

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>  
**Sent:** 23 May 2018 14:35  
**To:** Lorraine Cordell  
**Subject:** London Borough of Enfield v Simon Cordell- E00ED049 [SEC=OFFICIAL]  
**Attachments:** LBE-SV-PRN-002\_PR-ECCBS-LYB09571-IRC2020\_4349\_001.pdf; London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL] (6.07 MB)

**Importance:** High

Classification: OFFICIAL

Dear Ms Lorraine Cordell,

Please find attached an amended Order dated 14.5.2018 which gives the Claimant permission to serve the committal applications dated 05.02.2018 and 20.04.2018 and the application notice dated 11.05.2018 by email upon you. The order was amended by the Court under the slip rule.

The applications have already been served upon you on 14<sup>th</sup> May 2018 at 17.36pm (please see attached email) and as far as the Claimant is concerned personal service of all applications have now been effected upon Mr Simon Cordell.

Kind regards,  
Ludmilla Iyavoo  
Solicitor  
Corporate Team  
Legal Services  
Enfield Council  
Silver Street  
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323  
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

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# General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	14 May 2018



THE LONDON BOROUGH OF ENFIELD	1 <sup>st</sup> Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 <sup>st</sup> Defendant Ref



Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

## ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application  
IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.
2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 the amended application by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.



Dated 14 May 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

**From:** Ludmilla Iyavoo [Ludmilla.Iyavoo@enfield.gov.uk]

**To:** Lorraine Cordell

**Sent:** 14 May 2018 17:35:53

**Subject:** London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL]

**Attachments:** Court Order made by the Edmonton County Court on 14.05.2018.pdf (50 KB); Pdf bundle of the application notice 11.05.2018.pdf (2368 KB); pdf version of application to dispense with service dated 14.05.2018.pdf (1296 KB); Application for committal dated 05.02.2018.pdf (1022 KB); Application for committal dated 20.04.2018.pdf (1310 KB);

Classification: OFFICIAL

Dear Ms Lorraine Cordell,

We have attempted service of our committal applications dated 05.02.2018 and 20.04.2018 upon Mr Simon Cordell and also attempted service of our application to amend our committal application in light of the incident which took place at Court on 01.05.2018 but Mr Simon Cordell refused to accept personal service of those documents.

In light of Mr Cordell's refusal to accept personal service, the threats of violence towards the neighbours and the fact that a hearing has been listed on 30.05.2018, we have decided to issue an ex parte application for service to be dispensed with. The application was considered by Deputy District Judge Genn in the Edmonton County Court who made the following order:

- 1) Permission to the Applicant is given to amend the application for committal
- 2) Permission is given pursuant to CPR 81.10(5)(b) to serve the amended application by email on you.

In light of the Court order made by the Court this morning, the attached applications are deemed served upon Mr Simon Cordell. Please note that your son is entitled to seek independent legal advice.

Kind regards,  
Ludmilla Iyavoo  
Solicitor  
Corporate Team  
Legal Services  
Enfield Council  
Silver Street  
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323

Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

# General Form of Judgment or Order

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Date</b>	14 May 2018



THE LONDON BOROUGH OF ENFIELD	<b>1<sup>st</sup> Claimant</b> <b>Ref LS/C/L/155584</b>
MR SIMON CORDELL	<b>1<sup>st</sup> Defendant</b> <b>Ref</b>

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

## IT IS ORDERED THAT

1. Permission to Applicant to amend the application for committal.
2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

**Mr Simon Cordell**  
109 Burncroft Avenue  
Enfield  
EN3 7JQ

Please reply to: Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

E-mail: Ludmilla.lyavoo@enfield.gov.uk  
Phone: 0208 379 8323  
DX: 90615 Enfield 1  
Fax: 0208 379 6492  
My Ref: LS/C/LI/155584  
Your Ref:  
Date: 11 May, 2018

By personal service via process server

Dear Mr Cordell,

**Re: The London Borough of Enfield v Cordell**  
**Claim number: E00ED049**

We are aware that at the hearing in the Edmonton County Court on 01 May 2018, an additional breach of the injunction took place as shouting; swearing and threats were directed to two of the Claimant's employees and one of your neighbours.

We therefore attach the following documents for your attention:

1. An application notice dated 11.05.2018 seeking permission from the Court to amend the committal application dated 20.04.2018 to add the recent incident.
2. Amended application notice dated 20.04.2018
3. Affidavit of Mr and Mrs Mathiyalagan dated 20.04.2018
4. An amended draft order dated 20.04.2018
5. Witness statements of Mr Lemmy Nwabuisi and Mrs Balbinder Kaur Geddes dated 10.05.2018.

We will ask the Court to consider the attached application at the next court hearing listed in the Edmonton County Court on 30.05.2018.

You are entitled to seek independent legal advice.

Yours sincerely,



**Jeremy Chambers**  
**Director of Law & Governance**  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY  
**www.enfield.gov.uk**



Ludmilla Iyavoo  
Lawyer  
For the Director of Law and Governance

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court	<b>Claim no.</b> E00ED049
<b>Fee account no.</b> (if applicable) 0079006	<b>Help with Fees – Ref. no.</b> (if applicable) H W F - - - - -
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)	
<b>Defendant's name</b> (including ref.) Mr Simon Cordell	
<b>Date</b>	11.05.2018

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a  Claimant  Defendant  Legal Representative

Other (please specify)

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

The Claimant seeks leave from the Court to amend its committal application dated 20.04.2018 as further breaches of the injunction order took place on 01.05.2018. A copy of the amended application with the witness statements of Lemmy Nwabuisi and Balbinder Geddes are attached to this application in support.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing

at a telephone hearing

6. How long do you think the hearing will last?

Hours  15 Minutes

Is this time estimate agreed by all parties?

Yes  No

7. Give details of any fixed trial date or period

30/05/2018, 2pm

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

Defendant

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.



10. What information will you be relying on, in support of your application?

- the attached witness statement  
 the statement of case  
 the evidence set out in the box below

If necessary, please continue on a separate sheet.

