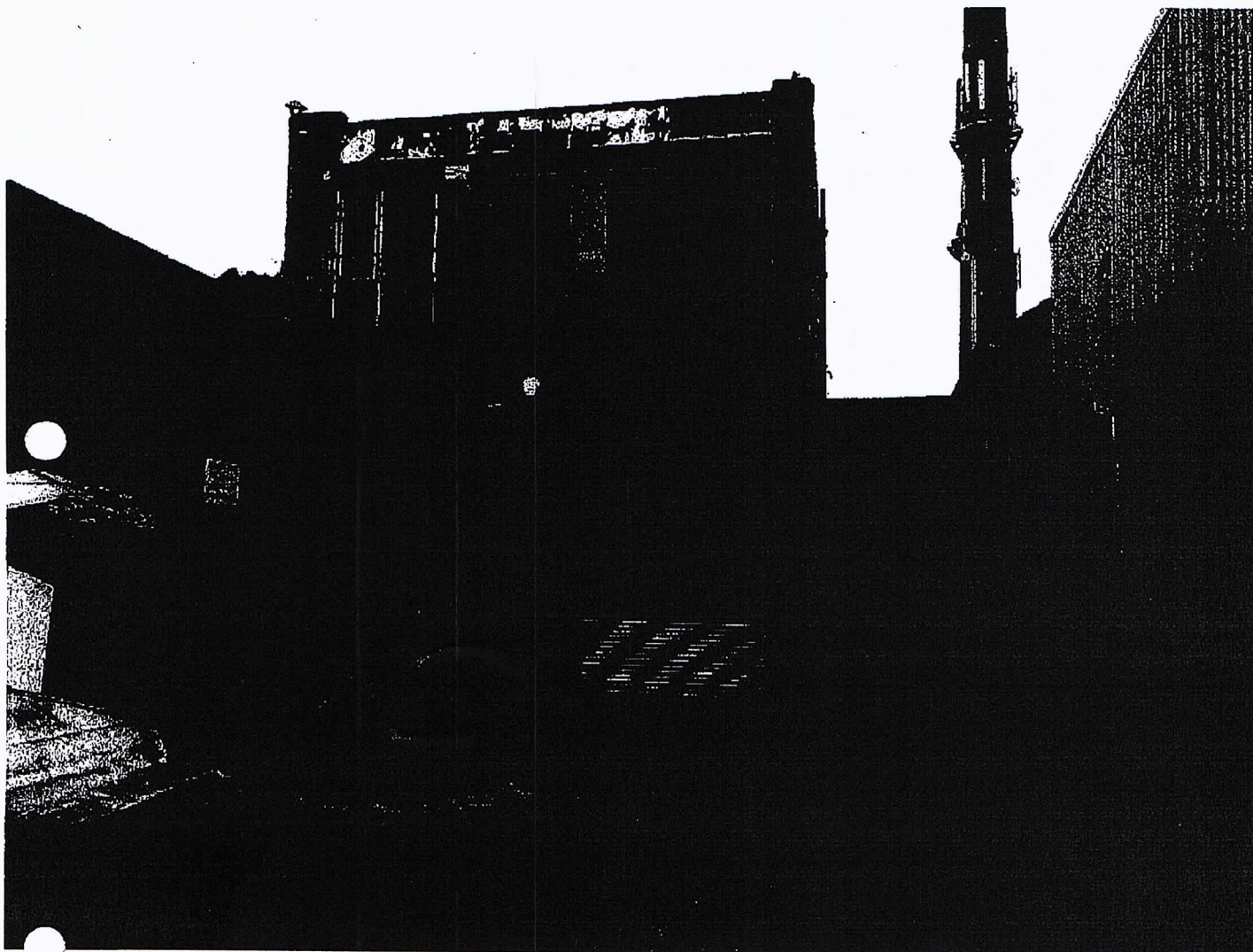
Signature.....Date:

13

Continuation statement of.....

