

**IN THE HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION
SIMON CORDELL V THE COMMISSIONER OF THE POLICE OF THE
METROPOLIS**

HIGH-COURT-OF-JUSTICE-SKELETON ARGUMENT-simon-015

**In the High Court of Justice
Queen's Bench Division**

Royal Courts of Justice
Strand,
London,
WC2A 2J1

Date: 17/04/2017

Between:

**THE QUEEN
ON THE APPLICATION OF**

SIMON CORDELL

CLAIMANT

- AND -

**THE COMMISSIONER OF THE POLICE OF
THE METROPOLIS**

DEFENDANT

**THE COMMISSIONER OF THE POLICE OF
THE METROPOLIS**

**INTERESTED
PARTY**

SKELETON ARGUMENT INTRODUCTION:

This application is to have the following decisions/orders reviewed and reversed.

The decision/order to make an application for an Interim Antisocial Behaviour Order against The Appellant on 5th November 2014 at Highbury Corner by Magistrates Court, by the Commissioner of Police of the Metropolis.

Magistrates Court declared void as an error in law. And;

The Appellant's human rights have been breached. And;

The Appellant's right to due process has been breached. And;

The Appellant's right to a fair trial has been breached. And;

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Miscarriage of justice has been allowed to happen. And:

The Appellant's data protection act 1998 has been breached.

The decision/order to make the interim Antisocial Behaviour Order a full Antisocial Behaviour Order on 4th August 2015 by Highbury Corner Magistrates Court, by the Commissioner of Police of the Metropolis.

Magistrates Court declared void as an error in law. And;

The Appellant's human rights have been breached. And;

The Appellant's right to due process has been breached. And;

The Appellant's right to a fair trial has been breached. And;

Miscarriage of justice has been allowed to happen. And;

The Appellant's data protection act 1998 has been breached.

The decision/order to dismiss the Appeal against conviction, of the Antisocial Behaviour Order at Wood Green Crown Court on 19th January 2017.

Crown Court declared void as an error in law. And;

The Appellant's human rights have been breached. And;

The Appellant's right to due process has been breached. And;

The Appellant's right to a fair trial has been breached. And;

Miscarriage of justice has been allowed to happen. And;

The Appellant's data protection act 1998 has been breached.

It is said that on the on the 12th September 2014 the police attended The Appellant home address of 109 Burncroft, Avenue, Enfield, EN3 7JQ, they knocked on the door, The Appellant was not expecting anyone, The Appellant approached his front door and looked through his spy hole he could see clearly see was the police, and asked them through the door what they wanted, the police stated they needed to speak to him, The Appellant opened his front door very slightly the police stated they needed to serve some documents on him, due to The Appellant's learning difficulties he stated he would not accept anything and closed his door and stated he was not being rude in doing so. It is a well known fact on the police's system of government bodies that The Appellant does have learning difficulties and health problems.

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The Appellant could hear the police talking outside and the lady police officer said what we are going to do now. A male police officer stated put it on the floor in front of the door. They then took some pages out of the A4 size folder and put them in to The Appellant's letterbox this was four pages. The A4 size folder the lady police officer placed it on the floor in front of The Appellant's front door.

The Appellant's mother could not attend The Appellant's address that day to pick the file up due to a death in the family, she attended The Appellant's home address the next day, the folder was opened on the floor where the police had left it. The Appellant's mother was very shocked when she looked inside the folder and saw the data that was within it.

The data that was within side the A4 size folder was personal information and a breach of the data protection act 1998 by leaving such data in a commune area of the block of flats.

A letter of complaint was put to the police in the way in which they had left personal information on a door step in view of everyone that lived or who came in to the block of flats, on the 13 September 2014 to Edmonton Green police station, at the same time the complaint letter was handed in so was the A4 bundle.

The complaint has never been addressed and has never had a response from the police who left personal information on a front door step which is a breach of data protection act due to the contents held within the A4 size bundle.

**Please see letter of complaint and photos and receipt that was handed to
Edmonton police station on 13th September 2014.**

On 06th October 2014 The Appellant was due to appear in Court this day, The Appellant had solicitors in place, Michael Carroll and Co Solicitors, legal aid had been applied for, but the legal aid had been refused, the Judge sitting overturned this and granted legal aid. The reason for the Judge overturning and granting legal aid was due to The Appellant having known learning difficulties, health problems and due to the complexity of the case. Disclosure was asked for, but no disclosure ever came. The case was relisted for the

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22/10/2014, for an interim Antisocial Behaviour Order hearing, all police officers were due to attend for the interim hearing.

On the 22nd October 2014 The Appellant was due in Court for the Interim Antisocial Behaviour Order to be heard, due to The Appellant barrister having a burst water pipe and his home being flooded he could not attend, the applicant still wanted the case to be heard which the Judge would not allow. The Interim Antisocial Behaviour Order hearing was then set for the 05/11/2014. On the 22 October 2014 all police officers did attend Court for the Interim Antisocial Behaviour Order hearing. Disclosure was asked for on this date.

On 05th November 2014 The Appellant was due in Court for the Interim Antisocial Behaviour Order hearing, all police was due to attend but did not. The Appellant's barrister could not attend on this date due to the flooding that taken place at his home address, another barrister turned up to represent The Appellant but had no paperwork for the case only a skeleton argument to strike-out the Antisocial Behaviour Order application.

The skeleton argument, submitted on behalf of The Appellant, to strike-out the application for the Interim Antisocial Behaviour Order. Arguments advanced in this respect, and those which rely upon the civil procedure rules, are not applicable to these proceedings. The civil procedure rules only apply to proceedings in the county Court, the high Court and the civil division of the Court of Appeal. As a result, the Magistrate's Court has no jurisdiction to consider an application to strike-out application.

The Interim Antisocial Behaviour Order hearing went ahead, The Appellant's barrister did not have the correct paperwork for the hearing, and knew very little about the case, no police officers turned up to Court on this day.

In the **days** prior to this hearing The Appellant was rushed into hospital due to kidney problems while he was still in hospital he was informed by his solicitor

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on the 04/11/2014 that if he did not attend Court on the 05/11/2014 the case would go ahead without his presence. The Appellant then discharged himself from hospital, because he had no choice. (He was extremely unwell)

On this date the Interim Antisocial Behaviour Order was granted by the District Judge Newham.

Upon delivering her judgment, District Judge Newham ruled that it is just to impose an Interim Antisocial Behaviour Order, and that regard had been taken of The Appellant's Article 6 and 8 rights, as well as The Appellants business. District Judge Newham ruled that there are no provisions contained within the (amended) proposed Interim Antisocial Behaviour Order which would prevent The Appellant from conducting legitimate business.

On this date all police officers were due to attend. (They did not attend their reason was they were not told to attend, this was untrue as the application from 22/10/14 should still stand as the case had only been adjourned until this date for the Interim Antisocial Behaviour Order hearing)

The applicant's case also relied solely on hearsay, Magistrate's Courts (hearsay evidence in civil proceeding) rules 1999.

These are the conditions The Appellant was placed under and are for the whole of the UK:

The defendant is prohibited from:

- A. Attending a rave as defined by s.63(1) of the criminal justice and public order act 1994;
- B. Being concerned in the organisation of a rave as defined by s.63(1) of the criminal justice and public order act 1994;

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- C. Knowingly using or supplying property, personal or otherwise, for use in a rave as defined by s.63(1) of the criminal justice and public order act 1994;
- D. Entering or remaining in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation;
- E. Entering or remaining on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and
- F. Engaging in any licensable activity in an unlicensed premises.

For the sake of clarity, nothing in this order prevents the defendant from assisting, preparing for, or engaging in licensed licensable activities.

This is untrue as we have since contacted council and police and told he would not be granted a licence to hold any events as long as the Antisocial Behaviour Order was in place. So The Appellant's entertainment business is seriously affected by the Antisocial Behaviour Order that was put in place.

Points to address regarding the conditions The Appellant is prohibited from doing.

- A. Attending a rave as defined by s.63(1) of the criminal justice and public order act 1994;
- B. Being concerned in the organisation of a rave as defined by s.63(1) of the criminal justice and public order act 1994;
- C. Knowingly using or supplying property, personal or otherwise, for use in a rave as defined by s.63(1) of the criminal justice and public order act 1994;

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- D. Entering or remaining in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation;
- E. Entering or remaining on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and
- F. Engaging in any licensable activity in an unlicensed premises.

Clearly these conditions The Appellant was put under are a breach of The Appellant's human rights, and disproportionate due to the fact it would breach:

- Article 3 freedom from torture and inhuman or degrading treatment
- Article 5 right to liberty and security
- Article 8 respect for your private and family life, home and correspondence
- Article 23.1 of the universal declaration of human rights states: (1) everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

Condition E states entering or remaining on non-residential private property on an industrial estate between the hours of 10 pm and 7 am without written permission from the owner and/or leaseholder of the property.

