

either steal item, cause GBH or doing unlawful damage or actually does any of the aforementioned.

I will deal with the trespass point firstly. The notices in relation to the legal squat may well highlight that you were not a trespasser when you entered. (I confess that I need to research this point) I think that we can also agree that the squatters were not the owners of the building and had not made any claim for adverse possession. I have included some information on adverse possession for your ease of reference at the end of this email. Even if we can establish that you had a right to be in the building it does not follow that you had a right to any of the contents. These would still remain the property of the owner, unless you can provide me with the relevant section / legislation / case law. There are a number of instances when a person can enter premises initially by invitation but once they do an act contrary to the right of entry they then become a trespasser. i.e. a customer in a shop reaching over the counter and taking a sales assistant's purse / phone. This is burglary because the person has stolen property (a) that was not for sale (b) that was in a part of the building where the public did not have access.

The other stumbling block to an application to dismiss is your police interview. You accept presence and you accept purchasing items of garden furniture from a male called Mohammed. You state that you have a receipt. This is a trial point and one to be left to the jury as to whether you believed that Mohammed was lawfully entitled to sell the goods to you. Whilst considering this please bear in mind that although the notices allowed entry once Mohammed assumed the rights of the owner by disposing of the property and selling it he then arguably became a trespasser.

I am not concerned about the damage caused to the building as you state that this was caused on a previous occasion so I should be able to establish this from the CPS in my disclosure requests in your defence case statement.

Point (4) I can easily remedy this issue by bringing the photographs with me when I attend your mother's address near the end of next week. I will confirm the day closer to the time and I am grateful for your consideration and understanding that I cannot at this stage give you a fixed appointment. As you are no doubt aware my diary varies from day to day and emergencies do arise.

Point (5) Unfortunately I am only made aware of problems when clients tell me they are unhappy. I forwarded the correspondence bundle to your mother which demonstrated how much work I have actually undertaken in your case to date, both during social and unsocial house and even when I have been on annual leave.

Point (6) I will email the case papers over on the Winchester case under separate email as this is a separate case.

NEXT ACTION REQUIRED BY YOU:

1. Emails to Benefits Agency re appealing and requesting reinstatement of your Benefits
2. Documentation re negotiations with Enfield Council and confirmation of date when festival will take place.
3. Receipt from Focus confirming that the gazebo in the back garden of your property was not stolen.
4. List of witnesses present when you purchased the garden furniture
5. Receipt for the garden furniture

I hope that this email clarifies the information that I require.

NEXT ACTION BY MICHAEL CARROLL & CO.

Once I receive the above information I will email the Crown Court and the CPS and I will request an urgent application to remove the reporting conditions on the grounds of financial hardship.