CRIME SCENE PHOTOGRAPHY

Photo Number 1



Front exterior view of the warehouse

Signature.....Date:

14

CRIME SCENE PHOTOGRAPHY

Photo Number 2



View looking back away from the warehouse to the front security gates

Signature.....Date:

15

CRIME SCENE PHOTOGRAPHY

Photo Number 3



View inside the warehouse facing to a quantity of boxes, a concealed passageway behind these boxes

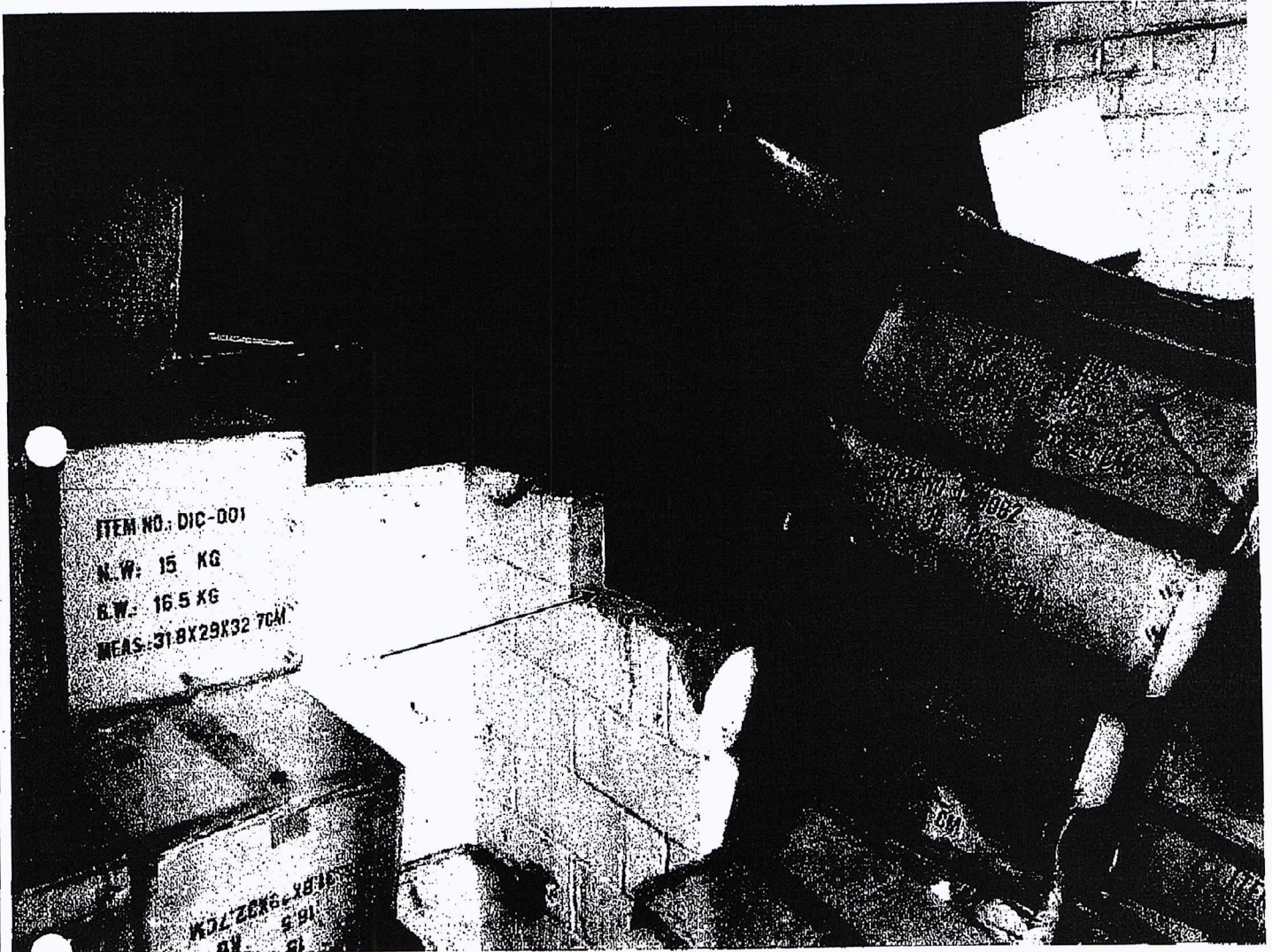
*We have 15 Dost and Bricks
If Damaged have just been
Done?*

Signature.....Date:.....