With this condition in place any non-residential property The Appellant would not be able to attend:

Would include Hospitals, Police Stations, 24-hour Supermarkets, Petrol Stations, Cinemas, Restaurants, Bars, Nightclubs and any other public place open to the public between these times that is non-residential The Appellant

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cannot go to without written permission which would be degrading for The Appellant to have to ask each time he wanted to go somewhere and explain why he needed it to be confirmed in writing by the owner and/or leaseholder of the property, how this condition could be applied by any Judge and state it is not a breach of someone human rights is beyond me.

Conditions C states knowingly using or supplying property personal or otherwise for the use of a rave as defined under section 63.1 of the criminal justice and public order act,

The Appellants has spent the last 10 years building his business saving every penny and help from family it is within the entertainment industry, he will hires equipment out, The Appellants business would seriously be affected, because if he hired his equipment and it ended up in an illegal rave The Appellant would be in breach of the conditions. When hiring out equipment you do asked what is going to be used for, and you do have a contract that is in place, but what the person tells you their reason for hiring the equipment out is not always the correct reason and is not used for the purpose the person told you The Appellant would be in breach of these conditions. Also if The Appellant loaned someone any personal belongings and that person ended up at an illegal rave then The Appellant would again be in breach of his conditions, even if the item was something that did not even constitute as being for an illegal rave.

These are just two of the concerns with the conditions that The Appellant is under; there is other concerns with other conditions set at by the Courts that are of concern.

Also was breached within this hearing was The Appellant's

- Article 6 right to a fair trial

The Appellant had to go ahead with his hearing without the barrister having any other paperwork other than the application to strike-out which was not

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allowed. The police officers not attending when they knew they should. The Appellant being so unwell he was not coping he should never have had to discharge himself from hospital to try to defend himself. The police having it on the police systems who done what they say The Appellant has done and would not disclose that information.

The following directions were made:

The parties to exchange any additional evidence on which they seek to rely by 20th January 2015. This is to include any witness statements from any witness, including the defendant himself; and

The parties are prohibited from relying on any evidence not already served, or served in accordance with paragraph 1 of these directions, without the permission of the Court.

Although not a formal direction, should any witnesses no longer be required, the Judge requested written confirmation of this to be given to all parties speedily.

At present, the following witnesses are required to attend the full hearing:

Inspector Douglas Skinner;
Police constable Miles;
Acting police sergeant Edgoose;
Police constable Elsmore;
Sergeant King;
Police constable Ames; and
Inspector Hamill.

The interim order is to continue until 10th march 2015 when the full hearing would be heard this was listed for two full days.

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Disclosure was asked for this was meant to be given by 20/01/2015 this never happened and no disclosure was given.

No disclosure was served on us by the 20/01/2015 that was asked for; this went on throughout this case. Never were we given any disclosure we asked for. And the disclosure we were asking for would prove The Appellant did not do what the police was saying within the application.

Within this time before the full hearing was due to take place The Appellant and his mother was constantly contacting via phone and emails the acting solicitors, things was not being done paperwork was not being completed meetings was constantly being put off, we had also asked a number of times could the solicitors please go over the CADs, and intelligence reports that were in the application as there were serious errors, this also was never done.

This also noted within the applications bundle there were serious breaches of data protection within police officers statements;

this was allowed to remain within the applications bundle without being questioned by the acting solicitors, although it was constantly being brought up. Also witness statements that were contained within the applications bundle were written by police officers and not the witnesses themselves, we was not allowed to call any witnesses or any other police officers whose information was within the applications bundle we was only allowed to have the police officers that the application wanted us to have, we was denied any other witnesses being called.

On the 10 March 2015 this date was due to be the full Antisocial Behaviour Order hearing but the Court had made a mistake and only listed it for a one day hearing.

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District Judge Williams sitting, apologised for the error, and said that a part hearing could take place, or the full hearing be adjourned to a later date so that the full hearing could be dealt with over two days.

The Appellant was upset as he wanted this to be dealt with and only agreed that the case be adjourned until the 03/08/2014 and the 04/08/2014 if district Judge Williams heard the case, she cleared her diary and promised that she would be the Judge that would reside over the case.

District Judge Williams also stated that this was the 1st time she had ever seen a case in which the commissioner of the metropolitan police had brought an Antisocial Behaviour Order in front of her in this way in a civil capacity.

Disclosure was asked for and this was again never given.

On the 2nd August 2015 The Appellant's mother received a phone call from Miss Ward acting solicitors, regarding a statement she had just found in the emails relating to Antisocial Behaviour Order, The Appellant's mother asked if this could be sent over via email to her, but was a little late to do anything about it because the full hearing started the next day. This was continuously happening throughout the case; the solicitors seemed to only do anything on the case the day before hearings or a few days was due to take place. Many emails were sent including phone calls made to get things done, most of the emails went not replied to for months phone calls was not picked up, or if they was we were told that things would be addressed they never was.

The Appellant attended Court on the 03rd August 2015 and the 04th August 2015 for the full hearing of the Antisocial Behaviour Order, only to find the stipulation and reasons he had allowed the case to be adjourned to these dates had not been adhered to, the residing Judge was not District Judge Williams, it fact it was District Judge D Pigot who would be residing over the full hearing.

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Non disclosure was again spoken about but nothing came of this and the case went forward.

We understand this is only our opinion but we believe this Judge had already found that she was going to prove the case before it even started for the full Antisocial Behaviour Order in favour of the applicants.

Before the hearing started The Appellant's mother informed the Judge The Appellant was very ill and she did not think he would cope due to health problems. She continued with the case none the less and did not ask The Appellant's mother to elaborate further. Later within the hearing she would notice that there should have been medical records for The Applicant within his bundle was missing along with a lot of other documents, The Appellants bundle was only around 82 pages when he should have been around 300 pages.

Continually through cross examination by The Appellants barrister toward the police officers, District Judge D Pigot kept interrupting and telling the barrister he could not ask the questions he was asking even though what he was asking corresponded with what the police had put in their statements. The Appellant's barrister even commented to the Judge Pigot "I am only asking questions pertaining to what the police have put in their statements" also he said to the Judge "I hope you are going to have as much due-diligence with my client on cross examination as you are with me" to which the Judge replied she would.

This was certainly not the case and in fact the Judge allowed The Appellant to be cross examined extremely harshly even knowing The Appellant had health problems and also did not even have his own bundle which he had never had from his solicitors we was never told by the acting solicitors that we should have had one, but you'd also seem there was a large amount of documents missing from The Appellant's bundle, when The Appellant took the stand the Judge did asked where his bundle was, he stated he had never been given one,

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and did not know he needed one, the Judge did asked if there was a spare bundle that The Appellant could use which there was not. the Judge carried on by allowing The Appellant to be cross-examined clearly anyone could see The Appellant was unwell, from time to time the Judge passed The Appellant her own bundle as you can clearly see The Appellant did not know what he was being asked, the problem with this is how is someone with learning difficulties meant to read what is contained within the bundle, if The Appellant had had access to his own bundle prior to the hearing with help of software and his family he would have been able to memorise what was in his own bundle. With the line of questioning, his learning problems and his health this was totally inappropriate, but was allowed by the Judge.

The Appellants barrister questioned the applicants barrister about the legitimacy and the fact if every CAD being used in their application case was linked to Progress Way and if there was an illegal rave taking place at the same time on Crown Road. The Appellants mother had asked The Appellants barrister to ask this question, the reason being the acting solicitors had not gone over the CADs although they was asked to many times, you can clearly see although there was multiple reductions within the applicants bundle clearly there was CADs within the bundle that had nothing to do with the application case.

He stated every CAD related to Progress Way and there was not an illegal rave taking place on Crown Road, and the police also said this was the case under cross examination, to further this the Judge then asked the same question was every CAD linked to the applications case, and was given the exact same answer yes.

Now I show you the freedom of information act which was obtained from Enfield Council. (See attached)

In point of fact there are multiple inconsistencies pertained within the CADs within the application, timestamps also do not match up within the CADs, there is also all the missing CADs. Some of the intelligence reports also have been updated with no reason as to why. There are also the breaches of data protection within The Appellants PNC record which are incorrect which also

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can be proven, also contained within the police officer statements there are errors which can be proven as untrue and a breach of the data protection act. And multiple inconsistencies within police officer statements, none of these were addressed.

We know the police knew about the illegal rave at Crown Road because police were deployed there. This can clearly be seen within the CADs which are within the application's bundle. But there is so much redaction within the CADs we believe there is a lot more that pertain to Crown Road, and we can not see due to the reductions. There is also a lot of missing CAD reports.

Part of The Appellant's barrister submission had been that the allegations were that The Appellant was involved in the organising of illegal raves, but the applicant hadn't adduced evidence of trespass which is a requirement for proving that an indoor rave was illegal.

The district Judge ruled that the applicant did not need to prove illegality - all that needed to prove was The Appellant had acted in an Antisocial Manner.

In The Appellants barrister view this is a very questionable decision: firstly, the applicant based their case on the illegality of the raves rather than the fact of the raves themselves and secondly, without proof of illegality the presumption of innocence leads to the conclusion that the raves were legal, and thus the applicant being prohibited from engaging in an ostensibly lawful activity requires more careful consideration on issues of proportionality.

The Applicant could judicial review the case state this decision but I think there is little merit in doing so because he would then lose his right to Appeal to the Crown Court and even if he succeeded in the high/div Court, they would merely remit it back to the Lower Court who would then probably go through the motions of considering proportionality before coming to the same conclusion.

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To summarise the Judge stated she did not need to prove illegality, but she proved The Appellant had acted in an Antisocial Manner, how the district Judge came to this conclusion we do not understand, not one police officer had stated The Appellant had acted in an Antisocial Manner towards them, is also a fact that any application for an Antisocial Behaviour Order has to be bought within six months of the dates, there was cases going back prior to the six months which should have only been used for reference, but the District Judge also included these cases to be proven.

Since this case started we knew the police and the public order investigation unit held information on the police systems that proved The Appellant was not the organiser of these illegal raves. In fact the police knowingly went around to the known organiser's homes and also spoke with them on the telephone. This proves they have the information we were asking for in disclosure. (This was found out via social media and Google by The Appellant's mother) The Appellant's mother even called the public order investigation unit and spoke to DS Chapman, and Val Turner.

The Appellant had not been coping throughout this case, and walked out of the Court, The Appellant's mother said to the District Judge you can clearly see he is not well and is not coping, which the district Judge confirmed she could clearly see that The Appellant was not well. But continued to ask the clerk to get The Appellant back in Court and she also informed that if appellant re entered the Court room and was disruptive she would hold him in contempt of Court. The Appellants mother would not let The Appellant re-entered the Court room, as she knew The Appellant was so unwell and not coping and did not want him to be held in contempt of Court due to his health.

Because of this The Appellant was not there to have the Antisocial Behaviour Order served on him, and the Antisocial Behaviour Order was served to The Appellant's mother on his behalf.

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Upon proving the case District Judge Pigot granted all the applicants conditions. The applicants wanted to make this a lifetime Antisocial Behaviour Order, which district Judge Pigot did not allow and granted it for 5 years within the whole of the UK. With the stipulation that it could be reapplied for when the 5 years were concluded. She started the 5 years from the 04/08/2015; she did not count the time The Appellant had been on the Interim Antisocial Behaviour Order.

The Appellant's mother and The Appellant's barrister then asked the Judge if the conditions of the Antisocial Behaviour Order could be defined as there were many points of concern. the Judge was asked if The Appellant went to a Tesco or Tesco petrol station between the hours of 10pm and 7am would he be in breach of the conditions and subsequently arrested, the response from District Judge Pigot was dumbfounding she said "yes he would be arrested, taken to Court and would have to prove he was going to get petrol" .I am guessing the same could be said for food and any other non-residential building including hospitals, police stations, restaurants, cinemas etc. on hearing The Appellant's mother and barrister questioned this and said "so you think this is in accordance with the law?" she replied to this "the conditions are precise and plain.

District Judge Pigot then left the Courtroom with her clerk to get the memorandum of an entry made up as soon as possible due to the lateness in the day and the department who dealt with this would be closed, on her return the District Judge asked why The Appellants barrister was not in Court, The Appellants mother said that he had left because he was not told that he needed to stay, she handed the memorandum of an entry to The Appellants mother and to the applicants barrister, on reviewing this the applicants barrister said there were multiple spelling mistakes and the dates from 2013 should not be entered and needed to be removed. She said this would be amended and a new copy would be sent in the post, and until this day this has never happened even though The Appellants mother contacted the Court via email in regards to the issues, the spelling mistakes was corrected but not the dates. we have since found out we should have also been handed a map showing all areas which the

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Antisocial Behaviour Order conditions encompassed which we have also never been given but this map would have shown the whole of the UK.

The Appellant's mother asked the Court for the transcripts, but was told at the Magistrate's Court does not record hearings, that the only notes that was kept was the clerks Court notes, the clerks Court notes were requested and the fee paid to obtain these. Upon looking at the clerks notes there is a substantial amount is not included within them for the full two day hearing for the Antisocial Behaviour Order hearing.

[Please see Clerk Notes](#)

I know that asking for a judicial review in regards to the Magistrates hearing is being submitted to the Court out of time, but when The Appellants mother contacted the high Court to make enquiries in regards to a judicial review and explained the situation that had occurred throughout this case she was told to submit the application for judicial review for the Magistrates hearing's that under exceptional circumstances the time limit could be overturned, the reason that this has been submitted to the Court out of time is due to The Appellant taking his barristers opinion that he would be better to go for the Appeal at the Crown Court and this is what The Appellant done. The Appeal hearing was not concluded until 19 January 2017.

On the 13 August 2015 the Metropolitan Police Service posted on there website, this lead to all the local news papers printing the story about The Appellant.

[Please see attached](#)

But how could the police have printed this as illegality had not been proven.

This lead to The Appellant having stones thrown at his windows, and a gun being pulled out on him, which it then took the police six days to come out to take a report, we know the reason why it took the police so long to come and

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take the report it's how much the police dislike The Appellant, and his family this has been ongoing for over 23 years.

The Appellant's mother contacted many solicitors to try and get a new solicitor to take over the case, each time she was told that solicitors will not take a case on at Appeal stage due to how much legal aid paid for Appeal hearing, legal aid believed the solicitors that acted for the hearing would be dealing with the Appeal hearing so there was a set amount that would be paid for Appeal hearings which would not cover a new solicitor going over the complete case. The Appellant's mother believed it was best to keep the old solicitors on record as it was better to have a solicitor then having none due to The Appellant's health which had deteriorated throughout this case.

The Appeal was listed for the 26 October 2015, but only listed for 1 hour hearing the case was put off, due to the case needed to be 3 days Appeal hearing.

The acting solicitors had seemed to have lost The Appellant's bundle it had been removed from the office due to the office being audited in the October 2015, no one seemed to be able to find The Appellant's bundle, and all the missing documents that was meant to have been within the bundle which was not for the full hearing.

9 November 2015 the case was listed for a mention hearing, all bundles were due to be at the Crown Court by the 23 December 2015. Case was listed for a three-day Appeal to start on 22 February 2016. I believe also discloser was spoke about again.

In the December 2015 arrangements was made for the acting solicitors to attend The Appellants mother's home to go over the case bundles, at this point The Appellants mother made sure that all the CADs and intelligence reports was gone over by the solicitor, upon seeing all the errors the solicitor was shocked, maps were made up to be included into The Appellant's bundle and

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The Appellant's bundle was remade as it was due to be handed in to Wood Green Crown Court by the 23 December 2015. Emails was also sent by the solicitor to the police,

The Appellants mother agreed to print of multiple documents including all maps needed to be done in colour, just prior to the Christmas holiday all printing was done and contact was made with the solicitors in order to get The Appellant's bundle Paginated and indexed, on 22 December 2015 multiple texts and calls was made to the solicitor due to the fact bundle needed to being to the Court by the 23 December 2015, replies was not being made until much later in the day when the solicitor stated that she could hand in the bundle when she got back from the Christmas and New Year holidays, a text was sent back stating that this was going to have an effect on families Christmas and New Year due to The Appellant knowing that the Court had ordered the bundle to be submitted to the Court by a certain date, text was received back from the solicitors stating to be at the office by 18:00 PM, The Appellants mother attended and two bundles was Paginated and indexed which took until around 01:30 AM. Miss Ward was not happy due to the time that had to be spent dealing with this as she was due to fly out in the early hours to Ireland. The bundles was left with The Appellants mother so that one could be hand-delivered to the Court in the morning on the 23 December 2015, the other bundle was to be recorded delivered via the Post Office to the police. Miss Ward stated after the Christmas and New Year holidays she would get The Appellant's bundle ready so it could be given to him. The Appellant had not seen the new bundle as the solicitor did not want to meet him, and due to the lateness in which the bundle was made to get into the court and the police there was not time for The Appellant to see the new bundle.

One of the taxts that was sent to The Appellants mother stated on the 22/12/2015 was please see below.

“This is a legal aid case Lorraine and Simon need to recognise that he is not paying privately so needs to work within the constraints of the legal aid system”

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Upon receiving this The Appellants mother was upset, it was the Court has set the day for the bundle to be with the Court not The Appellant, if the solicitors had dealt with the case in a timely manner and things would not have been left to the last minute which always was, all The Appellant ever wanted was for the solicitors to do what was needed for the case which never happened things was always left and things not done, and then The Appellant seem to get the blame.

It was also upsetting because it seemed as if The Appellant paid for the solicitors services then things would have been addressed a lot differently, I feel it should make no difference between paying privately or having legal aid put in place a solicitors job is to represent their client to the best of their ability seek justice for their client the best they possibly can, this was not the case throughout this case. Maybe it was due to The Appellant not paying privately that things were never done.

After the Christmas and New Year holidays we had to keep asking for The Appellant's bundle we managed to get this in the beginning of February 2016, not long before the trial was due to start, it would also seem the solicitors was having problems getting a barrister, The Appellant had not seen a barrister since the full hearing at the Magistrate's Court, the original barrister that represented The Appellant at the Magistrate's hearings was on sabbatical leave, It is also noted that the acting solicitors did not want a meeting with The Appellant, and was mostly dealing with The Appellants mother.

On the 19th February 2016 the acting Solicitors put into the Court for a mention hearing, The Appellant believed this was due to nondisclosure, but the solicitors had also put an application to Break Fixture this was dismissed by His Honour Judge Morrison, this was 3 days before the 3 day Appeal hearing was due to start.

“The Court will not and does not accede to any application for The Appellants Solicitors to come off the record or to cease acting for The Appellant. Such an

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Application was dismissed by His Honour Judge Morrison on the 19th February 2016.

If any attempt is made to repeat this application the Court will require it to be made in person by the Senior Partner of Michael Carroll & Co”

This information is very important due to what occurred on the 21/09/2016 when HHJ-PAWLAK removed solicitors from record without The Appellant or a Senior Partner of Michael Carroll & Co being present in Court. (See date 21/09/2016 as more notes)

His Honour Judge Morrison listed to be heard on the 22/02/2016 in front of HHJ-PAWLAK due to issues raised again regarding nondisclosure and he felt he was not the best Judge to answer these issues.

The reason the solicitors gave to come off the record so close to the Appeal hearing was a breakdown in communication and they also could not get a barrister to deal with this case, this is a impart misleading, the actual reason for them wanting to come off the record was due to the lack of work done by solicitors acting for The Appellant, in point of fact the case was not ready for the Appeal hearing, They could also not get a Barrister, and did not want to meet with the client.

His Honour Judge Morrison had never heard that solicitors that could not get a barrister and ordered that a Public Defender took over the case to act for The Appellant.

3 day Appeal hearing listed for 22/02/2016, 23/02/2016 and 24/02/2016,

Mr Morris acting Public Defender attended Court on this day to act for The Appellant; The Appellant had not met Mr Morris before this date. Mr Morris had only had the case since the 19/02/2016 and was not ready for the 3 day Appeal hearing. He wanted time to be able to go over all the large case

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bundles and be able to sit down and talk to The Appellant, so asked for an adjournment.

HHJ-PAWLAK was very unsympathetic and said he had the weekend to get ready for this case and that the Appeal would go ahead. Considering this was the Public Defender that His Honour Judge Morrison had allocated to the case only 3 days beforehand it seemed that The Appellant was the one being penalised for the incompetence of his acting solicitors Michael Carroll & Co.

The Appellant's health had deteriorated considerably due to what was happening within this case and other issues, the mental health team had obtained a section 135 warrant under the mental health act. And it was only because of the disdain towards The Appellant, The Appellants Mother had to hand this to his acting barrister to give to the Judge, knowing this would cause a huge rift between The Appellant and his mother. But she had no option as the Judge was going to force the Appeal hearing to go ahead, when The Appellant mother knew The Appellant would not cope. And that she had only just got the case handed to him and was not ready he had not even meet with The Appellant.

Upon Mr Morris handing the documents to the Judge the Judge then unwillingly adjourned the Appeal hearing until the 26/09/2016 for a 3 day hearing.

The Judge listed the case for a mention hearing also on the 04/04/2016

After this Court hearing HHJ-PAWLAK wrote a letter to the acting solicitors Michael Carroll and co that had to be replied to by the 04/04/2016.

[See Attached letter from Judge](#)

[See attached response from Solicitors dated 03/04/2016](#)

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The Judge wrote a letter to The Appellant's solicitors on the 22/02/2016, Miss Ward who was dealing with this case for The Appellant at Michael Carroll & Co, knew the response had to be completed by the 04/04/2016 when the case was next listed in Court.

Miss Ward did not start working on the response to the Judge's letter until the 03/04/2016 and an email was sent to The Appellant with what Miss Ward wanted to reply to the Judges letter also stating any amendments needed to be done as soon as possible.

Because The Appellant knew that Miss Ward had sat on the letter from the Judge and done nothing about it since February and then had rushed a response on the 03/04/2016 when Miss Ward had been asked repeatedly to address the letter from the Judge, which now had not given The Appellant any time to go over the response Miss Ward had written. The Appellant amended Miss Wards Letter to include multiple points that had been missed out and sent it back to Miss Ward via email within a few hours of getting it but The Appellant was upset that he had to rush things as due to the learning problems he has he does need long to be able to go over documents, the delay in getting the letter from the solicitors meant The Appellant had hardly any time.

Please see attached

Upon attending Court on the 04/04/2016 it was seen that Mr Morris had also drafted a response to the Judge letter this response was almost identical to Miss Ward's Letter except that it included one crucial section regarding the hearsay rule **that had not been included in Miss Ward's letter.**

The Appellant agreed the point about the hearsay rule did need to be included. But was adamant it was going to be his letter that was going to be handed to the Judge with the oral addition of the hearsay. (This was the oral addition)

“The Magistrates Court hearsay rules 1999 do not apply to the Crown Court.

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The defence do not accept that the Respondent has relied on the correct legislation to apply under the hearsay rules. In any event The Appellant requests that the Respondent call the witnesses who made CAD entries for cross examination.

It is neither professionally appropriate nor suitable for The Appellant to call police officers and question their Credibility, as proposed by the Respondent through their application under the Magistrates Court Hearsay Rules.

The Appellant submits that questioning the credibility of ones own witnesses would not be permitted by the Court.

The Respondent has put forward no good reason for why these witnesses cannot be called. As to say it is not in the interests of justice to do so.”

HHJ-PAWLAK granted the hearsay application could be submitted, although opposed orally by Mr Morris. HHJ-PAWLAK informed that Mr Morris opposition to hearsay was contained in Mr Morris legal document, for which The Appellant did not allow Mr Morris to hand up.

HHJ-PAWLAK is informed that client wishes to hand up his own document to HHJ-PAWLAK against Mr Morris advice. Document read by all sides.

Please see [The Appellant document](#)

Considering in point 5 of the Judges letter to The Appellant Acting solicitors how was this allowed the Judge allowed Mr Morris to make oral submissions in regards to hearsay in Court yet then said they were not allowed. And granted the hearsay application as allowed.

Michael Carroll and Co had also not done or prepared a skeleton argument for The Appellant's bundle, the Judge stated that the letter that had been handed in could be used as The Appellant's skeleton argument.

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Miss Ward was sitting in the back of the Court taking notes of what was being asked by the Judge and what was being said.

A meeting was meant to be arranged with The Appellant and the Public defender Mr Morris, this was not done.

On the 12/07/2016: Informed by solicitor via email:

“Please note that Mr Andrew Locke has returned from a career sabbatical and he has agreed to deal with the Appeal against the imposition of an ASBO. I am in the process of confirming a conference date with Mr Locke, hopefully within the next two weeks. I have notified Mr Morris from the Public Defender Service that Mr Locke is your preferred choice and I have requested the written submissions that he had prepared for the mention hearing in April 2016 that you did not consent to or permit us to serve upon the prosecution, instead your own document was served at your insistence and contrary to the advice given by both Mr Andrew Morris and myself. Please confirm any dates that you are not available so that this conference can be arranged.

I have requested previously the complete list of witnesses that you now insist on calling and specifying their relevance to the ASBO Appeal and the issues as to whether you were an organiser of illegal raves. I cannot advise on whether the witnesses are relevant to an issue in the Appeal without you confirming the list and specifying their relevance.”

Take out does not need to be included

The meeting was never arranged with Mr Locke, The Appellant barrister until just before the Appeal date hearing, even though we kept asking for this to be arranged.

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I would like to say that no option was given to us about preferred barrister and if you notice the date of this e mail you will notice that it is a full 3 months since the mention hearing of the 04/04/2016.

Even through there were multiple emails being sent to Miss Ward asking for things to be addressed and dealt with in this case, emails was going un-answered for months, well in fact since this case started in 2014. As for the list of police officer The Appellant wanted to call Miss Ward had been told over and over the officers listed in the application case, also officers from the Public Order Investigation unit at Scotland Yard and maybe one other officer Superintendent Specialist Operations Adrian Coombs.

On 14 August 2016 The Appellant was sectioned under section 2 of the mental health act, he was released later in August 2016 at tribunal hearing and due to agreeing that he would work with the mental health doctors and team that was put in place, he stated he would be willing to stay in hospital voluntarily, but due to bed shortages he was discharged home a day later with support in place, the acting solicitors were made aware of this, and so was the Court in the September 2016 when we was due to attend.

On 16 September 2016 the case was listed for a mention hearing for Non-Disclosure, and also a meeting with Mr Locke The Appellant Barrister as he not seen any barrister since the 04/08/2015 hearing at the Magistrate's Court when the Antisocial Behaviour Order was granted by the Judge with no legality found.

I was told by my acting solicitors to be at Court by 09:30 hours but later this was changed to 09:00 hours so I could have a meeting with my barrister, which I agreed to.

I arrived at Court for 09:00 my barrister did not arrive until around 09:40. On arrival my barrister and I went into a side room for a talk. (My mother was also present) before we could discuss anything Mr Locke said he was sorry he was not feeling very well, And he also had some emails from Ms Ward that he

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had to read, on trying to open the emails he realized he could not and subsequently went out of the room to call Ms Ward.

At around 10:00 hours we were called into Court Mr Locke came back into the room to get his things and then hurried walked back out towards the Court room. I tried to stop him to expand to him what my concerns were (As we had not had a moment to talk) and I was concerned about the disclosure that was going to be asked for.

I asked Mr Locke if he could ask the Judge to adjourn the case for 5 or 10 minutes so we could speak which he replied “no that the hearing was only for disclosure about the schedule”, I said “I knew this was not correct and this was one of the reason I wanted to speak to him about” and again asked “if he would ask the Judge to postpone for 10 minutes” he yet again said “no”, at which point I asked “why he did not want to speak to me, and should I act for myself”?

He had no time to talk to me but then spent around 4 minutes talking to Ms Ward on the phone and before ending this call he asked me if I was also was dismissing my solicitors which I replied no, Mr Locke then started to walk towards the Courtroom, we followed the barrister into Court and on entering the Court in a raised voice The Appellant said to Mr Locke (who was ahead of him) so am I acting for myself then? He never replied to me just proceeded to talk to the Judge then walked toward the door and ushered us out. At this point I had no idea what was going on but proceeded to follow him outside the Court room, it was at this point he turned around and said quite curtly “I do not want you to speak”, as we got closer to him he also informed The Appellant it was not good to shout out in open Court which The Appellant had to agree with, but The Appellant felt so let down and it seemed his barrister did not even want to talk to The Appellant, so much had already gone wrong with this case, and The Appellant felt very nervous as he did not know what was going on or what would be said as he had not spoken to his barrister.

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My mother who had witnessed all of this tried to explain to The Appellant barrister what The Appellant wanted to say about the Non disclosure and asked Mr Locke to explain what the schedule is.

I also asked about the two article 6's which have never been addressed by the Court which pertains to my Human Rights and my rights to a speedy and fair trial that had been handed to the Court at earlier hearings as I knew Mr Locke knew nothing about these. He explained that the schedule was what the Judge had asked for on the 04/04/2016 my mother replied this was not all the Judge had asked for. Without replying Mr Locke walked towards the Courtroom we followed and it was at this point The Appellant said to the barrister I feel I should represent myself because I feel I was not being heard. All The Appellant wanted was to be able to speak to his barrister, so that he knew what had been said at the earlier hearing on the 04/04/2016, and show him the document that was handed to the Judge on that date.

On entering the Court The Appellant barrister Mr Locke addressed the Judge and said The Appellant did not want him to act for him, but this was not fully the case The Appellant only wanted to be able to speak to his barrister. The Judge informed The Appellant barrister to remain in the Court room, the Judge asked what the case was listed for and the prosecuting barrister addressed the Court and answered and also handed the schedule to the barrister, they also said to the Judge that The Appellant had been sending letters to the Court and the prosecution myself which stated I Simon Cordell throughout the document. This is not the case and The Appellant did not understand there comment or what document the prosecuting barrister was talking about. The Judge then addressed The Appellant and asked The Appellant did The Appellant still want the barrister to act for The Appellant, The Appellant replied yes to the Judge that he did want the barrister to act for him; The Appellant stated that he only wanted time to speak to his barrister, as I had not spoken to a barrister since the Magistrate's hearing.

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The Judge then addressed The Appellant barrister he said that The Appellant still wanted the barrister to act for The Appellant, The Appellant barrister agreed to this. The Judge also stated he felt he was not the best person to be hearing this case and passed it over to the Judge that was hearing the Appeal.

On leaving the Court room The Appellant and his mother proceeded to go into a side room to talk with The Appellant barrister, we explained that a letter had been handed to the Judge on the 04/04/2016, he said he knew nothing of this letter so we handed him a copy for him to read. Once he read this he said he knew nothing about this and had only seen one document that kept saying I Simon Cordell, (The Appellant have no idea what this I Simon Cordell letter until later) The Appellant mother proceeded to explained this is why The Appellant wanted to talk to you before going into Court as this is part of the Non disclosure. The barrister explained he only knew about the schedule to which The Appellant mother replied, the schedule had been asked for by the Judge in addition to the letter that had been handed in that the Judge stated could be used as my skeleton argument, that Miss Ward was in the Court on the 04/04/2016 and was taking notes, and knew exactly what the Judge had asked for and said.

The Appellant mother then made a call to The Appellant solicitor and enquired as to what the Judge had asked for on the 04/04/2016 in regards to the disclosure. Ms Ward stated she could not remember, The Appellant mother being dumbfounded by this said you was sitting in the back of the Court room taking notes, and only last week said to The Appellant mother again The Appellant should have everything that the Judge had asked for in his original disclosure plus what was asked for in The Appellant letter that was handed to the judge and also the Judge had made other additions. At no point did Ms Ward ever make The Appellant mother feel she did not know what was due to be disclosed, if she had have done this The Appellant and The Appellant mother would have asked her to relist this to the Court and asked for this to be clarified. As the disclosure that we was asking for was very important to the Appeal.

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The Appellant mother then handed The Appellant the phone The Appellant asked Ms Ward about the letter I was supposed to have sent to the Court and the prosecuting barrister, The Appellant was still thinking we was talking about the letter handed to the Judge on the 04/04/2016, which in Court on this date it was also said The Appellant had wrote this letter myself, which was not the case. The Appellant agreed on this date for the letter that Miss Ward had wrote in replied to the Judge letter that The Appellant had amended was to be handed in to the court, The Appellant solicitor was at Court so knew The Appellant amended letter was being handed in to the court, It was at this point The Appellant said she had drafted the letter and The Appellant had only amended it, she at this said she did not draft the Letter and The Appellant wrote it, at this The Appellant did call Miss ward a lair as The Appellant knew Miss Ward drafted the letter and said to Miss ward on the phone, I can prove it I have the email you sent to me and my mother. (Since Court The Appellant mother has checked the dates for when this letter was drafted by The Appellant solicitor and this was on the 03/04/2016 **please see attached email and letter (marked 03/04/2016 Ms Ward)**).

The Appellant barrister was listening to the phone call and after The Appellant ended the barrister got up and said I will need to think about still representing you as you called your solicitors a lair, The Appellant stated that he can prove that Miss Ward wrote the letter and she's denying as to doing so, how would anyone feel that she had not lied, The Appellant barrister then replied if he was still going to represent The Appellant then there would need a meeting at The Appellant barrister chambers, at this point the meeting concluded with nothing really spoke of about The Appellant Appeal yet again, this was days before the Appeal hearing was due to start.

Solicitor wrote a letter and sent it to The Appellant and The Appellant mother email on 20/09/2016 which had also been sent to the Court, putting an application again to be removed from record. This was listed in Court to be heard on the 21/09/2016.

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There were large sections within this letter that were incorrect and did not happen, this can be proven by the Court transcripts for the 16/09/2016.

On the 21/01/2016 we were on our way to Court and got caught in traffic, we contacted the Court to get a message to the Judge to say we were going to be 5 to 10 minutes late, I know the Judge got the message.

When we got to the Court there was a barrister that Michael Carroll and Co had sent to the Court to deal with the application for them to be removed from record.

The Barrister informed us she did not want to leave the Court before explaining what had happened it seemed the Judge had called this into Court without us being present and removed the solicitors from record.

How could this have happened considering, The Appellant was not present at Court, and there was not a senior Partner from Michael Carroll and Co and also what had been said previously by His Honour Judge Morrison on 19/02/2016.

The Barrister said the Judge wanted to see us and we would need to wait in Court until we were called, as the Judge was dealing with a trial and we would be called in after it.

Around 16:00 hours we were called into Court, the Respondent did make the Judge aware at this point that what had been said by His Honour Judge Morrison on the 19/02/2016 stating that a Senior Partner was not present at Court, The Judge replied that he could not force a solicitor to carry on with a case they clearly did not want to, and that The Appellant could represent himself that the case was in much better order now. But The Appellant has learning difficulties and health problems which the Court are well aware of, there was only a few days until the Appeal hearing was due to start, how could a Judge believe that a person with learning difficulties and health problems

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could be ready and cope with dealing with a three-day Appeal hearing on his own.

We did try to get the Judge to adjourn the Appeal hearing so we could try and get representation put in place due to knowing The Appellant could not cope or handle this case on his own, which was due to start on the 26/09/2016 for 3 day hearing the Judge said he would not allow this and that the Appeal hearing would go ahead no matter what. It seems again that The Appellant was being blamed for what was ongoing in this case, when The Appellant and The Appellant mother had done all they could to have this case ready to be heard.

How can a Judge expect someone that is known to be ill and have learning difficulties to be able to handle this case on their own, considering there is only four days until the Appeal 3 day hearing is due to start. Nothing was put in place by the Judge to help The Appellant in any way. The Appellant was just meant to get on with it on his own.

Once again the solicitors had done nothing for this case and the Judge had allowed them to walk away and it seems as if everything was being blamed on The Appellant. Once again the solicitors had put this application in days before the Appeal 3 day hearing was due to start.

It was also noted while we had been waiting outside the Court that the bundles we had been working from was the very first set of the application bundles and the only thing that had been updated was a few statements from the police officer in charge of the case, there were lots of documents missing within the bundle The Appellant had never seen. It was stated by the respondent they had sent new bundles to the acting solicitors Michael Carroll and co three times the last being in January 2016, we had never been given a set of new bundles since this case had started in 2014, at hearing the Respondent stated in all there had been three sets of new bundles sent to The Appellant's acting solicitors, we had never been told about new bundles been sent and never given a new copy of any bundle. So the bundle we had would have had all

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wrong page numbers and been paginated totally different from the bundles that was being used by the prosecution barrister and Courts. **It was at this stage The Appellant's mother knew why no page numbers matched at the lower court and why she looking for the correct pages and found it very hard as The Appellant's mother was trying to take notes within the application bundle at the lower court and was missing so much due to not having the correct page numbers or bundle.**

When we were in Court we did say this to the Judge about the bundles, the Judge ordered the clerk of the Court to contact Michael Carroll and Co solicitors and order the solicitors to bring the bundles to Court. the solicitors informed the clerk that the bundles were at Nexus Chambers, the Judge was shocked that the solicitors did not have a copy of the bundles at there office. The Appellant's uncle who was also at Court said to the Judge he was willing to go to Nexus Chambers and pick the bundles up.

The Judge listed this for the 22/09/2016 after 14:00 hours to make sure we were all working from them same set of bundles.

Upon The Appellant's uncle getting home it was seen that the bundle he had was not the full set of bundles and only had part of the applications Skeleton Bundle.

On the 22 September 2016 we attended Court to inform the Judge we still did not have the updated bundles and the Judge once again got the clerk of the Court to call Michael Carroll and co solicitors to find out what was going on with the bundles, the Judge was very upset that we still did not have the bundles for the case, the Judge asked for the bundles to be brought to Court before 4 PM, The Appellant's mother stated that it would be easier and faster for her to pick the bundles up from the solicitors on the way home from Court, the Judge asked if she was sure that he could get them brought to Court she stated that it be faster for her to pick the bundles up from the solicitors on my way home.

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When we left Court The Appellant mother noticed she had a text from Michael Carroll at 15: 21 stating the bundles was now at the office for collection, due to the time we left Court The Appellant mother called Michael Carroll's office to say what time we would be there, The Appellant mother was told that the office would be closed by the time we got there so The Appellant mother agreed to pick the bundles up first thing in the morning on 23 September 2016.

On 23-09-2016 The Appellant mother left home early in the morning to go to Michael Carroll's office and collect the bundles with her brother, Mr A Cordell went up to the office to get the bundles, when he came down he had a piece of paper that The Appellant mother needed to sign that the bundles had collected from the office.

Upon getting home and looking at the bundles The Appellant mother noticed there was at least 13 statements that The Appellant and The Appellant mother had never seen before from the Respondent bundle, the statements was all dated prior to the Magistrates Court trial. Upon looking at The Appellant's bundle it seemed this had not been updated or indexed since 2015, so all the new documents that had been submitted to be added to The Appellant's bundle was not in their. There was also no statements in The Appellant's bundle, it seemed as though they had all been removed from the bundle, over the days leading up to this The Appellant mother had learned how important it was that all the bundles were paginated and indexed correctly and the same that each person was working from, The Appellant mother knew there was problems as multiple documents had been handed to the Court which she did not know if they had been patronised correctly or indexed into The Appellant's bundle that the court and the Respondent were using also.

The Appellant mother spent all weekend trying to add missing documents to The Appellant's bundle and making copies so that when we got to Court on the 26-09-2016 that these could be added to the Respondent bundle and the

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three Judge's bundles. The Appellant health had become very unstable due to him knowing that he was going to have to be dealing with this himself.

The Appellant mother also spent part of the weekend also writing a letter to the Judge in regards to what had gone on and breaches in The Appellant's human rights mainly he's article 6 rights to a fair trial, there was also a list of things that had gone on throughout the case since 2014 in regards to the nondisclosure, and other issues that was always being raised when at Court. And the reason as to why legal aid had been granted:

1. Due to the complexity of the case.
2. Due to The Appellant's learning difficulties.
3. Due to the concerns of The Appellant health.

This letter was emailed to the Court and asked to be passed to the Judge.

Please see letter that was emailed to the judge

The 26 September 2016 the three-day Appeal hearing was due to start The Appellant was so unwell that there was no way he could attend Court, Mr A Cordell and Miss L Cordell attended Court to speak to the Judge. When the Judge entered the Courtroom he stated that he had had a letter that had to be addressed, he stated that he felt this would go to judicial review, he stated he had three options:

1. Carry on with the Appeal in the hope The Appellant would turn up the following day.
2. Dismiss the Appeal.
3. Adjourn the Appeal to a new date.

The Judge went over the letter in great detail; he stated around five times that he felt this was going to go to judicial review.

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The Judge decided to adjourn the case until the 16/01/2017, this was later changed for the Appeal to start on the 17/01/2017. The Respondent had tried to object to the Appeal being adjourned. The Judge stated that we should try to find a new solicitor to take on the Appeal and that he would help and also make sure that legal aid was in place.

The Judge asked why The Appellant was not in Court. The Appellant mother stated The Appellant had become so unwell due to what was going on in this case and that he was not coping. Information was passed to the Judge that showed The Appellant was unwell.

It was also stated in regards to all the missing documents that was missing from The Appellant's bundle, and that there was no statements within the bundle, I stated to the Judge that I'd spent a lot of the weekend trying to update The Appellant's bundle and make sure that it was indexed correctly, I handed the documents that The Appellant mother was able to do with new indexing, The Appellant mother also stated that she knew there was still documents missing from The Appellant's bundle which she was not sure about or had time in which to add them. The Appellant mother also stated that there was around 13 statements that we had never seen that were within the Respondent bundle that was dated prior to the Magistrate's trial.

The Judge was very unhappy and passed me his own bundle for The Appellant mother to check to see if the Courts bundles had been updated, upon looking the Judge's bundle had also not been updated since 2015. The Appellant mother passed the Judge's bundle back up to him explaining that it also had not been updated. At this the Respondent stated they would make new copies of the bundles and have them sent to us the Judge thanked the Respondent. The Judge was very unhappy and said he was not going to allow this to be dropped. And again made the clerk of the Court call Michael Carroll and co to order them to attend Court on the 14/10/2016 in regards to the missing documents. I stated I would try and add as many missing documents as I could

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but was unsure of what documents were missing as so much had been handed to the court and solicitor's.

The Appellant mother asked the Judge if The Appellant would need to attend Court on the 14/10/2016, as it was due to only being regarding the missing documents The Appellant mother felt The Appellant did not need to be there the Judge agreed to this.

On the 14 October 2016 Mr A Cordell and I attended Court on this date, the solicitors did not turn up, The Appellant mother had a list of documents that she had made up and indexed that needed to be added to The Appellant's bundle which she passed to the Judge. She stated to the Judge that she could not be sure if there were still documents missing. She also stated that she had tried to call Miss Ward and had no reply. The Judge was very upset that the solicitors had not turned up. A letter had been sent by the solicitors Michael Carroll and co, the Judge again got the clerk of the Court to email Michael Carroll and co to tell them they had to be in Court on the 19/10/2016. The Appellant mother also stated to the Judge that she had made many phone calls to other solicitors and due to the case being Appeal stage no one was willing to take the Appeal on due to the cost they would get under legal aid, that it was a set amount as legal aid believed that the solicitors dealing with the Appeal would be the same solicitors that dealt with the original trial, Appeals are set at a standard rate so any solicitor taking on a case would not get paid to go over the complete bundles, and take updated instructions from the client.

Again The Appellant mother asked the Judge if The Appellant needed to attend Court on the next date, which the Judge he replied no to.

On the 19/10/2016 again Mr A Cordell and I attended Court, once again the solicitors was not in attendance, the Judge had had a letter from Michael Carroll co stating Miss Ward no longer worked for the company, the Judge was very upset and was not going to allow this to be dropped, the Judge got the clerk of the Court to email Michael Carroll and co to attend Court on the 25/10/2016.

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The Appellant mother again stated to the Judge that she had made many phone calls to other solicitors to try and get them to take over the Appeal, and due to the case being Appeal stage no one was willing to take the Appeal on due to the cost they would get under legal aid, that it was a set amount as legal aid believed that the solicitors dealing with the Appeal would be the same solicitors that dealt with the original trial, Appeals are set at a standard rate so any solicitor taking on a case would not get paid to go over the complete bundles, and take updated instructions from the client.

When The Appellant mother got home she again tried to call Miss Ward with no reply she also text her with no reply to the text.

On the 25/10/2016 again Mr A Cordell and I attended Court, once again the solicitors was not in attendance, the Judge was very upset and done an Internet search under Miss Ward's name to find out if she was working under a new solicitor, he found the new solicitors and sent an email demanding that Miss Ward attended Court on the 11/11/2016.

Again The Appellant mother stated to the Judge that she had made many phone calls to other solicitors and due to the case being Appeal stage no one was willing to take the Appeal on due to the cost they would get under legal aid that he was a set amount as legal aid believed that the solicitors dealing with the Appeal would be the same solicitors that dealt with the original trial, Appeals are set at a standard rate so any solicitor taking on a case would not get paid to go over the complete bundles, and take updated instructions from the client.

When The Appellant mother got home from Court at 15:48 she received a phone call from Miss Ward, she stated that she knew nothing about the Judge had asked her to attend Court, that Michael Carroll and Co had not informed her in regards to any emails sent from the Court. The Appellant mother said to her but I've tried to call you and text you and you have not replied or picked

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the phone up. She stated Michael Carroll had told her she was not allowed to contact us or talk to us. The Appellant mother and Miss Ward arranged to meet on 27/10/2016 to go over The Appellant's bundle to check for missing documents.

On the 27/10/2016 The Appellant mother meet with Miss Ward to go over The Appellant's bundle, upon looking at the bundle and the documents that The Appellant mother had added and indexed Miss Ward stated she believed there were no missing files, as time has gone on I have found other documents that should have been in The Appellant's bundle that were missing. These have never been added as The Appellant mother did not want to have to go back to the Judge and say there were more documents that were missing.

Miss Ward stated she had to attend Court but gave a different date that the Judge had ordered her to be there, The Appellant mother stated to her that the Judge had given the date of the 11/11/2016 when we was in Court, Miss Ward stated that is not what was put into the email that was sent to the company Miss Ward worked for. The Appellant mother stated she would send an email over to the Court to tell the Court that we had meet up and checked The Appellant's bundle we believed there was no documents missing at that point.

On the 01/11/2016 The Appellant mother wrote an email to the Judge to state that there had been a meeting with Miss Ward and we had gone over The Appellant's bundle and believed there were no documents missing now. The Appellant mother asked in the email to the Judge if we still needed to attend Court on the 11/11/2016 and if so could this be confirmed via email.

On the 02/11/2016 The Appellant mother received a reply from Wood Green Crown Court from the Judge stating that we did not need to attend on the 11/11/2016 and the date would be vacated.

On the 19/12/2016 The Appellant mother sent an email to the Judge in regards to still not finding a solicitor that was willing to take the Appeal on, The

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Appellant mother asked the Judge to help in regards to getting a solicitor to act for The Appellant regarding the Appeal as time was becoming short for the Appeal hearing.

On the 21/12/2016 The Appellant mother received a reply to her email to the Judge stating that the Judge could not help with a solicitor. The Appellant mother still did not give up and she carried on trying to find one that was willing to take the Appeal on for The Appellant. But The Appellant mother was upset as the Judge did state he would help, on the 26/09/2016, and as time was short for when the Appeal hearing was due to start the, The Appellant mother did not wait till the last minute to ask the Judge for help, and now she was being told the Judge could not help.

On the 12/01/2016 late in the day The Appellant mother was given a number from a solicitor's of a solicitor's called MK-Law that maybe could help and take the Appeal on, The Appellant mother called them they were the first solicitor's in all of the solicitor's she had been contacting since September 2016 that when she said the case was at Appeal stage wanted to hear what the case was about, she broke down in tears the company agreed to take the case on as long as the Judge agreed to an adjournment, she stated to them she did not think the Judge will agree to this as in September 2016 when the Judge had adjourned the Appeal, the Judge had stated he would not adjourn it again. The solicitor stated that they would not have enough time to be able to get all of the bundles go over them to get a barrister to go over them have a meeting with The Appellant and take instructions within two days due to the weekend, that they would send a barrister to Court on the 17/01/2017 to asked for an adjournment so that they could act in the best interest of the client, as that is what they are there to do. And so the legal aid could be addressed and passed over to them or a new application would need to be applied for.

The Appellant's health had deteriorated, when The Appellant's mother told The Appellant she believed she had found a solicitor to take the Appeal on this did bring his mood up a little but he felt so much had gone wrong it would

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only just go wrong again, he agreed that he would attend Court and meet the barrister that the new solicitors was sending, the problem was this could change at any time, The Appellant does not leave his home which he treats as his prison.

On the 17 January 2016 we attended Court, the barrister was there for The Appellant, so was the The Appellant mother and the The Appellant uncle we went into a side room and the barrister spoke to The Appellant in regards to what the plans was and what he was going to ask the Judge for which was an adjournment, that they needed an adjournment so that they could act in the best interest of their client, so that they could go over the complete case bundles, take instructions, make sure legal aid was in place correctly, and instruct a barrister who would be dealing with the Appeal for The Appellant, The Appellant agreed that an adjournment could be asked for, again it was stated to the barrister that we did not feel the Judge would grant an adjournment, the barrister stated that the Judge should understand that an adjournment would be needed for the new solicitors to act in a professional manner for their client and be able to get everything ready and have time to understand fully what the case was about, that an Appeal should be fair for all sides.

We were called into Court and the barrister spoke to the Judge, explained the situation and that he was asking for an adjournment, he spoke to the Judge in regards to the legal aid, and having the appeal ready for there client and having time to be able to deal with it in a professional manner for there client. The Judge stated that he believed legal aid was still in place and it could just be transferred, the barrister stated if legal aid had been revoked then it would take at least two weeks for it to be put back in place, the Judge adjourned the hearing so that the barrister could contact the legal aid department to check the status of the legal aid, the barrister made calls to the legal aid department, but the legal aid department could not confirm whether legal aid had been revoked. Calls was also made to Michael Carroll and Co who stated that when

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they was removed from record that the legal aid that was in place had been revoked.

The case was called back into Court and the barrister explained that the legal aid department could not say whether or not the legal aid had been revoked, but when a call was placed to the old solicitors Michael Carroll and co they had said that the legal aid that was in place had been revoked. The Judge handed the barrister certificate of legal aid, the barrister stated that the certificate was not proof that the legal aid had not been revoked.

The Judge stated I'm sure that you can be ready for the Appeal to go ahead by tomorrow, the barrister stated that they have a professional obligation to act in the best interest of the client and that they would not have enough time in order to go over all the bundles take instructions from the client, and instruct a barrister within half a day, and also to check fully whether a new legal aid application would need to be applied for. At this the Judge stated well if you cannot be ready by tomorrow, then The Appellant will have to act for himself, we will not adjourn the Appeal again.

It seems again The Appellant was being put at blame for the delay in the Appeal, but it was not due to The Appellant, The Appellant only wanted a fair hearing and Appeal from when this started in 2014 and from what was going on this clearly had not been.

The barrister tried his hardest to get an adjournment of the Appeal but the Judge would not allow an adjournment, the Judge started talking about the conditions that was imposed by the Magistrates Court, he stated that he felt that parts was disproportionate, but he could see nothing wrong with the timescale of the Antisocial Behaviour Order of 5 years was. This was not the first time the Judge had mentioned the conditions that The Appellant was under, but this time the Judge went further to include what sections he thought were disproportional, to the people in the Court The Appellant, Mr A Cordell, Miss L Cordell, and The Appellants barrister, the only way of looking at what the Judge was stating he had already made his mind up that he thought the

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conditions was the only problem. But this was before the Appeal had even been heard, why a Judge would state this without even hearing the Appeal.

The Judge would not allow an adjournment and stated The Appellant could represent himself if the barrister could not be ready by 10 O'clock the next morning, Judge raised and left the Courtroom.

The Appellant was in such a state when we left the Courtroom he stated he knew the Judge would not allow the adjournment and felt the Judge did not want him to have representation and this is why the Judge removed his old solicitors, he felt very let down and just wanted to go home. The barrister called as into a side room and had to ask The Appellant due to what the Judge has said, if they were to change the conditions to something appropriate would The Appellant accept it. This put further stress on The Appellant, The Appellant knew he had done nothing wrong and had not done what the police was saying he had done, The Appellant knew that if the disclosure had been given it would have proven this. The police have been unwilling to give any disclosure since this case started.

The Appellant was not willing to accept having the conditions changed and accepting the Antisocial Behaviour Order as this would have said he was guilty, The Appellant was not willing to accept something he knew he was not guilty of.

The Appellant was so distressed all the way home, he felt he would never get justice.

Later that day The Appellant's mother contacted the solicitors to see if anything could be done, but due to the Judge not allowing the adjournment the solicitors stated they could not take the case on and could not attend Court the next day because they would be putting their company reputation at risk by not having enough time in order to prepare for the Appeal to be able to act in a

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professional and correct way for their client. Which The Appellant's mother could totally understand.

A vulnerable person should not be forced into a position where they have to act on their own behalf, in the opinion of many practitioners, detrimental to the administration of justice. But this is exactly what had happened, The Appellant and The Appellant mothers and others cannot understand or see any reason why the Judge did not allow for a short adjournment so that The Appellant had proper representation in place, when there was a solicitors company willing to take on the Appeal hearing on and allow a fair Appeal hearing. The Appellant's mother had not stopped since the removal of the old solicitors in September 2016 trying to find a solicitors company to take the Appeal hearing on, so many calls was made to solicitors companies, advice lines, citizens advice, pro bono solicitors, the reason why the pro bono unit would not take the case on was because The Appellant was entitled to legal aid, if The Appellant or his family could have afforded to pay privately for a solicitors company to act for The Appellant this would have been done a long time ago. Justice is meant to be fair, but in the case of The Appellant this was not the case.

On 18 January 2017 The Appellant was so unwell he did not attend Court on this day, nor did Mr A Cordell, or Miss L Cordell, Miss L Cordell did however write a letter to the Judge asked in for a stay on proceedings for the Appeal until it was taken to judicial review in regards to what had gone on.

The Judge decided to go ahead in the absence of The Appellant with the Appeal; he heard the witness statements from police on this date.

On 19 January 2017 again The Appellant and his family did not attend Court this case has made The Appellant so unwell, at the end of this day the Judge dismissed the Appeal against conviction, but he changed a few of the conditions that The Appellant was under, the conditions are still a breach of The Appellant's human rights. Schedule of prohibitions are listed below.

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Schedule of prohibitions

You must not:

1. Be concerned in the organisation of a rave as defined by s.63(1) or s63(1A) of the Criminal Justice and Public Order Act 1994.
2. Knowingly use or supply property, personal or otherwise, for use in a rave as defined by s.63 (1) of the Criminal justice and Public Order Act 1994.
3. Enter or remain in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation or local authority or owner of the premises.
4. Enter any non-residential private property (by which words buildings and an open enclosed and are intended to be individual) or an industrial estate between the hours of 22:00 and 07:00 without written permissions from the owner and an leaseholder of such property. If you can demonstrate that the purpose of your entry of such property is to purchase goods or services from any shop or garage or fuel supplier which is open to the public at such times. Then in such event, you may enter but you must not remain on such property for longer than 30 minutes and you may do so on only one occasion during each separate nine hour period between 22:00 and 07:00 daily.
- 5 Provide any service in respect of any licensable activity in an unlicensed premises.

For the sake of clarity, nothing in this order prevents the defendant from assisting, preparing for, engaging in licensed licensable activities,

This order expires on the 3 August 2020

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This order and its requirements amends a previous order imposed by Highbury Corner Magistrates Court.

Condition 4 states

Enter any non-residential private property (by which words buildings and an open enclosed and are intended to be individual) or an industrial estate between the hours of 22:00 and 07:00 without written permissions from the owner and an leaseholder of such property. If you can demonstrate that the purpose of your entry of such property is to purchase goods or services from any shop or garage or fuel supplier which is open to the public at such times. Then in such event, you may enter but you must not remain on such property for longer than 30 minutes and you may do so on only one occasion during each separate nine hour period between 22:00 and 07:00 daily.

With this condition in place any non-residential property The Appellant would not be able to attend only for 30 minutes on one occasion during a separate nine hour period:

This would include hospitals, police stations, 24-hour supermarkets, petrol stations, cinemas, restaurants, bars, night clubs and any other public place open to the public between these times that is non-residential The Appellant would only have a 30 minute window to be able to enter any non-residential building, however is not feasible that within 30 minutes The Appellant could be seen in a hospital within 30 minutes, how would it be feasible if The Appellant went to dinner at a restaurant they would be completed within 30 minutes, how would it be feasible if The Appellant wanted to go to a nightclub or late-night bar as it would only have 30 minutes, places that are open to the public should not be restricted to The Appellant how is The Appellant meant to have a normal family life. The Appellant cannot go to without written permission which would be degrading for The Appellant to have to ask each time he wanted to go somewhere and explain why he needed it to be confirmed in writing by the owner and/or leaseholder of the property, how this condition could be applied by any Judge and state it is not a beach of someone human rights is beyond me.

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Conditions 2 states knowingly using or supplying property personal or otherwise for the use of a rave as defined under section 63.1 of the criminal justice and public order act,

The Appellants has spent the last 10 years building his business saving every penny and help from family it is within the entertainment industry, he will hires equipment out and his services, The Appellants business would seriously be affected, because if he hired his equipment and it ended up in an illegal rave The Appellant would be in breach of the conditions. When hiring out equipment you do asked what is going to be used for, and you do have a contract that is in place, but what the person tells you their reason for hiring the equipment out is not always the correct reason and is not used for the purpose the person told you The Appellant would be in breach of these conditions. Also if The Appellant loaned someone any personal belongings and that person ended up at an illegal rave then The Appellant would again be in breach of his conditions, even if the item was something that did not even constitute as being for an illegal rave.

Conditions 5 states provide any service in respect of any licensable activity in an unlicensed premises.

How is The Appellant meant to run his business, The Appellant would not be able to obtain a licence that has already been clarified by the police and councils due to the Antisocial Behaviour Order that is in place, The Appellant would not be able to offer his services also due to the restriction that he has only 30 minutes within a non-residential building, most events go to the late hours in the morning so even if there was a licensed premises and someone wanted to hire the services of The Appellant The Appellant would not be able to do this. The Appellant was also offered contracts within two nightclubs to be the manager if The Appellant was again offered contracts within nightclubs or late-night bars The Appellant would not be able to accept these contracts. I cannot even say why condition 5 has been imposed because condition 4

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conflicts with condition 5 in certain parts. And who would want to hire or take on The Appellant if he had to ask for written permission which would be degrading for The Appellant to have to ask each time he wanted to go somewhere or had a contact and had to explain why he needed it to be confirmed in writing by the owner and/or leaseholder of the property,

These are just a few concerns with the conditions that The Appellant is under, there is other concerns with other conditions set at by the Courts that are of concern.

When the Appeal hearing was over the conditions was not served on The Appellant, they were posted to him in the post.

The Appellant mother has put an application into the Crown Court on forms EX-105 and EX-107 requesting the Tape/Disc Transcription for all hearings, and is waiting to hear back from the court, to see if it will be granted.

The Appellant mother has also put an application into the police under a subject access request to get all The Appellant history with the police which will show the data protection errors and more data that has been inputted incorrectly by the police, it will also show a history of how much the police does not leave The Appellant alone.

Also how many complaints has had to be put into the police regarding how the police have treated

The Appellant over many years which when asked in this ASBO application case by the judge was any of this the truth they replied no to. The Judge also asked if anyone else had had an ASBO application against them for an ASBO on the dates held within the ASBO application, the Judge did not get a reply and it was not asked again.

The police have not only done this to The Appellant but The Appellant whole family so each family member have requested there records. So far the police have refused The Appellant application and his brothers, they have allowed The Appellant mother and The Appellant sister but only part of the

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information has been supplied. This has been passed to the ICO to address, but due to the backlog the ICO has we have not been told a timeframe this will take.

At this time there is also complaint still ongoing with The Appellant and the police and The Appellant brother with the police. It is also noticed that some of the police in this application who have done statements in this ASBO have complaint still standing against them, with The Appellant brother complaint. But until we get all the data we have requested there could be more police officers in this ASBO application who have had complaints put in about them. There will also be a complaint regarding the DPS who investigated The Appellant complaint due to the fact they did not follow their own codes, when this complaint was passed the IPCC they upheld The Appellant Appeal to the IPCC and the complaint has had to be reinvestigated, due to what the DPS allowed to happen, and allowed the police officer to resign. Before allowing The Appellant rights to take his complaint to the IPCC for Appeal before seeing the report and allowing a misconduct hearing to happen, before The Appellant had his right to appeal and the IPCC and they left a large section out in **the investigation which pointed to discourtesy by the police.**

Still not completed I still got sections to add about ASBO application and no disclosure and some other sections. And some laws.

This is how a JR has to be written up. They will have all the ASBO application bundles sent to the high court also so will be able to see the whole case as I need to also point out that we can not add everything in this due to allowing the police to have the full extent as to what is wrong within the application for the ASBO that should have been able to use at the appeal hearing. As we don't want the police to be able to try and correct the things that are wrong.

If you want to edit any of this then please do so really carefully and in a next colour and you have to keep this format don't change it as it has to be sent to the high court in this formation, I know you are not going to like some of what I have written but if you want to win this case at JR you have to put things you

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don't like to hear or feel you don't have a problem. The judges have to see your human rights have been fully fuked over from start to end of these court cases. And showing things you don't like will help that.

you can at your own write up as well