

application to aid in bringing about a solution depending on the offence that has been committed; this is especially in cases of unlicensed activities. These solutions should have included the possibility of mediation, warning letters and Acceptable Behaviour Contracts (ABC). An ABC is classed as a written agreement between any Known persistent offenders, to which Simon Cordell has never been arrested to any think of similar nature in fact the last time Mr Cordell was arrested, was in 2009. He has also never been spoken to by anyone about any concerns they had.

If illegal raves have not been proven which it was not the Judge said no illegality needed to be proven, then why do my conditions for the ASBO still define illegal raves?

Please see article from The World Wide Web at:

<http://researchbriefings.files.parliament.uk/documents/SN01889/SN01889.pdf>

What is stated in the PDF web linked above is typed below:

“Under the Criminal Justice and Public Order Act 1994, the police have the power to stop raves. Until January 2004, these were defined as unlicensed open air gatherings of 100 or more people at which loud music is played during the night. New provisions introduced into the Anti-social Behaviour Act 2003, which came into effect in January 2004, reduced the number of people who constitute a rave from 100 to 20, and removed the requirement for the gathering to be in the open air. It also introduced an offence of attending another trespassory rave within 24 hours of a police direction, to stop people simply moving the rave to another place. There have been press reports of police in some areas holding back from using their powers for health and safety reasons, either because of the dangers of dispersing large crowds in the dark or because of other dangerous local conditions. However, there have also been reports of successful police action to control raves in particular areas. Gatherings for which an entertainment licence has been obtained are not counted as raves within the meaning of the legislation. However, there was some controversy about so-called licensed “raves” under provisions in the Licensing Act 2003 which came into force in November 2005. These allow people to get temporary event notices for gatherings of up to 499 people for events lasting up to four days. The licensed events could involve the sale of alcohol, and while the police have to review the application and object if they consider that crime and disorder would result, there is no mechanism for the general public to object. The Government is keeping this area of law under review. These provisions would not apply to the kind of illegal raves covered by the 1994 Act, which by definition are unlicensed.”

As far as I know all locations contained within this ASBO application were in a place of fixed residence and all occupiers / residents were living under section 144 Lasbo as stated governed under United Kingdom Law here:

**LEGAL WARNING**

**TAKE NOTICE**

**THAT** we live in this property, it is our home and we intend to stay here.

**THAT** at all times there is at least one person in this property.

**THAT** any entry or attempt to enter into these premises without our permission is therefore a criminal offence as any one of us who is in physical possession is opposed to such entry without our permission.

**THAT** if you attempt to enter by violence or by threatening violence we will prosecute you. You may receive a sentence of up to six months’ imprisonment and/or a fine of up to £5,000.

**THAT** if you want to get us out you will have to issue a claim for possession in the County Court or in the High Court.

The Occupiers

N.B. Signing this Legal Warning is optional. It is equally valid whether or not it is signed.

Part of the Barrister submissions that represented Simon Cordell, had been that the allegations were that he was involved in the organizing of illegal raves, but the applicant hadn’t adduced evidence, of trespass which is a requirement for proving, that an indoor rave was illegal. The Deputy District Judge ruled that the applicant did not need to prove illegality, - all the needed to proven was he had acted in an anti social manner. In the view of the barrister this was a very questionable decision: firstly, the applicant based their case on the illegality of the raves rather than the fact of the raves themselves and secondly, without proof of illegality the presumption of innocence leads to the conclusion that the raves were legal, and thus, Simon being prohibited from engaging in an ostensibly lawful activity requires more careful consideration on issues of proportionality.