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Simon Cordell's Skeleton Argument (2) Pdf

IN THE WOOD GREEN CROWN COURT

Case No A2Q150064

**IN THE MATTER OF AN APPEAL AGAINST AN ANTI-SOCIAL BEHAVIOUR
ORDER**

B E T W E E N :

SIMON CORDELL -and-

Appellant

THE COMMISSIONER OF POLICE OF THE METROPOLIS

Respondent

SKELETON ARGUMENT FOR THE RESPONDENT

References to page numbers are in [square brackets], [AX] being the Appellant's bundle and [RX] being the Respondent's bundle

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Listing; For appeal hearing, 22-24.02,16 for 3 days

Issues: (I) whether the Appellant has acted in an anti-social manner

(ii) **whether an ASBO necessary Recommended**

pre-reading: For an Application for the ASBO [R1-3]

The ASBO made on 04.08.15 [R13]

The statements of DC Elsmore, the OIC [R14-35]

Statements of R's witnesses [R36-66]

A's statements [A1-X5]

Statements of A's witnesses [A16-30, A258-272]

INTRODUCTION

(1) The Appellant is appealing against a decision made by the district judge at Highbury Corner Magistrates' Court on 4 August 2015 pursuant to S.1 of the Crime and Disorder Act 1998 ("the 1998 Act") to make him subject to an anti-social behaviour order (ASBO) to last for 5 years.

(2) The facts relied upon by the Respondent are set out in the bundle of evidence placed before the court and, in particular, the witness statements of the Respondent's officers **[R.14-35]**. The Appellant has also provided a bundle for this appeal hearing **[A]**,

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(3) The Respondent's case is that the Appellant has been integrally involved in the organisation of raves in London, particularly Enfield, and/or the supply of sound equipment to those raves. The Respondent relies on each incident set out in the application notice to support his case [R1-3]. The Respondent submits that it is necessary for an ASBO to be in place to protect the public from further anti-social acts, specifically the organisation of raves, done by the Appellant.

(4) A chronology of events is appended to this Skeleton Argument.

(5) LEGAL FRAMEWORK

(6) Whilst the relevant provisions of the 1998 Act were repealed by the Anti-social Behaviour, Crime and Policing Act 2014, s.21 of that Act provides that these proceedings are unaffected except that, on 23 March 2020, the Appellant's ASBO will automatically become an Injunction under as if made under S.1 of that Act.