16

CRIME SCENE PHOTOGRAPHY

Photo Number 4



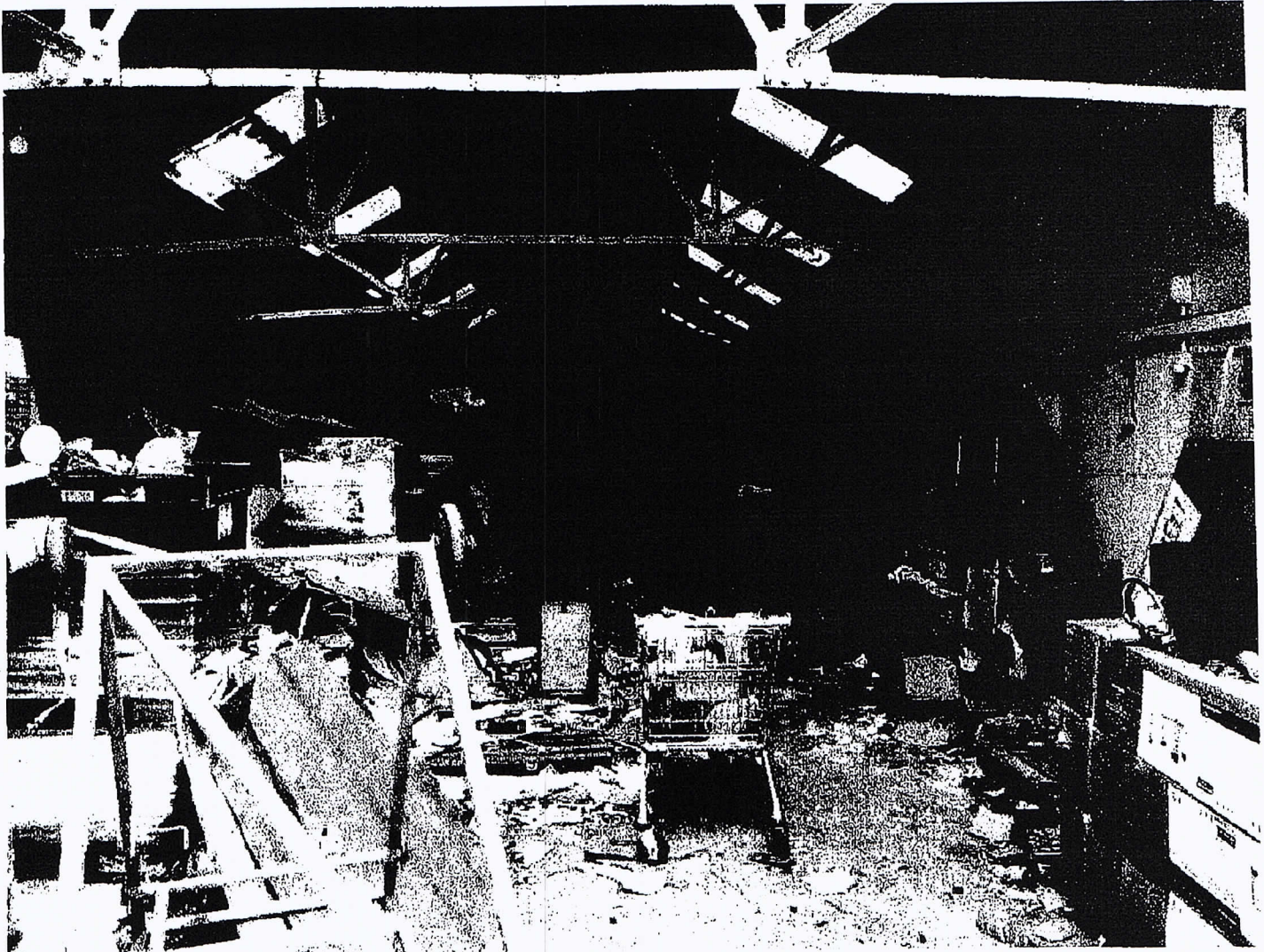
Concealed passageway, as above

Where is the Dust and Bricks if this wall had just been Damaged?