An interim injunction order was made against the Defendant on 09/01/2018.

The Defendant committed further breaches of the injunction on by shouting, swearing and abusing two employees of the Claimant and one of his neighbours while attending a hearing in the Edmonton County Court on 01/05/2018.

The Claimant would like the committal application issued at Court on 20/04/2018 to be amended to include the additional incident.

A copy of the amended committal application is provided in support (amendments are marked in red). The application notice is also supported by the witness statements of Mr Lemmy Nwabuisi and Ms Balbinder Kaur Geddes.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed  Dated 11/05/2018

Applicant(s) legal representative(s) (~~litigation friend~~)

Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor  
(if signing on behalf of firm or company)

11. Signature and address details

Signed  Dated 11/05/2018

Applicant(s) legal representative(s) (~~litigation friend~~)

Position or office held Solicitor  
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield legal Services PO BOX 50 Civic Centre Enfield	
Postcode	<input type="text" value="E N 1"/> <input type="text" value="3 X A"/>

	If applicable
Phone no.	0208 379 8323
Fax no.	
DX no.	90615 Enfield 1
Ref no.	LS/C/LI/157255

E-mail address	
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N244

### Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court	<b>Claim no.</b> E00ED049
<b>Fee account no.</b> (if applicable) 007 9 006	<b>Help with Fees – Ref. no.</b> (if applicable) H W F - - - -
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/L/157255)	
<b>Defendant's name</b> (including ref.) Mr Simon Cordell	
<b>Date</b>	20.04.2018

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a  Claimant  Defendant  Legal Representative  Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Claimant is seeking an order for the Defendant's committal for breaching the terms of the interim injunction order dated 09.01.2018 with has a power of arrest, pursuant to CPR 23 and 81.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?

at a hearing  without a hearing  
 at a telephone hearing

6. How long do you think the hearing will last?

Hours  Minutes  
Is this time estimate agreed by all parties?  Yes  No

7. Give details of any fixed trial date or period

Hearing on 30.05.2018, 2pm

8. What level of Judge does your hearing need?

District

9. Who should be served with this application?

Defendant

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement  
 the statement of case  
 the evidence set out in the box below

If necessary, please continue on a separate sheet.

Please refer to the evidence attached on a separate sheet.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Applicant(s) legal representative(s) (~~s~~ ~~litigation~~ friend)

Dated 19.04.2018

Full name

Ludmilla Iyavoo

Name of applicant's legal representative's firm

London Borough of Enfield, Legal Services

Position or office held

Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed



Applicant(s) legal representative(s) (~~s~~ ~~litigation~~ friend)

Dated 19.04.2018

Position or office held

Solicitor

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield  
Legal Services  
PO BOX 50  
Enfield

if applicable

Phone no.	0208 379 8323
Fax no.	
DX no.	906015 Enfield 1
Ref no.	LS/C/L/157255

Postcode

E N 1 3 X A

E-mail address

Ludmilla.Iyavoo@enfield.gov.uk

### **Evidence in support of the application notice dated 20.04.2018 (part 10)**

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

*The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:*

*Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

*Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

*Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

*Clause 7: A power of arrest is attached to the above paragraphs.*

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 05/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 05/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had to some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told

him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

*(1) This rule applies where a person is arrested pursuant to –*

*(a) a power of arrest attached to a provision of an injunction; or*

*(b) a warrant of arrest.*

*(2) The judge before whom a person is brought following his arrest may –*

*(a) deal with the matter; or*

*(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

**10.** The Claimant is therefore bringing an application for the Defendant's committal.

*11. An additional breach of the injunction occurred within the outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and Mr Mathiyalagan. These threats were made in front of Employment Tribunal. This security guards and other members of staff.*

1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED0049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09<sup>th</sup> January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10<sup>th</sup> January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
  - a. *Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*
  - b. *Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*
  - c. *Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*
  - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

### Incident of 15 March 2018

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self-defence to stop him. Some neighbours come out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.



7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

**Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

**Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20<sup>th</sup> day of April 2018

M. Madhujaya..... 20 APR 2018

L. Hills

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

EDMONTON COUNTY COURT  
59 FORE STREET, EDMONTON  
LONDON N1B 2TN

LONDON BOROUGH  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED0049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM1

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM2

---

# NHS DENTAL CARE

**Contractor's Name:** Handan Sabahlar  
**Address:** Inspire Dental Walthamstow  
 67-69 Palmerston Road  
 Walthamstow  
 London  
**Telephone:** 0208 521 6656  
**NHS Organisation:** NHS England London Lat

**Patient's Surname:** Markandu  
**Patient's Forename:** Mathiyalagan  
**Date of Acceptance:** 22/03/18  
**Treatment on Referral:** No

## TREATMENT PLAN & ESTIMATE

**Revision No.** 1

**What the NHS will provide**

The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.

**Emergency Arrangements**

Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.

**Replacements free of charge**

If you are 18 or over and a filling, root filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless:-  
 The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible.  
 This NHS cover does not apply to any private treatment you may have.

**Dental treatment charges**

I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.

**Treatment on referral**

With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment: only one charge will be made by your referring dentist, as outlined below.

**NHS treatment**

Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are:  
 \* Pregnant or have had a child in the last 12 months  
 \* If you are aged 18 and in full time education  
 \* If you or your partner are named on a current HC2 NHS charges certificate  
 \* If you or your partner are named on a valid NHS tax credit exemption certificate  
 \* If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit  
 If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office  
**Please Note:** The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension Credit Savings Credit and Contribution-based Jobseeker's Allowance.

**Cancelling Appointments**

If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.

**Regular care**

Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

**NHS Treatment**

- 1 Examination
- 1 Extraction
- 1 Extraction
- 1 Extraction
- 1 Partial Denture Bearing
- 1 Primary Denture Impression(s)
- 1 Note

LR1  
 LL1  
 LL2  
 LR1-LL2

**Total £ 0.00**

**Additional Private Treatment**


- 1 30 min Hygienist Visit

£ 47.00

**Total £ 47.00**

**PATIENTS DECLARATION**

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.  
 I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

<b>NHS Charge:</b>	£0.00	<b>Total Private Charge:</b>	£47.00	<b>Total Charge:</b>	£47.00
<b>Patient's signature</b>			<b>Date</b>	22/03/2018	

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM3

---



Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON

E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Netley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCROFT AVE  
EN3.7.3Q

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel 0208 527 1888

1. Made on behalf of the Claimant
2. Witness Statement of Ravathy Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED0049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the interim injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under **exhibit RM1**.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that he injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.

11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

**Dated this    day of April    2018**

.....

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED0049

BETWEEN:

THE MAYOR AND BURGESSES OF

THE LONDON BOROUGH OF ENFIELD

Claimant

-AND-

MR SIMON CORDELL

Defendant

---

EXHIBIT RM1

---

Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON

E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971  
14 Nefley Road, Walthamstow, E17 7QD →  
Mobile No: 07891740939

117 BURNCREFT AVENUE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel 0208 527 1888

AMENDED DRAFT ORDER

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

DRAFT ORDER

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Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018. But also by

*Shouting abuse, swearing and making threats to two employees of the Claimant and one of his neighbours at the hearing dated 01 May?*

IT IS ORDERED

- (1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.
- (2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).
- (5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.
- (6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated.



1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

---

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

#### **Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under exhibit 'LM1'.
6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD,

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBIT 'LM1'

---

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

- a) A Letter from the Claimant Solicitor dated 02 May 2018
  - b) An Order of the Court dated 05 February 2018
  - c) An Application Notice dated 05 February 2018 with accompanying documents
  - d) An Injunction Order dated 09 January 2018
  - e) A Power of Arrest dated 09 January 2018
  - f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
  - g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
  - h) A Draft Order
- 
- a) A Letter from the Claimant Solicitor dated 02 May 2018
  - b) An Order of the Court dated 24 April 2018
  - c) An Application Notice dated 20 April 2018 with accompanying documents
  - d) An Injunction Order dated 09 January 2018
  - e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
  - f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
  - g) A Draft Order

And

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.
5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.
6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.
7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I willfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018



Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

---

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...  .....

Ms Balbinder Kaur Geddes

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

**EXHIBIT 'BKG1'**

---

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018



Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

**Edmonton County Court**

Please reply to: Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

E-mail: [Ludmilla.Iyavoo@enfield.gov.uk](mailto:Ludmilla.Iyavoo@enfield.gov.uk)  
Phone: 0208 379 8323  
DX: 90615 Enfield 1  
Fax: 0208 379 6492  
My Ref: LS/C/LI/157255  
Your Ref:  
Date: 14 May 2018

Dear Sirs

**Re: The London Borough of Enfield v Cordell**  
**Claim number: E00ED049**

Please find enclose the following documents:

1. Application notice (N244) seeking leave from the Court to dispense with personal service of the committal applications dated 05.02.2018, 20.04.2018 and application notice dated 11.05.2018, pursuant to CPR 81.10(5).
2. Witness statement of Mr Nwabuisi and Ms Kaur Geddes dated 10.05.2018
3. Witness statement of attempted service of Mr Andy Philippou, process server.

We authorise you to take away the relevant fee from our PBA Account, which details are as follows:

**PBA Account details: 0079006**  
**Reference: LS/LI/C/157255**  
**Fee: £255.00**

Yours faithfully,



Ludmilla Iyavoo  
Lawyer

For the Director of Law and Governance

**Jeremy Chambers**  
**Director of Law & Governance**  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY



[www.enfield.gov.uk](http://www.enfield.gov.uk)

? If you need this document in another language or format contact the service using the details above.



10. What information will you be relying on, in support of your application?

- the attached witness statement  
 the statement of case  
 the evidence set out in the box below

If necessary, please continue on a separate sheet.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed  Dated 11/05/2018

Applicant(s legal representative)/(s litigation friend)

Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor  
(if signing on behalf of firm or company)

11. Signature and address details

Signed  Dated 11/05/2018

Applicant(s legal representative's)/(s litigation friend)

Position or office held Solicitor  
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield  
legal Services  
PO BOX 50  
Civic Centre  
Enfield

	if applicable
Phone no.	0208 379 8323
Fax no.	
DX no.	90615 Enfield 1
Ref no.	LS/C/LI/157255

Postcode EN 1 3 X A

E-mail address

#### **10. What other information will you be relying on in support of the application?**

1. An interim injunction order was made against the Defendant on 09.01.2018.
2. The order was served personally on 10.01.2018 and the injunction has a power of arrest attached to it. The Defendant committed further breaches if the injunction and as a result two committal applications were issued by the Claimant respectively on 05.02.2018 and on 20.04.2018.
3. A hearing took place in the Edmonton County Court before Employment Tribunal Judge Taylor who ordered that the proceedings be adjourned to 30.5.2018 on the basis that personal service of the committal applications did not take place pursuant to CPR 81.10(4).
4. On 02.05.2018 the Claimant instructed a process server to effect personal service of the two committal applications. However the Defendant refused to accept service despite identifying himself to our process server. In view of the Defendant's refusal to accept personal service of the documents the Claimant is making the present application notice to seek the Court's permission to dispense with service pursuant to CPR 81.10 (5). The Court should also note that the Defendant's mother Ms Lorraine Cordell accepts that the two committal applications were received by Post in any event. There is a witness statement of attempted service from Mr Andy Philippou dated 08.05.2018 which is attached to this application dated 10.05.2018.
5. Further breaches of the injunction were also committed by the Defendant on 01.05.2018 inside and outside of the Edmonton Court County Court premises. The Defendant was shouting, swearing and made threats to two of the Claimant's employees and one neighbour who attend a Court hearing on the day. The incident is supported by the witness statements of Lemmy Nwabuisi and Ms Balbinder Kaur Geddes which are attached to this application.
6. As a result of the recent incident, the Claimant has decided to issue an application notice dated 11.05.2018 to include the incident in the committal application dated 20.04.2018. An amended committal application was prepared and personal service was attempted upon the Defendant by our process server on 11.05.2018 but this was refused by the Defendant. There is a witness statement of attempted service from Mr Andy Philippou dated 11.05.2018. In view of the Defendant's refusal to accept an amended committal application, the Claimant would ask permission from the Court to dispense with personal service of the amended committal application and to allow service to take place by other means.
7. This application is made ex parte on the basis that the next hearing to hear the committal application is listed on 30.05.2018 and the Defendant needs to be served with the two committal applications and application notice dated 11.05.2018 at least 14 days in advance of the next hearing.

1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

---

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

#### **Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr



Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'i'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.



Signed.....

Dated this 10 May 2018



IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

**EXHIBIT 'LM1'**

---

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant; by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

---

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.



3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.
4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.
5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

#### Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...  .....

Ms Balbinder Kaur Geddes

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

**EXHIBIT 'BKG1'**

---

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **“he had difficulty reading”** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant’s address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
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- e) A Power of Arrest dated 09 January 2018
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- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
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- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.
2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:
  - a) A Letter from the Claimant Solicitor dated 11 May 2018
  - b) An Application Notice dated 11 May 2018
  - c) An Application Notice marked 'Amended Application Notice'
  - d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
  - e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
  - f) An amended Draft Order
  - g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
  - h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit
3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109



Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope whilst the defendant continued to speak in what could be best described as in a nonsensical manner as the defendant bore no relevance to my attending the address or the nature of my attendance. The defendant continued to speak about the 'unlawful' act I was performing by affixing with a cable tie the sealed envelope in a plastic wallet to the external door hinge of 109 Burncroft Avenue, EN3 7JQ. That I did whilst performing this act explain to the defendant that by his refusing to open the door to me and by sealing access through the letterbox that by effecting 'lodgement' at the address in this manner was the only course of action left open to me. That I did having re-affirmed this to the defendant and his saying "what if someone takes this off in five minutes" state by virtue of our conversation and his knowledge of my action did not excuse his not wishing to be informed of the Claimant attempting to effect service upon the above named Defendant. That I did at approximately 9.35.am affix with a cable tie in a plastic wallet attached to the side hinge 'barrel' of the door frame of 109 Burncroft Avenue, EN3 7JQ a sealed envelope addressed to the defendant in order that its content would have come to the attention of the Defendant.

4. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



11/05/2018

Statement filed on behalf of the Claimant  
Deponent: Andy Philippou  
Statement No: One  
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



11/05/2018



109

Fire door  
keep  
locked  
shut

and safety

601



Mr Simon Cordell  
109 Buncroft Avenue  
Enfield  
EN3 7JQ

**BY PERSONAL SERVICE**  
**BY PROCESS SERVER**

Please reply to : Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

E-mail : balbinder.Kaur-Geddes@enfield.gov.uk  
Phone : 020 8379 4834  
DX : 90615 ENFIELD 1  
Fax : 0208 379 6492  
My Ref : LS/C/BKGE/155584  
Your Ref :  
Date : 2 May 2018

Dear Mr Cordell

**Re: LONDON BOROUGH OF ENFIELD -v- MR SIMON CORDELL**  
**E00ED049 – Application for Committal dated 5 February 2018**

Further to the hearing of 1 May 2018, please find the following documents enclosed:

1. Order of the Court dated 5 February 2018
2. Application Notice dated 5 February 2018 with accompanying documents:
  - (a) Injunction Order dated 9 January 2018 with Power of Arrest of same date
  - (b) Witness Statement of Mr Lemmy Nwabuisi dated 2 February 2018
  - (c) Witness Statement of Ms Kaunchita Maudhub dated 5 February 2018
  - (d) Draft Order

These documents are being served upon you personally.

Yours faithfully,



Balbinder Kaur-Geddes,  
Lawyer

for Director of Law and Governance

**Jeremy Chambers**  
Director of Law  
and Governance  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

[www.enfield.gov.uk](http://www.enfield.gov.uk)



**EQUALITY**  
FRAMEWORK  
FOR LOCAL  
GOVERNMENT  
EXCELLENT

# General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	9 February 2018



THE LONDON BOROUGH OF ENFIELD	1 <sup>st</sup> Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 <sup>st</sup> Defendant Ref

Before District Judge Cohen sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

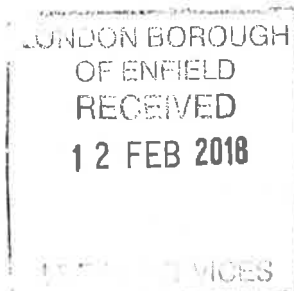
Upon hearing Solicitor for the Claimant and the Defendant in person and there being no affidavit of service filed and the Defendant denying he has been personally served.

## IT IS ORDERED THAT

1. The Claimant do by 4pm on 09/02/2018 file and serve an affidavit of service.
2. The Claimant do by 4pm on 09/02/2018 serve on the Defendant by first class post its application of 05/02/2018.
3. Matter be listed for further consideration of the order 09/01/2018 and the Claimant's application referred to above, on 30/05/2018 at 14:00pm (time estimate 1 hour).

The Defendant's address for service is 109 Buncroft Avenue, Enfield EN3 7JQ

Dated 5 February 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.



<b>Name of court</b> Edmonton County Court		<b>Claim no.</b> E00ED049	
<b>Fee account no.</b> (if applicable) 007 9 006		<b>Help with Fees - Ref. no.</b> (if applicable) H W F - [ ] - [ ]	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
<b>Defendant's name</b> (including ref.) Mr Simon Cordell (VLS/EO/H/CORDELL/17)			
<b>Date</b>		05.02.2018	

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a  Claimant  Defendant  Legal Representative  
 Other (please specify) [ ]

If you are a legal representative whom do you represent? [ ]

3. What order are you asking the court to make and why?

1. To vary the terms of the interim injunction order dated 09.01.2018  
 2. To bring an application for the Defendant's committal under CPR 21 for breaching the terms of the interim injunction order dated 09.01.2018.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing  
 at a telephone hearing

6. How long do you think the hearing will last? [ ] Hours [ 30 ] Minutes  
 Is this time estimate agreed by all parties?  Yes  No

7. Give details of any fixed trial date or period  
 Return hearing on 05.02.2018, 2pm

8. What level of Judge does your hearing need?  
 District

9. Who should be served with this application?  
 Defendant

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.  
 [ ]

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below


If necessary, please continue on a separate sheet.

The Defendant has made threats to the Claimant's employees on 09th January 2018 by stating that he knew where they worked/ lived and threatening one of the employees that he should watch his back. The employees are concerned by the threats made and would like the interim injunction order to be varied to prevent the Defendant from approaching the Claimant's employees at their place of work and personal address. The application to vary is supported by the witness statements of Mr Mwabuisi dated 02.02.2018 and Ms Mudhub dated 05.02.2018 along a draft order.

The Defendant has breached the terms of the interim injunction order on 24.01.2018 by harassing and intimidating one of the Claimant's employees by calling her on her work number on two occasions. The telephone calls constituted threats, harassment and intimidation causing the employee to put the phone down during the first phone call but the Defendant continued to call again. The Claimant therefore wants Defendant to be arrested in light of those incidents. The details of the telephone conversation is covered in the affidavit of Ms Maudhub dated 05.02.2018.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed  Dated 05.02.2018  
Applicant(s) legal representative(s) (~~s litigation friend~~)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor  
(if signing on behalf of firm or company)

11. Signature and address details

Signed  Dated 05.02.2018  
Applicant(s) legal representative(s) (~~s litigation friend~~)

Position or office held Solicitor  
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Enfield  Postcode <input type="text" value="E"/> <input type="text" value="N"/> <input type="text" value="1"/> <input type="text" value="3"/> <input type="text" value="X"/> <input type="text" value="A"/>	If applicable	
	Phone no.	0208 379 8323
	Fax no.	
	DX no.	906015 Enfield 1
	Ref no.	LS/C/LI/155584
E-mail address	Ludmilla.Iyavoo@enfield.gov.uk	



## Injunction Order

Between Mr Simon Cordell, Defendant  
and The London Borough Of Enfield, Claimant

Mr Simon Cordell  
109 Burncroft Avenue  
Enfield  
EN3 7JQ

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Claimant</b> (including ref.)	The London Borough Of Enfield LS/C/L1/155584
<b>Defendant</b> (including ref.)	Mr Simon Cordell



**If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be  
it to prison**

**If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to  
prison or fined or have your asset seized. You should read this order carefully and are advised to consult a  
solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.**

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for  
the claimant and without notice to the defendant, considered an application for an injunction.

### AND IT WAS ORDERED THAT

The defendant, Mr Simon Cordell , must;

1. Permit the claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry  
out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court  
Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk)  
to find out more.**

**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court**

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at [www.gov.uk/legal-aid](http://www.gov.uk/legal-aid) for further information*

N110A

# Power of arrest

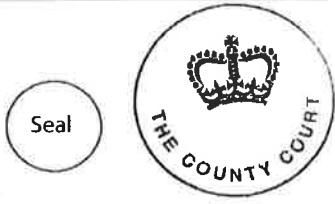
Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE  
ENFIELD  
EN3 7JQ

<b>Name of court</b> THE COUNTY COURT AT EDMONTON	<b>Claim No.</b> E00ED049
<b>Claimant's name</b> (including ref.) THE LONDON BOROUGH OF ENFIELD	
<b>Defendant's name</b> (including ref.) MR SIMON CORDELL	



Date order made 9 / 1 / 2018

Name of judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:  
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on 9 / 1 / 2018

and expires on the 9 / 1 / 2019

### Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant  
THE LONDON BOROUGH OF ENFIELD

Claimant's address  
PO BOX 50  
CIVIC CENTRE  
SILVER STREET  
ENFIELD  
EN1 3XA

Claimant's phone number

## **POWER OF ARREST ( CONT )**

- 1. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
  
- 2. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
  
- 3. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
  
- 4. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.**

1. Made on behalf of the Claimant
2. Witness Statement of Lemmy
3. Dated 02<sup>nd</sup> February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Behaviour Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to my role in investigating allegations of verbal abuse, threats, harassment and intimidation made against the Defendant by his neighbours.

2. I make this Witness Statement in support of the Claimant's application to vary the interim injunction order of 09<sup>th</sup> January 2018. This is my second statement in the above proceedings.

**3. Background:**

On 9<sup>th</sup> January 2018 at about 12:18pm, the Defendant telephoned me and accused me of killing his baby. He accused me of forging documents to get an Anti-Social Behaviour Order (ASBO) against him thereby making him a prisoner inside his own home and that this is now personal between us. He stated that he knows where I live in Enfield and that me and my family are not safe from him. He also stated that he has watched me leave the office and have followed me home, that he can 'get me' any time he likes and that I should watch my back.


4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 5200718/18 and the Defendant was arrested at about 8:00pm on 9<sup>th</sup> February 2018 and released on bail on 10<sup>th</sup> February 2018 pending further investigation. He is due to report back to Woodgreen Police Station on 5<sup>th</sup> February 2018.

6. The interim injunction order which was made by the Court on 09<sup>th</sup> January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However, the interim injunction order is limited to the area of Burncroft Avenue, Enfield, EN3 and not necessary to my personal address or work place. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and my family and would like the order to be varied to exclude the Defendant or his associates from approaching me at my work and home address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

1. Made on behalf of the Claimant
2. First Witness Statement of Kaunchita Maudhub
3. Dated 05<sup>th</sup> February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

---

I, Ms Kaunchita Maudhub of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street, Enfield, Middx EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers. My involvement with the Defendant was due to my



supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09<sup>th</sup> January 2018.
3. On 09<sup>th</sup> January 2018, in a telephone message left by Simon Cordell (the Defendant) for Lemmy Nwabuisi, the Defendant referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. It would therefore appear that Mr Cordell has identified my personal home address and stated that he knows where I live. The contents of the voicemail are as follows:

' You killed my baby, it's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers fucking computers. You don't know Lemmy I've stripped you computers not through Daniel Ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know Kanichiwa's I know fucking Rob Leak owns 15 million pounds more and Kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal

I'll take it personal with you. I hope you fucking get me arrested cause I get to show everybody the report and the interview of what you've really fucking done Lemmy, come and get me arrested I know that you are gonna touch my fucking mother, your fucking mad Lemmy yeh, you're gonna touch my fucking mother, you've already toucher my fucking mother by forwarding the paperwork..... Listen I know what you've done Lemmy you're fucking out of order you shouldn't be working in that company, you've never checked the computers from before and you've allowed all this to happen to me. Go to [bristolspotlight.co.uk](http://bristolspotlight.co.uk) – Robert Taylor was the bloke that was my barrister before and he's done exactly the same to me to somebody else as what he's done to me – caused a sex scandal with you'z lot in somebody else's name, locked them out, kidnapped, done everything to them, yeh and I was phoning you I got bare recordings telling you that these guys are setting me up, and this is out of order what they're doing, I'm the black boy on the block, all the times, their first application is as fraudulent as your fucking application Lemmy, and you think your gonna walk around this town with your children, living your life getting the salary that you're on and your gonna fucking earn the right to do this to people your supposed to be looking after and posting pictures that your all good at law, I,m better than you at fucking law Lemmy, I'm better than the executive director at criminal law as well.'

4. The matter was referred to the police and he was arrested on 09<sup>th</sup> January 2018 for threats to kill and has been released on bail on the following conditions: **Not to contact directly or indirectly Lemmy Nwabuisi and not to engage in threatening conduct that is likely to cause physical or verbal abuse to the employees of the London Borough of Enfield.** He is bailed to return to the police station on 5<sup>th</sup> February 18 at 19.00hrs.

5. The interim injunction order which was made by the Court on 09<sup>th</sup> January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However the interim injunction order is limited to the area of Burncroft Avenue, EN3 and not necessary to me personally and my workplace. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and would like the order to be varied to exclude the Defendant from approaching me directly at my personal address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed... 

Dated this 05<sup>th</sup> day of February 2018

1. Made on behalf of the Claimant
2. First affidavit of Kaunchita Maudhub
3. Sworn on 05<sup>th</sup> February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

---

I, Ms Kaunchita Maudhub, of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street do solemnly and sincerely affirm that the content of this affidavit is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers and Co-Ordinators. My involvement with the Defendant was due to my supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.
3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. On 24<sup>th</sup> January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.
5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

"It's Mr Cordell, I think that you putting the phone down on me when I'm explaining to you what the people that you're in charge of are doing illegally to me. Lemmy understood what he was doing, I've recorded every conversation with Lemmy since the day the witness care team told you'z lot that I have no case to answer against Mr Mathiyalagan and you decided to make a possession order. That possession order says that I've got a possession order for having printers in my house which are legal to have and I have them in the back garden now cause you'z lot won't tell me what

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should get to prison for what's happened and you as his manager should do something about this you're the one advising him to do it and I'm gonna see you at court and I'm gonna serve you lot my official report, I'm taking this case up to judicial review cause this lower court doesn't have the ability to deal with this case and the fraudulent activity and the sentences you lot should get 25 years you should be getting for ? in public office, that is more than 2 life sentences that's what I believe that you lot deserve for breaching your statutory duties and the evidence I've got on you, I'll be contacting, I'll see you in court "

The voice mail would be made available to the Court. The Defendant's acts constitute acts of harassment and intimidation and he is therefore in breach of paragraph 4 of the interim injunction Order.

6. On 9<sup>th</sup> January 2018 the Defendant telephoned Lemmy Nwabuisi and accused him of killing his baby, he also stated that he knew where Lemmy lived and that him and his family were not safe and that he should watch his back.
7. On 9<sup>th</sup> January 2018, in a telephone message left by the Defendant for Lemmy Nwabuisi, Mr Cordell referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. The contents of the voicemail are as follows:

"You killed my baby, it's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers

fucking computers. You don't know Lemmy I've stripped you computers not through daniel ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know kanichiwa's I know fucking rob leak owns 15 million pounds more and kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal I'll take it personal with you. I hope you fucking get me arrested cause I get to show everybody the report and the interview of what you've really fucking done Lemmy, come and get me arrested I know that you are gonna touch my fucking mother, your fucking mad Lemmy yeh, you're gonna touch my fucking mother, you've already toucher my fucking mother by forwarding the paperwork..... Listen I know what you've done Lemmy you're fucking out of order you shouldn't be working in that company, you've never checked the computers from before and you've allowed all this to happen to me. Go to [bristolspotlight.co.uk](http://bristolspotlight.co.uk) – Robert Taylor was the bloke that was my barrister before and he's done exactly the same to me to somebody else as what he's done to me – caused a sex scandal with you'z lot in somebody else's name, locked them out, kidnapped, done everything to them, yeh and I was phoning you I got bare recordings telling you that these guys are setting me up, and this is out of order what they're doing, I'm the black boy on the block, all the times, their first application is as fraudulent as your fucking application Lemmy, and you think your gonna walk around this town with your children, living your life getting the salary that you're on and your gonna fucking earn the right to do this to people your supposed to be looking after and posting pictures

that your all good at law, I'm better than you at fucking law Lemmy, I'm better than the executive director at criminal law as well".

8. The Defendant was arrested for threats to kill and released on bail. He is due to report back to the police station on 05<sup>th</sup> February 2018 at 09:00am. His bails conditions are as follows: **'not to contact directly or indirectly Lemmy Nwabuisi and not to engage in threatening conduct that is likely to cause physical or verbal abuse to the employees of the London Borough of Enfield'**. It is clear that in view of the phone calls and threats he made to me on 24<sup>th</sup> January 2018, the Defendant has also breached the terms of his bail conditions.
9. We would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Sworn at



on 05<sup>th</sup> February 2018

EDMONTON COUNTY COURT  
50 FORE STREET, EDMONTON  
LONDON N18 2TN

LONDON BOROUGH  
OF ENFIELD

Before me:

Signed Ms R. Stok

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS



IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

Upon considering the Claimant's application notice dated 04<sup>th</sup> February 2018 seeking permission from the Court to vary the terms of the interim injunction order made by District Judge Taylor on 09<sup>th</sup> January 2018, it is ordered that the following paragraph be added to the injunction order :

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.
2. A power of arrest is attached to this new paragraph.
3. This order along with the order made on 09<sup>th</sup> January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.
4. Dispense with personal service of this Order on the Defendant.
5. Costs in the case.

Dated Day of February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09<sup>th</sup> January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees.

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09<sup>th</sup> January 2018 [paragraphs 3-6] of the order dated 09<sup>th</sup> January 2018 by harassing, intimidating and making threats to one of the Claimant's employees on 24th January 2018, by telephoning her on two occasions and making threats, accusations and comments on other employees.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 900.00] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

Mr Simon Cordell  
109 Buncroft Avenue  
Enfield  
EN3 7JQ

**BY PERSONAL SERVICE**  
**BY PROCESS SERVER**

Please reply to : Legal Services  
PO Box 50, Civic Centre  
Silver Street,  
Enfield EN1 3XA

E-mail : balbinder.Kaur-Geddes@enfield.gov.uk  
Phone : 020 8379 4834  
DX : 90615 ENFIELD 1  
Fax : 0208 379 6492  
My Ref : LS/C/BKGE/155584  
Your Ref :  
Date : 2 May 2018

Dear Mr Cordell

**Re: LONDON BOROUGH OF ENFIELD -v- MR SIMON CORDELL**  
**E00ED049 – Application for Committal dated 20 April 2018**

Further to the hearing of 1 May 2018, please find the following documents enclosed:

1. Order of the Court dated 24 April 2018
2. Application Notice dated 20 April 2018 with accompanying documents:
  - (a) Injunction Order dated 9 January 2018 with Power of Arrest of same date
  - (b) Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
  - (c) Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
  - (d) Draft Order

These documents are being served upon you personally.

Yours faithfully,



Balbinder Kaur-Geddes,  
Lawyer

for Director of Law and Governance

Jeremy Chambers  
Director of Law  
and Governance  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

[www.enfield.gov.uk](http://www.enfield.gov.uk)

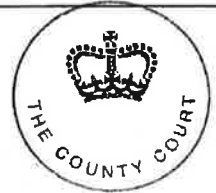


**EQUALITY**  
FRAMEWORK  
FOR LOCAL  
GOVERNMENT  
EXCELLENT

# Notice of Hearing of Application

In the County Court at Edmonton	
Claim Number	E00ED049
Date	24 April 2018

THE LONDON BOROUGH OF ENFIELD	1 <sup>st</sup> Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 <sup>st</sup> Defendant Ref



Before District Judge Lethem sitting at the County Court at Edmonton, 59 Fore Street, Upper Edmonton, London, N18 2TN

**UPON HEARING** Solicitor for the Claimant and the Defendant having no notice

**AND UPON READING** the Witness Statement of Mr Markandu Mathiyalagan dated 20th April 2018

## **IT IS ORDERED THAT:**

1. The hearing of the Claimant's application for (see copy attached) will take place at 10:00 am on the 1 May 2018 at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

Produced by: S DEMETRIOU  
CJR027

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

<b>Name of court</b> Edmonton County Court	<b>Claim no.</b> E00ED049
<b>Fee account no.</b> (if applicable) 007 9 006	<b>Help with Fees – Ref. no.</b> (if applicable) H W F - [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name</b> (including ref.) The London Borough of Enfield (LS/C/LI/157255)	
<b>Defendant's name</b> (including ref.) Mr Simon Cordell	
<b>Date</b>	20.04.2018

1. What is your name or, if you are a legal representative, the name of your firm?

London Borough of Enfield, Legal Services

2. Are you a  Claimant  Defendant  Legal Representative  
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Claimant is seeking an order for the Defendant's committal for breaching the terms of the interim injunction order dated 09.01.2018 with has a power of arrest, pursuant to CPR 23 and 81.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  
 at a hearing  without a hearing  
 at a telephone hearing

6. How long do you think the hearing will last?  
 Hours  Minutes  
 Is this time estimate agreed by all parties?  Yes  No

7. Give details of any fixed trial date or period

Hearing on 30.05.2018, 2pm

8. What level of Judge does your hearing need?

District

9. Who should be served with this application?

Defendant

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.  
Please refer to the evidence attached on a separate sheet.

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed  Dated 19.04.2018  
Applicant's legal representative's (~~litigation~~ friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor  
(if signing on behalf of firm or company)

11. Signature and address details

Signed  Dated 19.04.2018  
Applicant's legal representative's (~~litigation~~ friend)

Position or office held Solicitor  
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield  
Legal Services  
PO BOX 50  
Enfield  
Postcode 

E	N	1		3	X	A	
---	---	---	--	---	---	---	--

If applicable	
Phone no.	0208 379 8323
Fax no.	
DX no.	906015 Enfield 1
Ref no.	LS/C/LI/157255

E-mail address Ludmilla.Iyavoo@enfield.gov.uk

## **Evidence in support of the application notice dated 20.04.2018 (part 10)**

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

*The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:*

*Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

*Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

*Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

*Clause 7: A power of arrest is attached to the above paragraphs.*

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 05/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 05/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had to some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told



him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.
8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:
  - (1) *This rule applies where a person is arrested pursuant to –*
    - (a) *a power of arrest attached to a provision of an injunction; or*
    - (b) *a warrant of arrest.*
  - (2) *The judge before whom a person is brought following his arrest may –*
    - (a) *deal with the matter; or*
    - (b) *adjourn the proceedings.*
9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.
10. The Claimant is therefore bringing an application for the Defendant's committal.

# Injunction Order

Between Mr Simon Cordell, Defendant  
and The London Borough Of Enfield, Claimant

Mr Simon Cordell  
109 Burncroft Avenue  
Enfield  
EN3 7JQ

<b>In the County Court at Edmonton</b>	
<b>Claim Number</b>	E00ED049
<b>Claimant</b> (including ref.)	The London Borough Of Enfield LS/C/L1/155584
<b>Defendant</b> (including ref.)	Mr Simon Cordell



**If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be  
it to prison**

**If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to  
prison or fined or have your asset seized. You should read this order carefully and are advised to consult a  
solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.**

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for  
the claimant and without notice to the defendant, considered an application for an injunction.

## AND IT WAS ORDERED THAT

The defendant, Mr Simon Cordell , must;

1. Permit the claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry  
out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court  
Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk)  
to find out more.**

**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court**

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at [www.gov.uk/legal-aid](http://www.gov.uk/legal-aid) for further information*

N110A

# Power of arrest

Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE  
ENFIELD  
EN3 7JQ

<b>Name of court</b> THE COUNTY COURT AT EDMONTON	<b>Claim No.</b> E00ED049
<b>Claimant's name</b> (including ref.) THE LONDON BOROUGH OF ENFIELD	
<b>Defendant's name</b> (including ref.) MR SIMON CORDELL	



Date order made 9 / 1 / 2018

Name of judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:  
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on 9 / 1 / 2018

and expires on the 9 / 1 / 2019

### Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50  
CIVIC CENTRE  
SILVER STREET  
ENFIELD  
EN1 3XA

Claimant's phone number

[Empty box for phone number]

## **POWER OF ARREST ( CONT )**

1. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
  
2. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
  
3. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
  
4. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

---

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09<sup>th</sup> January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10<sup>th</sup> January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
  - a. *Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*
  - b. *Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*
  - c. *Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*
  - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

### **Incident of 15 March 2018**

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self-defence to stop him. Some neighbours come out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.



7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

### **Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.
13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

### **Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20 day of April 2018

M. Malyutina 20 APR 2018

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

*L. H. O'S*

EDMONTON COUNTY COURT  
59 FORE STREET, EDMONTON  
LONDON N18 2TN

LONDON BOROUGH  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM1

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

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EXHIBIT MM2

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# NHS DENTAL CARE

**Contractor's Name:** Handan Sabahlar

**Address:** Inspire Dental Walthamstow  
67-69 Palmerston Road  
Walthamstow  
London

**Telephone:** 0208 521 8656  
**NHS Organisation:** NHS England London Lat

**Patient's Surname:** Markandu

**Patient's Forename:** Mathiyalagan

**Date of Acceptance:** 22/03/18

**Treatment on Referral:** No

## TREATMENT PLAN & ESTIMATE

**Revision No.** 1

**What the NHS will provide** The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.

**Emergency Arrangements** Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.

**Replacements free of charge** If you are 18 or over and a filling, root filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless:-  
The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible.  
This NHS cover does not apply to any private treatment you may have.

**Dental treatment charges** I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.

**Treatment on referral** With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment: only one charge will be made by your referring dentist, as outlined below.

**Paying for NHS treatment** Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are:  
\* Pregnant or have had a child in the last 12 months  
\* If you are aged 18 and in full time education  
\* If you or your partner are named on a current HC2 NHS charges certificate  
\* If you or your partner are named on a valid NHS tax credit exemption certificate  
\* If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit  
If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office. Please Note: The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension Credit Savings Credit and Contribution-based Jobseeker's Allowance.

**Cancelling Appointments** If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.

**Regular care** Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

**NHS Treatment**

- |   |                               |         |  |
|---|-------------------------------|---------|--|
| 1 | Examination                   |         |  |
| 1 | Extraction                    | LR1     |  |
| 1 | Extraction                    | LL1     |  |
| 1 | Extraction                    | LL2     |  |
| 1 | Partial Denture Bearing       | LR1-LL2 |  |
| 1 | Primary Denture Impression(s) |         |  |
| 1 | Note                          |         |  |

**Total £ 0.00**


**Additional Private Treatment**

1	30 min Hygienist Visit		£ 47.00
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**Total £ 47.00**

**PATIENTS DECLARATION**

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.  
I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

<b>NHS Charge:</b>	£0.00	<b>Total Private Charge:</b>	£47.00	<b>Total Charge:</b>	£47.00
<b>Patient's signature</b>				<b>Date</b>	22/03/2018

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

EXHIBIT MM3

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Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 5RJ  
Tel No: 0208 527 1888  
Fax No: 0208 527 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971

14 Netley Road, Walthamstow, E17 7QD →

Mobile No: 07891740939

117 BURNCROFT AVE  
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 5RJ  
Tel 0208 527 1888

1. Made on behalf of the Claimant
2. Witness Statement of Ravathy Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

**BETWEEN:**

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

---

AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 45 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under exhibit RM1.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 28 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the Injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that the injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.

11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

Dated this 2<sup>nd</sup> day of April 2018

*M. Rowley* 20 APR 2018

OFFICER OF THE COURT  
APPOINTED BY THE JUDGE  
TO TAKE AFFIDAVITS

*L. H. O'S*

EDMONTON COUNTY COURT  
59 FIFE STREET, EDMONTON  
LONDON N18 2TN

LONDON BOROUGH  
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
THE LONDON BOROUGH OF ENFIELD

Claimant

-AND-

MR SIMON CORDELL

Defendant

---

EXHIBIT RM1

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Dr H I Swedan  
Claremont Medical Centre  
27 Claremont Road  
Walthamstow  
LONDON  
E17 8RU  
Tel No: 0208 627 1888  
Fax No: 0208 627 8111

9<sup>th</sup> April 2018

To Whom It May Concern:

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Yours sincerely



Dr H I Swedan

Dr H I SWEDAN  
Claremont Medical Centre  
27 Claremont Road  
London E17 8RU  
tel 0208 627 1888

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF  
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Claimant

-and-

MR SIMON CORDELL

Defendant

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DRAFT ORDER

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Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated