IN THE WOOD GREEN CROWN COURT

R

-V-

SIMON CORDELL

RESPONSE TO HHJ PAWLAK'S LETTER DATED 22ND FEBRUARY 2016

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(1) SUMMARY OF THE APPELLANTS CASE

The Appellant does not accept that he was the organiser of any illegal rave or supplied equipment for any such purpose. On various occasions he was present with explanations below. The Appellant believes that the police have pursued a malicious prosecution against him, which includes targeting him and his brother. He cites his human rights to a fair trial and asks the Respondent to disclose items listed in (6) below. The Appellant asks the Respondent to prove to the criminal standard every aspect of this Prosecution including whether a rave took place and whether there is any evidence that he organised any illegal rave.

The Appellant believes that the CAD messages relied on have been unfairly presented as redacted, edited and doctored. Some CAD's have not been served. The Appellant will state that any CADs that relate to any other location than the ones relied on by the Respondent should be removed from the bundle. He requests disclosure and editing of CAD's as per (6) below.

The Appellant on no occasions cited in the Respondent's bundle hired out any sound equipment, audio equipment or organised any rave in the London Borough of Enfield on the dates cited in the original application.

(2) WHAT INVOLVEMENT IN EACH EVENT (RAVE) RELIED ON BY THE RESPONDENT, THE APPELLANT ADMITS TO HAVING HAD.

(a) <u>25.05.2014 – 5 ST GEORGES INDUSTRIAL ESTATE, WHITE HART LANE</u>

The Appellant will state that he was present delivering food to some homeless people. There was no rave, no sound equipment, lights, generators or other equipment in his van.

The Appellant believes that there was a section 144 LAPSO notice clearly displayed by the occupants who were treating the premises as their home. The Appellant had empty speaker cases in his van. The van was used to store the speakers.

(b) PROGRESS WAY 6TH, 7TH AND 8TH JUNE 2014

The Appellant disputes any involvement whatsoever in the event at Progress Way.

The Appellant accepts that he approached the gates with a view to dropping off house keys to a friend. The Appellant did not enter the premises / venue at Progress Way.

The Appellant did not provide any sound equipment, speakers, and generators to any person inside Progress Way.

(c) FALCON PARK 20TH JUNE 2014

The Appellant was not present at this event.

The Appellant accepts that he hired out his sound equipment in good faith for what he believed to be a house party.

The Appellant will state that he was at home when he was contacted by the hirer to come to collect his equipment which was then seized by police. The Appellant will state that his equipment was restored to him by the police.

(d) CARPET RIGHT 19TH JULY 2014

The Appellant denies organising or supplying equipment for the above event.
The Appellant does not accept that an illegal rave took place at this premises.

The Appellant never entered the premises Carpet Right. The Appellant will state that the true organisers were inside the premises and the police ought to be in possession of their details.

The Appellant will state that none of his vehicles were inside the premises.

(e) ALMA ROAD – 24TH JULY 2014

The Appellant does not accept that any illegal rave took place at this premises.

The Appellant disputes the conversation with PC Edgoose regarding raves.

The Appellant will state that he did discuss with PC Edgoose his entertainment company and his dream of hosting a local festival at Picketts Lock for the benefit of the community. He will also say that he discussed other charitable events that he had participated in and events in the pipeline.

The Appellant did not supply any sound recording equipment.

(f) MILLMARSH LANE- 9th AUGUST 2014

The Appellant will state that he was invited to a private birthday party by one of the persons occupying the premises at Millmarsh Lane.

The Appellant will state that there was a section 144 LAPSO notice displayed and the building was being treated as a home. The Appellant will state that he was an invited guest and not a trespasser.

The Appellant will state that there was no rave as the location was not open air and by virtue of him being invited by one of the occupiers who had established a section 144 LAPSO notice he was not a trespasser so the legal definition of a rave could not be made out.

The Appellant was a guest at the location and not an organiser. He attended the location in his private motor vehicle. He did not provide any audio or sound equipment.

The second event at Millmarsh Lane the Appellant disputes that he was an organiser. He disputes that he was operating the gate.

The Appellant will state that this was not an illegal rave but a private party that he attended as a guest and not as an organiser.

The Appellant will state that there were no residential areas close by.

(3) WHETHER THE APPLICANT CONTENDS THAT THE INVOLVEMENT HE ADMITS,WAS IN FACT WITHIN THE LAW, IF SO WHY

Please see above.

(4) WHETHER THE APPELLANT AGREES THAT ANY OF THE RAVES DID OR COULD HAVE CAUSED DISTRESS TO LOCAL RESIDENTS BY WAY OF NOISE OR MOVEMENT OF PERSONS PARTICIPATING IN RAVES

The Appellant can only comment on his own behaviour and he refers the court to the fact that he himself has not acted in an anti-social manner. He has not been arrested for any criminal offences.

The Appellant accepts that such events could cause noise nuisance but he did not organise or supply equipment for any of the events cited in the Respondent's application.

(5) WHETHER THE APPELLANT AGREES THAT A PREMISES LICENCE WAS REQUIRED FOR EACH RAVE

The Appellant will state that he believes that no licence was required for Millmarsh Lane as the premises were being occupied and treated as a home due to a section 144 LAPSO notice being displayed.

The building was being used as a home and not as a commercial building. The Appellant will also state that as the building was being occupied as a home then no licence was required for a private house party and also no money was charged for persons entering.

(6) WHETHER THE APPELLANT CONCEDES THAT FOR ANY OF THE RAVES IN WHICH HE WAS INVOLVED, WHETHER BY HELPING TO ARRANGE OR BY PROVIDING SOUND EQUIPMENT HE BELIEVED THE EVENT TO BE A LICENSED EVENT AND THEREFORE WAS AN INNOCENT SUPPLIER OF EQUIPMENT,AND IF SO FOR WHICH RAVE OR RAVES IN PARTICULAR.

The Appellant will state that he supplied equipment on one occasion only [FALCON PARK], in good faith to what he believed to be a private party. He did not attend the premises beforehand and therefore did not know the equipment would be used at a different place.

The Appellant will state that his equipment was restored to him by police after they concluded he had no part in the event and had innocently hired out his equipment. The event the Appellant is referring to is Falcon Road.

(7) HEARSAY

The Magistrates Court Hearsay Rules 1999 do not apply to the Crown Court.

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 request 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 Magistrates Court Hearsay Rules.

The Appellant submits that questioning the credibility of one's own witnesses would not be permitted by the Court. The Respondent has put forward no good reason for why these witnesses cannot be called, save as to say it is not in the interests of justice to do so.

(8) DISCLOSURE

The Appellant request the Respondent discloses the following items

(a) Any CCTV of the persons breaking in to any of the premises, the CRIS and details of any persons arrested for criminal damage / burglary.
(b) Full details of the original intelligence report inputted on 25th May 2014 and also reasons why there was a need to update this report on 19th June 2014.
(c) All CAD messages prepared in connection with this prosecution, all in unedited form.
(d) Any CAD message from 6th June 2014
(e) Any evidence or intelligence that would tend to suggest that the organisers of the events in question were someone other than the Appellant.

Andrew Morris
PDS Advocacy Unit
4 April 2016