Signature.....Date:

CRIME SCENE PHOTOGRAPHY

Photo Number 5



View into one of the warehouse compartments

Signature.....Date:

CRIME SCENE PHOTOGRAPHY

Photo Number 6



Warehouse compartment

Signature.....Date:

19

CRIME SCENE PHOTOGRAPHY

Photo Number 7



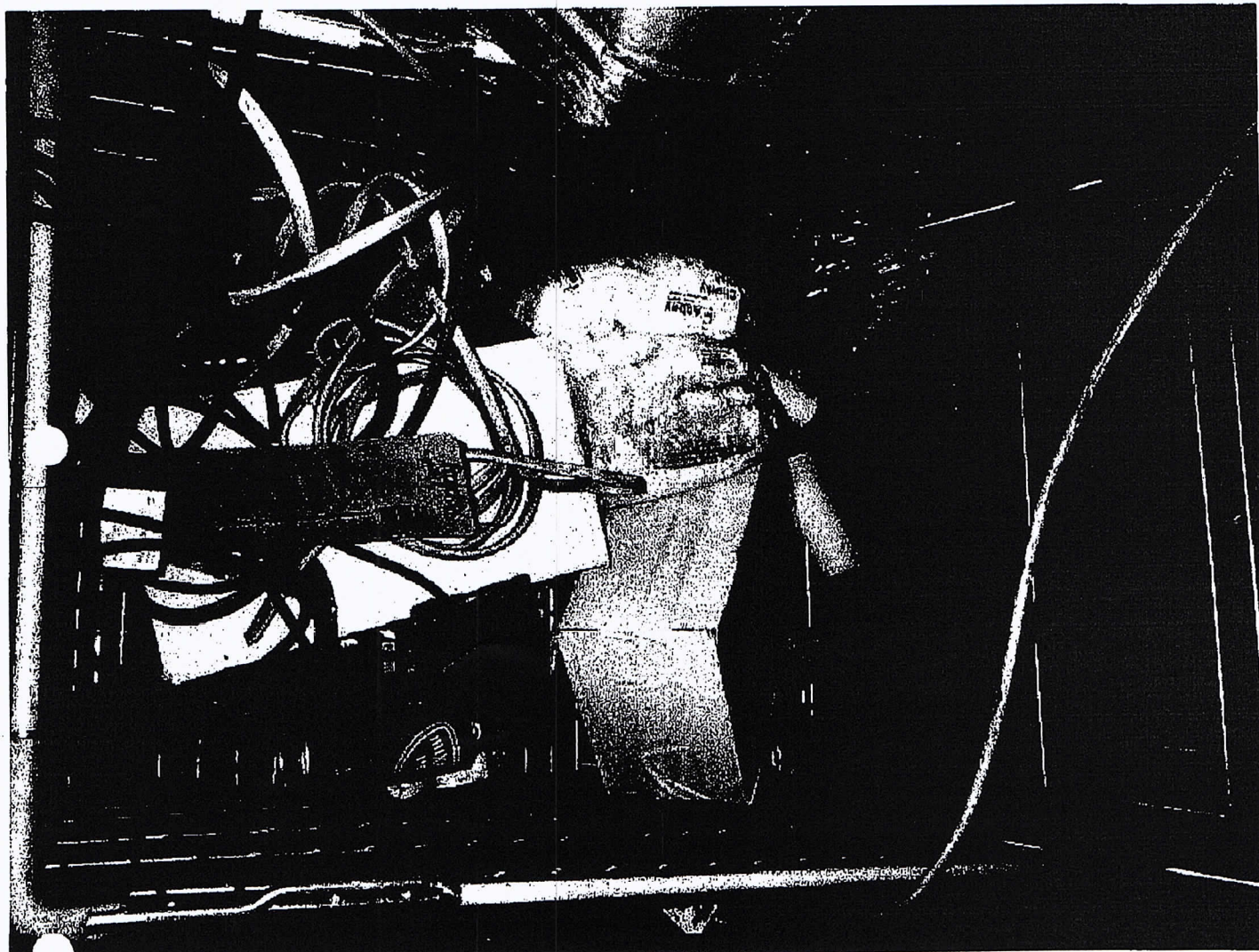
Warehouse compartment facing to a trolley

Signature.....Date:

20

CRIME SCENE PHOTOGRAPHY

Photo Number 8



View looking into trolley, various drink cans seen inside

Signature.....Date:

21

CRIME SCENE PHOTOGRAPHY

Photo Number 9

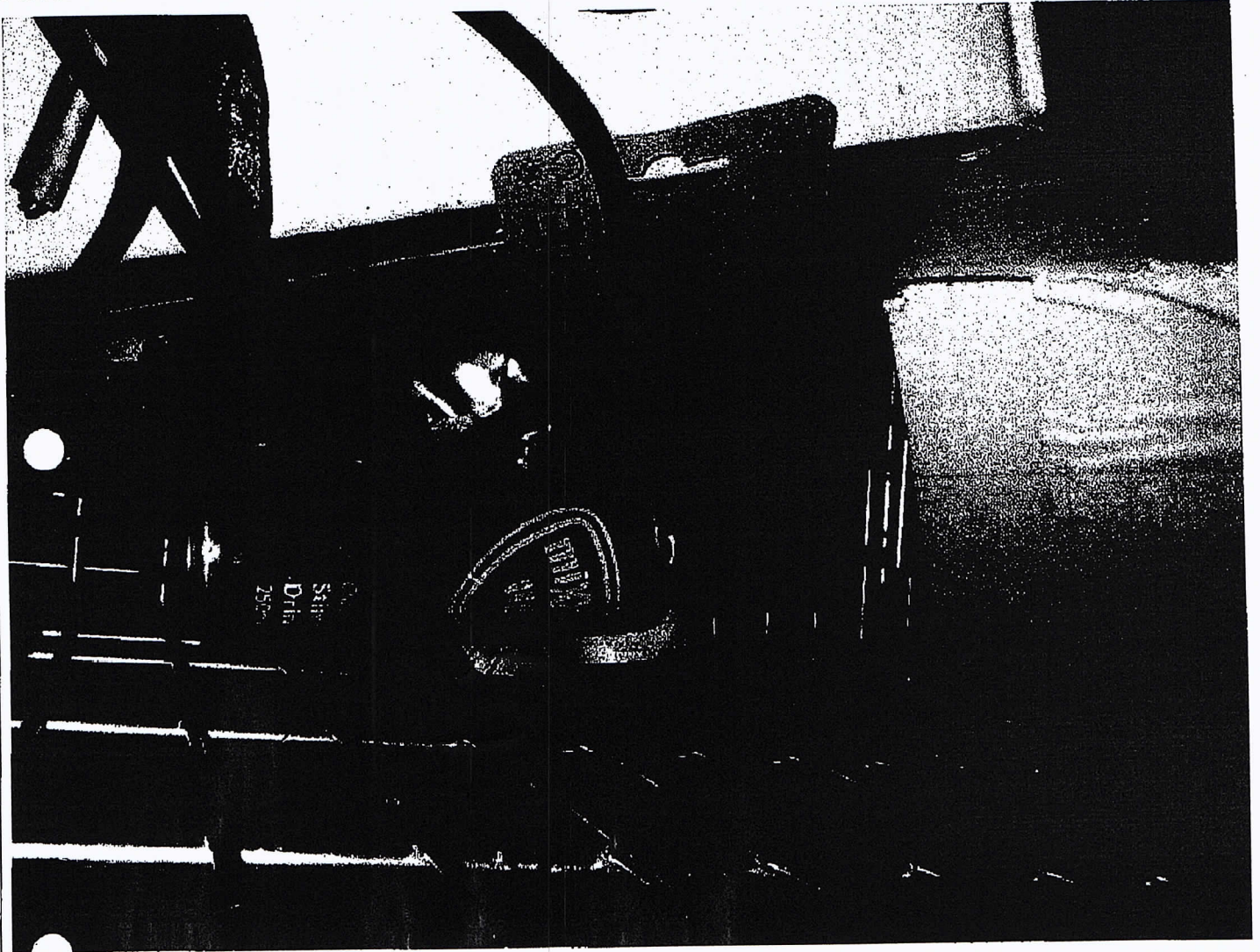


Drink can inside trolley

Signature.....Date:

CRIME SCENE PHOTOGRAPHY

Photo Number 10



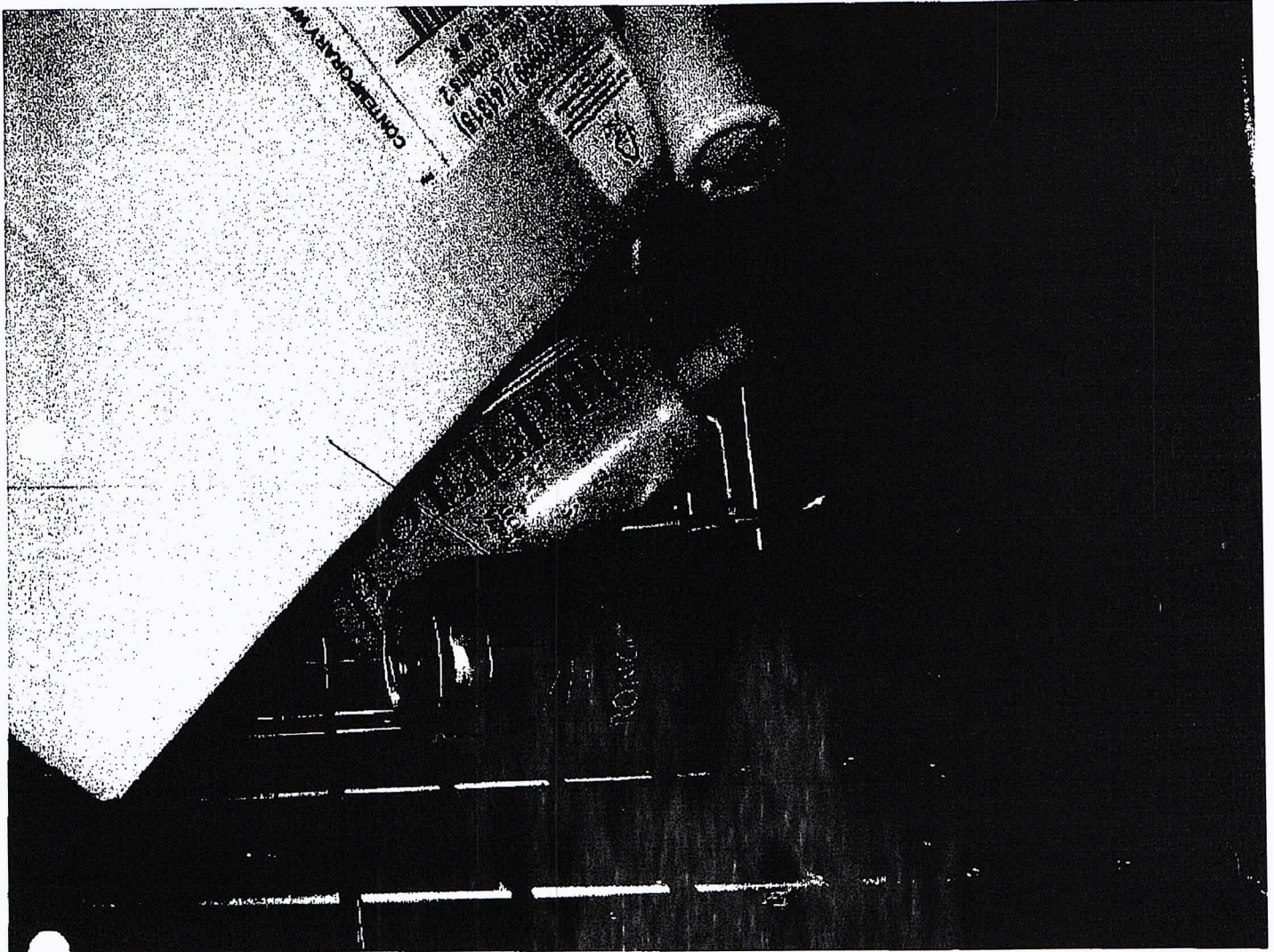
Drink can inside trolley

Signature.....Date:.....

23

CRIME SCENE PHOTOGRAPHY

Photo Number 11



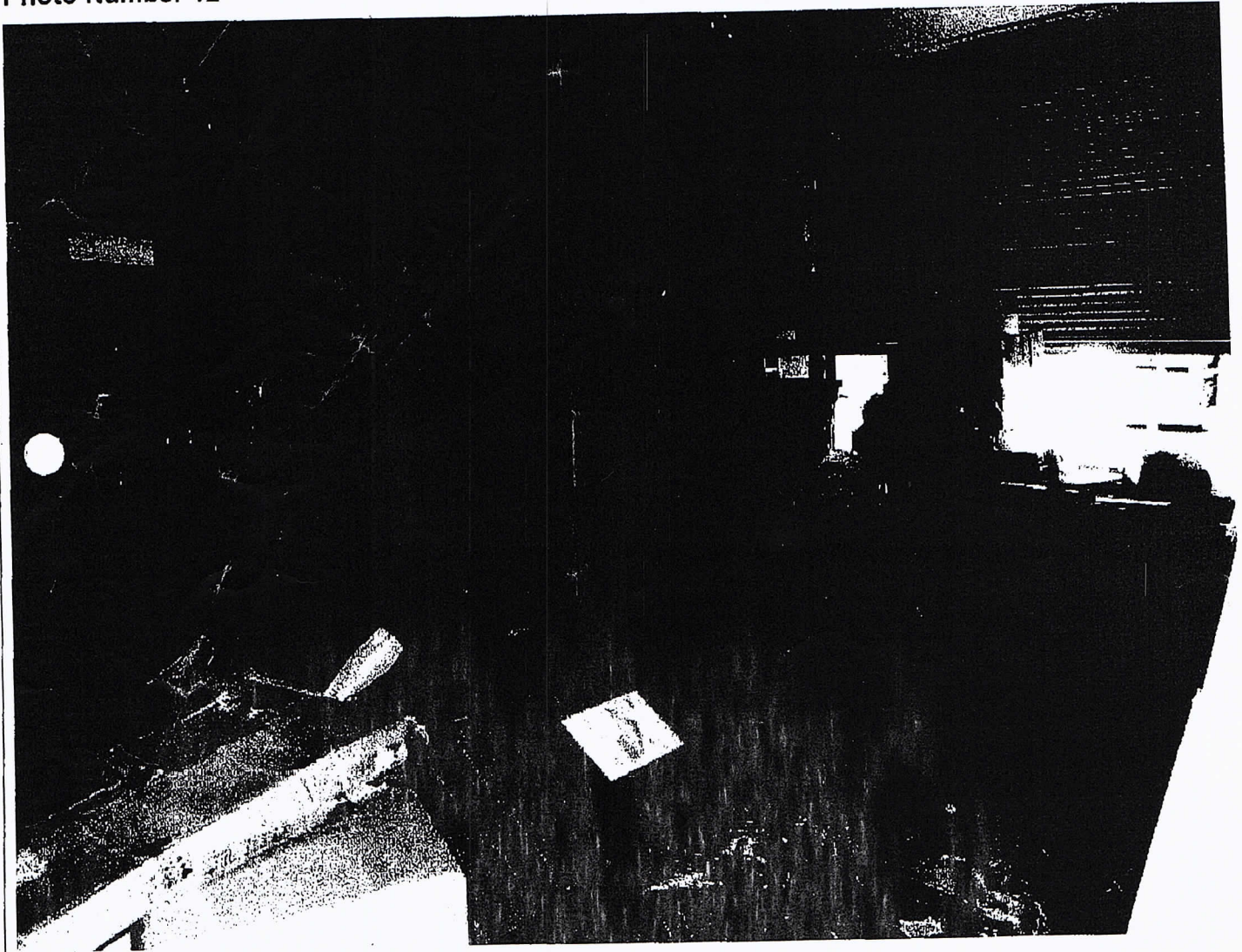
Drink can inside trolley

Signature.....Date:

24

CRIME SCENE PHOTOGRAPHY

Photo Number 12



Warehouse compartment

Signature..... Date: